

## Minerals Core Strategy and Development Control Policies document

### Council's responses to representations received

Respondent	Paragraph	Policy	Site Map	Respondent's Comments	Council's Response
Langar cum Barnstone Parish Council	GEN			1545: No comments.	Noted
Melton Borough Council	GEN			1431: No comments.	Noted
National Grid	GEN			1552: No specific comments.	Noted
Derbyshire County Council	GEN			1432: No objections	Noted
Coal Authority	GEN			1523: Our overall comment is that this document is very thorough in its exposition of the issues. It contains the whole range of issues which The Coal Authority would be seeking a Minerals Development Framework to address. As such it is one of the best examples seen to date and should be commended to the Inspector.	Comments welcomed.
Confederation of UK Coal Producers	GEN			1514: The Confederation of UK Coal Producers (CoalPro) represents member companies who produce over 90% of UK coal output. CoalPro considers the Submission Draft to be a good and sound document generally speaking but has some comments to make.	Comments welcomed.
Ibstock Brick	GEN			1588: In general terms, we consider that the Minerals Core Strategy provides a good overview of the industry and the geology of the mineral resource in Leicestershire. The DC policies provide an insight into the final means of future development control in the County and is a welcome milestone emerging out of the long development of the documents.	Comments welcomed.
Lafarge	GEN			1469: Following our concerns raised in our letter dated 29	Support welcomed.

Aggregates				November 2007, we feel that the Core Strategy is much improved in both its layout and content, and overall support the strategy.	
Narborough Parish Council	GEN			1413: We are pleased to note that our previous comments have been documented and further to these would strongly support the conclusion drawn. In the circumstances we believe it appropriate to remove completely any mention of Flash Farm from the development framework.	Noted. The Core Strategy and Development Control Policies DPD does not make any mention of the site at Flash Farm. The appropriateness of individual sites will be addressed in the Site Allocations document.
UK Coal	GEN			1490: Following our concerns raised in our letter dated 29 November 2007, we feel that the Core Strategy is much improved in both its layout and content, and overall support the strategy.	Support welcomed.
Woodhouse Parish Council	GEN			1549: Woodhouse Parish Council supports the general thrust of the Minerals & Waste Development Framework document in its emphasis on careful control of minerals development in sensitive areas.	Support welcomed.
EMRA	GEN			1540: Our view as Regional Planning Body for the East Midlands is that the submissions are in general conformity with RSS8.	Noted
GOEM	GEN			1657: It is considered that the Core Strategy could have gone somewhat further in its decision making, and some examples of this are summarised in Appendix 1 to this letter. Though those matters may not in themselves give rise to a fundamental unsoundness in the Minerals Core Strategy, they all defer strategic decisions that will have to be made at some time and in that sense are contrary to the intentions of PPS12.	This issue is addressed in response to the specific matters raised.
Ibstock Brick	GEN			1606: The current policy referencing has the potential to cause confusion. Policies DC10 (in the Minerals DPD) and DC6 (in the Waste DPD) are the same except that they are in different plans. The plans (or certain policies within them) should be combined (preferable) or at the very least the references made distinctly separate i.e. change the waste DC6 to WDC6 (Waste DC).	The Council accepts that there would be some merit in amending the policy referencing to avoid confusion between the Minerals and Waste DPDs. The Council propose that policies be prefixed with an 'M' for minerals. Minerals and Waste policies

					cannot be combined as the framework areas differ.
Ibstock Brick	GEN			1620: The summary of policies on page 79-84 serves to highlight the duplication of certain policies referred throughout this document and which should be removed to assist in the transparency of the policies.	The DPD distinguishes between Core Strategy and DC policies. Some topics are however included in both sections e.g. transport, reclamation, but policies are not duplicated.
EMRA	2.4			1543: As the development of core strategies and associated plans move forward you should be mindful of the contents of the draft RSS and factor this into your work accordingly. As referred to above, the proposed changes to the draft RSS were issued recently (July 2008) and are now subject to public consultation until 17th October 2008. After considering responses the government will publish the final version. The Regional Assembly around this time (Autumn 2008) will then begin a partial review process to the plan. As you are aware Communities and Local Government (CLG) are in the process of revising the National targets for aggregates provision (2005-2020). CLG anticipate that following the consultation process which ended in June, revised figures could be made available in the autumn. Any change will obviously have associated knock on effects with regards to the Regional mineral apportionment which would have to be looked at again in the partial review of the RSS.	The latest changes to the draft RSS (MCD 9) were published after the submission of the DPD. The Council acknowledges that proposed changes to the draft RSS need to be taken into account and has put forward a number of textual changes to address this matter.
Aggregate Industries	2.19			1636: The employment figures quoted do not include those employed within added value and supporting operations. At Bardon Hill and Croft we directly employ over 830 staff and a further 270 hauliers and contractors are reliant upon the operations for employment. Whilst just over 60% of this direct employee total are office based staff, they are all dependant upon quarrying operations continuing because if either Croft or Bardon Hill Quarry's were to shut then inevitably the office locations would transfer to an alternative site.	The employment figures quoted are as published in the Business Monitor PA1007 (MCD 23). This breaks down jobs involved with mineral extraction into direct employment, contractors and drivers. Paragraph 2.19 acknowledges that these figures will increase significantly if other associated jobs are taken into account.
NEMA	2.20			1566: It is felt that mention of the Airport could be usefully added to the 'Transport' section (paras.2.20-2.21).	The Council acknowledge that reference to East Midlands Airport

					could usefully be added and propose to change Para 2.20 accordingly.
English Heritage	2.24			1446: Draft RSS8 Policy 30, paragraph 3.3.19, highlights the role that HLC plays in improving the understanding the Region's landscape and the survival of historic landscapes. HLC provides a tool for informing planning decisions, particularly with respect to minerals proposals with their landscape scale implications. Work on the Leicestershire HLC is near completion. It is recommended that as part of the context for the plan, reference should be made in this paragraph to the HLC, as follows: 'The County Historic Landscape Characterisation contributes to the understanding of the character of the landscapes of Leicestershire and the survival of historic landscapes.'	See LCC Response to Minerals – Environmental Matters (Question 1) (LCC M9)
Charnwood Borough Council	3.1			1420: The spatial strategy and vision need to refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that mineral sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure.	See LCC Response to Minerals – Spatial Vision and Objectives (Question 7) (LCC M5)
Coal Authority	3.6			1538: The Coal Authority supports the vision and objectives which applies to all minerals. It is welcomed that all minerals are considered rather than taking a selective process.	Support welcomed.
Ibstock Brick	3.6			1589: The Vision provides a good over view of the future Minerals development in the County.	Noted.
Lafarge Aggregates	3.6			1470: The Spatial Vision set out on page 14 is supported.	Support welcomed.
UK Coal	3.6			1491: The Spatial Vision is supported.	Support welcomed.
Coal Authority	3.7			1539: The Coal Authority supports the vision and objectives which applies to all minerals. It is welcomed that all minerals are considered rather than taking a selective process.	Support welcomed.
Lafarge Aggregates	3.7			1471: The Objectives set out on page 14 are supported.	Support welcomed.
Ibstock Brick	3.7			1590: Objective 1 - The reference to 'aggregates' at the end of the objective suggests the whole objective is aggregates based. We suggest the insertion of the words	The first part of Objective 1 relates to all minerals, but the Council has no objection to the

				'...requirements, for all minerals in particular...'	suggested amendment which reinforces this point. The Council propose to change the objective accordingly.
GOEM	3.7			1685: PPS12 specifically allows Local Development Documents to include policies that go beyond strict land-use policies in order to implement their objectives. It is noted that Waste Core Strategy Objectives 2 & 4 are not, and possibly can not be, strongly supported by the land-use policies submitted. If there are no other relevant programs flowing from the Sustainable Community Strategy, it is hoped that these objectives will provide the support for such programs to be developed. Any commitment to this effect possible through the Core Strategy would help justify the inclusion of these objectives.	See LCC Response to Minerals – Spatial Vision and Objectives (Question 4) (LCC M5)
Quarry Products Association	3.7			1425: Sub paragraph 5 implies that the needs of the natural and built environment should always take priority over the need for minerals. That is inconsistent with many statements in MPS1 and notably the fourth bullet point of paragraph 15 of that policy statement. As written that objective is inconsistent with national policy and is not effective in delivering national policy as it is too inflexible to ensure that an adequate and steady supply of minerals is maintained. It therefore renders the Core Strategy unsound. It should be re-worded: 'To ensure that all land use considerations are taken into account when planning for future minerals extraction in order to achieve the best integration of social, environmental and economic interests.'	The Council does not accept that the objective 5 is inconsistent with national policy or that it is incompatible with objective 1.
UK Coal	3.7			1492: The Objectives set out on page 14 are supported apart from Objective 5 where it is suggested that 'unacceptable' is inserted before 'minerals development'.	See LCC Response to Minerals – Spatial Vision and Objectives (Question 5) (LCC M5)
Midland Quarry Products	3.7			1466: Item 7 relates to dealing with the impact of mineral extraction through 'environmental, recreational, economic and community gain' by way of 'mitigation and/or compensation'. This approach appears to exceed Government guidance and could potentially lead to financial claims through the planning process especially when considering the terms 'economic' and 'compensation'	The Council does not accept that objective 7 exceeds Government guidance. PPS1 (MCD 26) states (Paragraph 29) that 'Adverse environmental, social and economic impacts should be avoided, mitigated, or

				together. The term 'effects of mineral development' is extremely wide ranging and again could potentially lead to a range of claims. If the objective has to remain, it should be limited to the mitigation of direct effects only.	compensated for.' PPS9 (MCD 28) states (paragraph 1 vi) that 'Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought.' Circular 05/2005(paragraph B3) states that planning obligations might be used 'to secure a contribution from a developer to <u>compensate</u> for loss or damage created by a development.'
Tarmac Ltd	3.7			1546: Objective 7 relates to dealing with the impact of mineral extraction through 'environmental, recreational, economic and community gain' by way of 'mitigation and/or compensation'. This approach appears to exceed Government guidance and could potentially lead to financial claims through the planning process especially when considering the terms 'economic' and 'compensation' together. The term 'effects of mineral development' is extremely wide ranging and again could potentially lead to a range of claims. If the objective has to remain, it should be limited to the mitigation of direct effects only.	See response to Midland Quarry Products above.
English Heritage	3.7			1445: Objective 8 Draft RSS8 Policy 26 addresses the protection and enhancement of both natural and cultural assets, including mitigation and the protection of the setting of cultural assets. Restoration schemes may provide the opportunity to enhance the setting of such sites or features. The following change is proposed to Objective 8: 'that enhances and complements the natural and historic environment'	See LCC Response to Minerals – Spatial Vision and Objectives (Question 9) (LCC M5)
Coal Authority		CS1		1522: The Coal Authority supports Policy CS1 as sets out the strategy for minerals as a whole and therefore sets the overarching principle considerations.	Support welcomed.

Lafarge Aggregates		CS1		1472: This policy is supported.	Support welcomed.
Blaby District Council		CS1		1556: The policy gives priority to the extension of existing minerals sites. Whilst this Council acknowledges that in some cases this may be a more efficient and sustainable method of extraction, Blaby District Council (BDC) is concerned that the priority given to extending existing mineral workings will have significant adverse effects on the biodiversity, amenity and the environment in the area of Croft Hill. There is a strong possibility that the mineral supply at Croft Quarry will run out before the end of the plan period and a planning application to extend the works may be made. BDC is particularly concerned about an extension that could involve extraction at Croft Hill which is situated adjacent to Croft Quarry. This area is a site of national significance and is designated as a SSSI for its ecological value. It is also designated as an Area of Local Landscape Value in the adopted Blaby District Local Plan (Policy 23) and is the dominant landscape feature in the Soar Valley (South), which is enjoyed by many residents from the District of Blaby. BDC considers that the combination of the above qualities merit Croft Hill having specific protection from Minerals Development in the LMDF. It is considered essential that it is made clear that the 'priority to the extension of existing sites', contained in Policy CS1, specifically excludes extraction at Croft Hill.	See Topic Note – Provision for Crushed Rock (paragraph 28) (LCC M2)
Croft Parish Council		CS1		1561: The core strategy is to develop and extend existing quarrying activities as opposed to developing new sites. This policy will clearly impact on our community. As there are only four Igneous Rock quarries within the development Framework, the safeguards within the Development Control policies need to be site specific and to be in far greater detail. Therefore the Parish Council wishes the inclusion of the Blaby Planning Policy CE23 as set out in the Blaby District local Plan, within the proposed Development Control policies up to 2021: - 'Planning permission will not be granted for development which would have an adverse effect on the appearance or character of Croft Hill which is	See Topic Note – Provision for Crushed Rock (paragraph 28) (LCC M2)

				identified on the Proposals Map as an area of Local Landscape Value'.	
Huncote Parish Council		CS1		The core strategy is to develop and extend existing quarrying activities as opposed to developing new sites. This policy is of concern as it will impact on our parish with adverse results due to increased traffic movements, dust noise, etc. The Development Controls must be site specific and to in greater detail. Specifically the PC would be opposed to the removal of stone from Croft Quarry that would have any detrimental effect on Croft Hill. The Parish Council wishes the inclusion of the Blaby Planning Policy CE23 as set out in the Blaby District local Plan, within the proposed Development Control policies up to 2021: - 'Planning permission will not be granted for development which would have an adverse effect on the appearance or character of Croft Hill which is identified on the Proposals Map as an area of Local Landscape Value'.	See Topic Note – Provision for Crushed Rock (paragraph 28) (LCC M2)
Residents of Brickhill Cottage, Shaw Lane, Markfield		CS1		1573: Concerned that giving priority to the extension of existing sites as we feel that this will in the future lead to not only the de-valuation of their property, but a considerable reduction in the quality of life of the residents of Brickhill Cottage. Aggregate Industries are at present canvassing opinions of local residents with the intention of submitting a planning application for the 'extension' of their current site at Bardon, up to an area of the Charnwood Forest, opposite Shaw Lane, which is 200m from our house. The residents of Brickhill Cottage are fearful of the reduction of the quality of our daily lives which this 'extension' will bring, and feel strongly that a policy of this nature, if adopted by the Leicestershire county Council, will be a green light to this proposal, and cause serious detriment to us. Although we do feel that AI's adoption of the term 'extension' to their plans is stretching the definition of the word, as the existing quarry is over one mile away. We trust that this definition will be fully examined by the Local Authority should a planning application be made by AI.	See Topic Note – Provision for Crushed Rock (paragraph 28) (LCC M2)
UK Coal		CS1		1493: Policy CS1 sets out the strategy for the supply of minerals. This policy is supported but it is suggested that	Support welcomed. The Council does not consider that

				the policy should reflect the importance of sourcing mineral supplies indigenously in supporting local markets and minimising the transportation of minerals.	the policy needs to be amended. Paragraph 4.107 recognises the benefits of local supplies of minerals, and Policy CS16 seeks to locate new mineral working in close proximity to markets in order to minimise the need to transport minerals.
UK Coal		CS1		1497: If the County Council are not proposing to allocate coal proposals then bullet point 4 of Policy CS1 should refer to 'non-energy' minerals development.	The Council does not consider that the policy needs to be amended as suggested. Bullet point 4 of CS1 identifies the circumstances where proposals outside allocated areas might be acceptable, but does not state that proposals would only be allowed in those circumstances. Coal proposals would therefore still need to be considered against Policy CS7.
Lafarge Aggregates	4.16			1473: Paragraph 4.16, page 18, makes reference to Annex 1 of MPS1 and the recommendation for landbank indicators of at least seven years for sand and gravel and at least ten years for crushed rock. The paragraph also states that it is the intention of the Core Strategy not to make any provision for landbank beyond the end of the MDF plan period. We do not agree with this approach, we would recommend that the landbank is extended beyond the end of the plan period, seven years for sand and gravel extraction and ten years for crushed rock operations.	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)
Quarry Products Association	4.16			1426: The final sentence of paragraph 4.16 is misleading. It should state that: 'calculations of future requirements are based on all identified areas coming forward as planning applications, planning permission for those areas being granted and it being acceptable for landbanks to fall below the minimum level in 2011 (crushed rock) and 2014 (sand and gravel)'. For crushed rock in particular this is not acceptable. It would be almost impossible for a review of the Site Allocations DPD to be completed and planning	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)

				permissions for the first of those sites to be granted, before the crushed rock landbank falls below the minimum in 2011. Whilst MPS1 (Annex 1, Para. 4) does not require provision to be made for landbanks to be maintained beyond the end of the plan period, MDFs should show how they can be maintained at the end of the plan period.	
EMRA	4.19			1541: 4.19 & Box 1 - The identified shortfall of 5.7 million tonnes of sand and gravel when the figures are rolled forward to 2021 illustrates the need for the authority to identify additional landbanks moving forward. At this stage the important factor is that Leicestershire can meet its regional apportionment requirements as out in RSS8 between 2001-2016. With regards to the annual requirement figure, you have assumed that the 20mt total be divided over a 16 year period giving a yearly total of 1.25mt - however 2001-2016 is actually 15 years which on the same basis would make this figure 1.33mt.	The national and regional guidelines for aggregates cover the period between the years 2001 and 2016 (inclusive) – this represents a 16 year period. The calculation in Box 1 is therefore correct and does not need amending. (EMRA have subsequently conceded this point in their letter dated 11 <sup>th</sup> August 2008)
Quarry Products Association	4.19			1427: The proposed levels of provision shown in Box 1 and Box 2 are not in accord with national policy and hence with Submitted Policy CS2 bullet point 2. Therefore OPA believe that the Core Strategy is unsound as it is inconsistent with 'national policy'. The proposed Leicestershire County Council provision levels are inadequate to maintain a minimum landbank of 7 years for sand and gravel and 10 years for crushed rock.	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)
Aggregate Industries	4.26			1638: Having carefully considered the information presented, in conjunction with data within the public domain, together with the Company's knowledge of its own operations we believe that the permitted reserve figure for crushed rock is an overestimate. Furthermore the figure disguises the position at least two of the rail linked quarries where we know further reserves will be required before 2021 if the quarries are not to close during the plan period. Croft and Bardon Hill Quarries have been the subject of recent reserve reassessment following health and safety revisions to working practices. In addition, permitted reserves at each site are constrained by structures and buildings that make the recovery of the underlying material	See Topic Note – Provision for Crushed Rock (paragraphs 19-26) (LCC M2)

				<p>impractical at current outputs. Taking these factors into account at Croft and Bardon Hill results in a total permitted reserve of 33 million tonnes and 49 million tonnes respectively as of 1 January 2008. Of these figures 9.6 million tonnes and 16 million tonnes respectively could only be worked at a significantly reduced output and by the removal of added value processes. The crushed rock figures in Box 2 include limestone reserves situated at 2 quarries located to the west of the County as well as granite reserves. The physical properties of limestone are different to those of granite and have a narrower application base. Furthermore, neither the limestone quarries nor the reserves at Groby (estimated to be of the order of 89 million tonnes) are rail linked. Taking all these factors into account, the Company believes that Box no. 2 should be amended to reflect the points raised.</p> <p>The permitted reserve figure includes 89 million tonnes at Groby. This suggests that all the active quarries will run out of reserves during the Plan period. In practice it is more likely that some of the quarries will close and overall production will reduce significantly. Even using the current Core Strategy assumption of a surplus of 144 million tonnes, removal of the Groby reserve suggests that currently active quarries will close during the plan period without further reserves. Mountsorrel appears to be the only quarry that can continue to 2021 without the need for further permitted reserves.</p>	
EMRA	4.26			1542: 4.26 & Box 2 - As comments on 4.19, the figures assume a 16 year period rather than a 15 year period (2001-2016). Dividing Leicestershire's requirement by 15 rather than 16 would mean an annual requirement of 17.5mt rather than the 16.4mt indicated.	The calculation in Box 2 is correct – see response to EMRA in respect of paragraph 4.19.
Quarry Products Association	4.26			1428: The proposed levels of provision shown in Box 1 and Box 2 are not in accord with national policy and hence with Submitted Policy CS2 bullet point 2. Therefore QPA believe that the Core Strategy is unsound as it is inconsistent with 'national policy'. The proposed Leicestershire County Council provision levels are inadequate to maintain a	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)

				minimum landbank of 7 years for sand and gravel and 10 years for crushed rock.	
Aggregate Industries	4.27			1639: The conclusion that it is not necessary to make specific provision for future crushed rock extraction is incorrect. Unless provision is made for additional reserves at rail linked sites it will not be possible to maintain production capacity and to meet the sub-regional apportionment for Leicestershire. There will be pressure to reopen inactive and dormant sites and even if this does enable a significant level of production capacity to be maintained there will be a substantial increase in the proportion of crushed rock distributed by road.	See Topic Note – Provision for Crushed Rock (paragraphs 19-26) (LCC M2)
Aggregate Industries	4.28			1640: We are pleased to note that the Plan recognises that there is the likelihood that extension proposals will come forward during the Plan term. This is extremely important because we estimate that at least 3 of the present rail linked operations will be exhausted before 2021. It is expected that applications will be submitted within the next 5 years or so.	Comments noted.
Lafarge Aggregates	4.28			1474: Paragraph 4.28, page 21, sets out some of the varying circumstances that may arise to justify the extension of existing quarries, this approach is supported.	Support welcomed.
Aggregate Industries	4.29			1641: This paragraph recognises the investment already made in quarries across the County and the need for additional mineral reserves to be released to justify further investment in plant and machinery. The sentiments included within this paragraph are again fully endorsed by the Company.	Endorsement welcomed.
Lafarge Aggregates	4.29			1475: Paragraph 4.29, page 22, recognises that quarries producing rock aggregates generally will require a longer security of reserves to justify capital investment. This recognition is welcomed; however, we believe that the justification for longer security of reserves goes much further. As recognised in paragraph 2.25, page 11, Leicestershire is one of the principal producers in the country, particularly igneous rock. There should be support for the long term security of supply of these regionally and nationally important reserves, which includes extending the	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)

				landbank beyond the end of the plan period.	
Aggregate Industries		CS2		1642: The Company believes that the information presented above demonstrates that there will be insufficient planned reserves to meet demand during the Plan period. It follows therefore that if demand cannot be met then proposals to develop new sites will need to be put forward if Leicestershire is to continue to supply materials at the rates agreed by the Regional Aggregates Working Party. We would however request that the wording of the 6th bullet point be altered such that reference is made to the likelihood that new reserves will be needed at some time during the plan period.	The Council does not consider that a change to Policy CS2 is necessary. The 6 <sup>th</sup> bullet is intended to address potential new sites, as opposed to extensions to existing sites, which are addressed in the 5 <sup>th</sup> bullet. See also Topic Note – Provision for Crushed Rock (paragraphs 25 and 29) (LCC M2)
GOEM		CS2		1667: Though Box 1 under paragraph 4.19 identifies the shortfall in sand & gravel reserves to meet the regional requirement, a target for the new reserves sought over the plan period has not been included in Policy CS2. Such a target would effectively substitute for the first, second, third and sixth bullet of that policy and provide a clear focus for delivery and monitoring. Where there is sufficient evidence to do so, setting specific targets for other minerals would provide similar benefits.	See LCC Response to Minerals – general matters and Aggregates (Question 13) (LCC M8)
GOEM		CS2		1686: Despite the environmentally sensitive location of quarries for crushed rock and the identification of adequate reserves in Box 2 under paragraph 4.26 to meet requirements over the plan period, no decision has been made to restrict the extension of any quarries in Policy CS2.	See Topic Note – Provision for Crushed Rock (paragraph 29) (LCC M2)
GOEM		CS2		1687: Despite policy preference for alternatives to road transport (Objective 6), there is no preference for extensions at rail served quarries in Policy CS2 which would help to advance this objective.	See Topic Note – Provision for Crushed Rock (paragraph 27) (LCC M2)
Lafarge Aggregates		CS2		1476: Policy CS2 sets out the strategy for aggregate minerals. Overall we support this policy except for the first bullet point which recommends making land available to the end of the plan period only. We recommend that the landbank be extended beyond the end of the plan period as outlined above.	See Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)
Quarry Products		CS2		1429: QPA objects to two aspects of the first bullet point.	The MPA 'makes land available' to

Association				The provision is inadequate (see comments above) and the MPA cannot 'make land available', they can only make provision for the sub-regional apportionment to be met. Only landowners can make land available and therefore the policy is unsound as it cannot be delivered. OPA objects to bullet point six as it is implied that the seven and ten year figures are being used as maximum levels. MPS1 refers only to minimum landbank levels. MPS1 (Annex 1, Para 4.1) makes it clear that the length of a landbank is simply an indicator of when new permissions are likely to be needed. As worded, landbank is being used far too prescriptively. The policy is not effective because it is insufficiently flexible to allow supply to be maintained, and it is therefore unsound.	meet the sub-regional apportionment by granting planning permission for aggregate extraction. Whether that land is ultimately worked is a matter for the landowner/mineral operator and outside the MPAs control. In respect of landbanks, see Topic Note – Provision for Crushed Rock (paragraphs 12-13) (LCC M2)
Ibstock Brick	4.33			1592: We welcome the reference to the Brick Clay Annex 2 of MPS1 and the specific requirement to 25 years landbank per brickworks.	Comments welcomed.
GOEM		CS3		1688: Despite adequate reserves being identified at Ellistown in the box under paragraph 4.34, that general location is not excluded from the support for extensions in Policy CS3. Despite the clear implications in the text of a requirement for significant extensions at Desford, Heather and especially Shepshed, no decision to directly support further development at those general locations is made in Policy CS3.	See Topic Note – Provision for Brick Clay and Fireclay (paragraphs 16-20) (LCC M1)
Ibstock Brick		CS3		1593: Whilst para.4.33 makes specific reference to Annex 2 and 25 years, this is notably omitted from the policy. For completeness, we believe reference to this should be included in the policy.	See Topic Note – Provision for Brick Clay and Fireclay (paragraphs 12-15) (LCC M1)
UK Coal		CS4		1494: Policy CS4 supports the recovery of fireclays in association to coal extraction, subject to separate policy considerations. This approach is supported.	Support welcomed.
GOEM		CS4		1658: Despite acknowledgement in paragraph 4.37 that Leicestershire contributed 31% of national fireclay sales in 2005, and in paragraph 4.39 that current stockpiles at Donnington Island would be exhausted before the end of the plan period if that rate of sales was sustained, there is no	See Topic Note – Provision for Brick Clay and Fireclay (paragraphs 34 and 38) (LCC M1)

				target for fireclay production against which proposals could be assessed in Policy CS4. As the Core Strategy stands, it appears that the test of need in Policy CS4 will currently be met by any proposal, and is therefore superfluous.	
Nottinghamshire County Council		CS5		1424: The supporting text (Para 4.46) refers the Nottinghamshire Marbleagis Mine having the potential to extend into Leicestershire. This option is supported by this Authority as set out in comments made at previous stages in the preparation of this Core Strategy. Whilst this Authority is content with the supporting text, the wording of Policy CS5 would be improved if it made a specific reference to this area of land and/or the Mine to which it relates. (If accepted then a similar reference to the Barrow Mine would also be appropriate). Suggested re-wording of Policy CS5: 'The Strategy for gypsum is to allow proposals for extensions to the Marbleagis and Barrow Mines only where they are required'.	The Council does not consider that any change to Policy CS5 is necessary. Policy CS5 does not preclude the extension of the Nottinghamshire Marbleagis Mine into Leicestershire.
Confederation of UK Coal Producers	4.62			1515: International coal prices have increased more than four fold over the last four years. If these prices are maintained, it cannot be assumed that deep-mining coal operations are unlikely in the period up to 2021.	Comments noted. The Council acknowledge that this matter will need to be closely monitored and the DPD reviewed if necessary.
UK Coal	4.67			1496: It is further disappointing that, as stated in paragraph 4.67, page 31, that the County Council has not been able to identify sufficient environmentally acceptable sources of future coal working. The Sustainability Appraisal Report, page 33, recommends that 'establishing a forward programme of potential workable reserves' is the most sustainable option, but this approach is not being followed by the County Council. The recently published consultation on the proposed revisions to the East Midlands Regional Plan, Policy 36, no longer excludes energy minerals from the first bullet point. Policy 36 now recommends that Local Development Frameworks should identify sufficient environmentally acceptable sources to maintain an appropriate supply of aggregates and other minerals of regional and national significance. Coal is of regional and national importance, paragraph 4.63, page 30, of the Core	See LCC Response to Minerals – Supply of Minerals other than Aggregates (Question 20) (LCC M7)

				Strategy correctly identifies that the Energy White Paper (May 2007) that, where it is environmentally acceptable to do so, there is a value in maintaining access to economically recoverable reserves of coal.	
Coal Authority		CS7		1528: The Coal Authority welcomes this policy which recognises that there needs to be flexibility. The additional criteria included within the policy in our view provide the local distinctiveness and are strongly supported. The criteria also allow the reader to understand what issues any future planning applications will be tested against.	Support welcomed.
GOEM		CS7		1659: Despite the apparent need for fireclay, and the fact that any new fireclay extraction would most likely be in association with new opencast coal, this is not referred to in Policy CS7 as a factor in favour of opencast coal proposals.	See Topic Note – Provision for Brick Clay and Fireclay (paragraph 40) (LCC M1)
UK Coal		CS7		1495: Policy CS7 sets out the strategy for coal. The initial part of the policy repeats that of MPG3 apart from the inclusion of 'lateral and depth extensions to existing sites' to which we object. These conflicts with the principle of Policy CS1 where priority is given to extending existing sites.	The inclusion of reference to 'lateral and depth extensions to existing sites' is for the avoidance of doubt, to make it clear that Policy CS7 applies to both new and extended sites. It does not negate the priority to extensions indicated in CS1.
Coal Authority	4.73			1529: The Coal Authority is pleased to see a positive policy which gives flexibility to consider proposals for new energy technologies. At present it is likely there is limited public awareness and knowledge about the new energy technologies. It is suggested that the terms Coal Bed Methane, Abandoned Mine Methane and Underground Coal Gasification are defined and included within the glossary. This change as set out below will explain to the reader the differences between these technologies. To make reference in paragraph 4.73/4.74 that these terms are defined in the Glossary contained in Appendix One: Coal Bed Methane is clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground coal seams without impacting on the possibility of mining the coal in the future. Abandoned Mine Methane is	Support for policy welcomed. The Council has no objection to including information about new energy technologies in the Glossary of Terms (Appendix 1) as suggested, and proposes that the document be changed accordingly.

				clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground mine workings which have not yet flooded. Underground Coal Gasification is a form of clean coal technology which can provide a source of indigenous natural gas which is produced when uneconomic underground sources of coal are ignited under pressure.	
Lafarge Aggregates	4.76			1477: Paragraph 4.76, page 34, discusses the potential use of recycled and secondary aggregates, it is welcomed that there is recognition that this source of aggregate can only be used as basic materials in construction projects. Although secondary and recycled aggregates have an important role to play they cannot fully replace primary aggregates.	Comments noted. The Council acknowledges that recycled and secondary aggregates cannot fully replace the use of primary aggregates.
Lafarge Aggregates	4.79			1478: Paragraph 4.79 to 4.84 discusses the protection of minerals from sterilisation, we would like to see within this text a recommendation that protects aggregate railheads from locating sensitive uses in close proximity.	See LCC Response to Minerals – General Matters and Aggregates (Question 21) (LCC M8)
Coal Authority	4.82			1526: The Coal Authority strongly supports the inclusion of a Key Diagram which illustrates the presence of energy minerals specifically in Key Diagram No.3. It is welcomed that the County Council has been clear in its strategy as to how and where safeguarding areas will be illustrated in the emerging Local Development Documents.	Support welcomed.
GOEM	4.83			1660: Paragraph 4.83 suggests that it is not justified to safeguard the whole Triassic Mercia Mudstone outcrop as a Brick-Clay resource. This is contrary to national policy in MPS1, the whole resource should be shown on Key Diagram 2 and consequently protected through a subsequently defined Mineral Safeguarding Area.	See Topic Note – Provision for Brick Clay and Fireclay (paragraphs 25-27) (LCC M1)
Coal Authority	4.84			1527: The Coal Authority supports the potential opportunity for extraction of coal prior to development where relevant. This allows the prevention of needless sterilisation of resources but more importantly from a ground stability perspective it allows the opportunity to stabilise land which has been subject to historic mining activities.	Comments noted.
GOEM	4.84			1661: Paragraph 4.84 suggests that only sand & gravel and opencast coal will be suitable for prior-extraction from	See Topic Note – Provision for Brick Clay and Fireclay (paragraph

				development sites. Consideration should also be given to the prior extraction of brick-clay in this paragraph.	28) (LCC M1)
Coal Authority		CS10		1530: The Coal Authority strongly supports the inclusion of coal as a mineral which will be safeguarded by the Leicestershire Minerals Development Framework. Safeguarding is important to ensure that minerals are not unduly sterilised. It is to be welcomed that coal is seen by Leicestershire County Council as being an important mineral.	Support welcomed.
Ibstock Brick		CS10		1594: We support the safeguarding of reserves around existing works and identified as economic importance. We understand that site specific safeguarding areas will be considered in the allocations documents.	Support welcomed.
Lafarge Aggregates		CS10		1479: Policy CS10 sets out the strategy for resource management. This policy is supported but we would like to see included the protection of aggregate railheads from the locating of inappropriate development in close proximity.	See LCC Response to Minerals – general matters and Aggregates (Question 21) (LCC M8)
UK Coal		CS10		1499: Policy CS10 sets out the strategy for resource management. The inclusion of shallow coal reserves is supported.	Support welcomed.
English Heritage		CS10		1461: Paragraph 4.85 of the Plan recognises the need to protect high quality materials from inappropriate use and we support that part of Policy CS10. We recognise that currently 'the MPA does not have sufficient detailed knowledge of the nature and extent of suitable building stone resources to identify potentially workable materials' (paragraph 4.54 of the Plan). MPS Annex 3 of MPS1, paragraph 3.2 indicates that English Heritage and the industry should make MPAs aware of important sources of building stone that they consider should be safeguarded from other forms of development through LDD policies. English Heritage is addressing this issue. The Strategic Stone Study is a major 5-year study of England's building and roofing stone resources, which will assist MPAs in identifying the location of these minerals and inform their safeguarding. Certain types of limestone and igneous rock will be suitable for these uses. Jurassic ironstones, which have been excluded from the policy because they 'are not considered to have	See LCC Response to Minerals – Environmental Matters (Question 3) (LCC M9)

				any future economic significance as a source of iron', are recognised to be a source of building stone (paragraph 4.83 of the Plan). Paragraph 4.80 of the Plan quotes draft RSS Policy 36 which states that building stone should be safeguarded from development that would sterilise future exploitation. Although the necessary knowledge does not currently exist to allow for the safeguarding of this resource in its entirety, this knowledge gap will be largely filled long before the end date of the Plan in 2021. Therefore, we propose that building and roofing stone, as a category, is added to the list of safeguarded deposits in the second part of the policy and that a further bullet point is added as follows: '~ - through the establishment of a list of important sources of building and roofing stone' In addition, reference to the Strategic Stones Study should be made in paragraph 4.82 as part of the explanatory text.	
English Heritage		CS11		1433: Support	Support welcomed.
Lafarge Aggregates		CS11		1480: Policy CS11 sets out the strategy for environmental protection, no objection to this policy.	Noted.
UK Coal		CS11		1500: Policy CS11 sets out the strategy for environmental protection, no objection to this policy.	Noted.
GOEM		CS11		1668: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Ibstock Brick		CS11		1595: We believe that much of the content of this policy is duplicated by the Development Control Policies later in the document. The document should strive to minimise duplication of policies.	The Council does not accepted that this policy is duplicated by DC policies. Policy CS11 sets out the key principles in respect of

					environmental protection. The DC policies set out the criteria against which planning applications will be considered.
Natural England		CS11		1585: Natural England is generally supportive of this policy which protects the natural and built environment from any adverse impacts resulting from minerals development. We would however suggest that protection of geodiversity is specifically mentioned within the policy wording to add strength to this particular issue. We acknowledge that sites of geological interest are mentioned in the lower text of the policy in paragraph 4.89, however we consider that including geodiversity within the policy text itself would raise the profile of this important but often overlooked issue. We note that the SA/SEA highlights possible negative effect on geodiversity as a result of some the Plan's policies. Whilst we are satisfied that the impact on geodiversity can be minimised by appropriate policies and strategies for recycling and the reuse of minerals which would help to minimise the need for new extraction sites we would nevertheless like to see it particularly mentioned in the policy wording to further emphasise its importance. Natural England would therefore suggest the following phrase is added under the first bullet point, '- sites of geological interest'	General support for policy is welcomed. In respect of geodiversity, see LCC Response to Minerals – Environmental Matters (Question 4) (LCC M9)
English Heritage		CS12		1434: Support	Support welcomed.
Lafarge Aggregates		CS12		1481: Policy CS12 sets out the strategy for minerals development within the Strategic River Corridors and is supported.	Support welcomed.
Natural England		CS12		1586: Support Natural England particularly supports this policy as it protects many of our interests. In the lower text it mentions that river corridors offer some of the best opportunities to restore and enhance lost habitats and wetland landscapes and also provide a focus for the delivery of green infrastructure. These are all issues which we are involved with and actively promote. In the policy wording itself we are particularly supportive of point (b) which protects and enhances the linear continuity of river corridors	Support welcomed.

				in the interests of biodiversity and point (c) which deals with local character and distinctiveness. Natural England also promotes access to the countryside and outdoor recreation and so is pleased to see that these aspects are also covered in the policy's second bullet point.	
UK Coal		CS12		1501: Policy CS12 sets out the strategy for minerals development within the Strategic River Corridors and is supported.	Support welcomed.
Charnwood Borough Council		CS12		1414: The effectiveness of the policy in supporting the National Forest and Charnwood Forest is questioned.	CS12 is accordance with Draft RSS Policy 33. This recognises the multi-functional importance of strategic river corridors as part of the Region's Green Infrastructure. Policies CS13 and 14 deal with Charnwood Forest and the National Forest respectively.
GOEM		CS12		1689: Despite the major potential of quarry restoration to contribute to the floodplain, biodiversity and recreation functions of river corridors, that contribution and specifically the future role of Brooksby, Lockington and Fosse Way sand & gravel quarries is not addressed in Policy CS12.	See LCC Response to Minerals – Environmental Matters (Question 6) (LCC M9)
Aggregate Industries	4.96			1643: Paragraphs 4.96, 4.97 and 4.98: The plans referred to in the commentary and the Key diagram in the Leicestershire and Rutland Landscape and Woodland Strategy Document are largely indicative of the boundaries of the Charnwood Forest area but there are no formally defined boundaries. We support the current initiative to define a Charnwood Forest area but such an area has to recognise the fact that the underlying granite is a nationally important source of crushed rock aggregate and that quarries are a characteristic of the area. Furthermore, quarries and their associated landscaping can offer an opportunity for landforms and land uses compatible with the recreational and amenity qualities of the Charnwood Forest.	Comments noted.
English Heritage		CS13		1435: Support	Support welcomed.
Lafarge Aggregates		CS13		1482: Paragraphs 4.96 to 4.98, and Policy CS13 sets out the strategy for minerals development within or adjacent to the	Support welcomed.

				Charnwood Forest. Whilst the Charnwood Forest is an important regional landscape it is not of national importance. We recognise that this is reflected within Policy CS13 which is supported.	
Natural England		CS13		1587: Support. Natural England supports this policy as it protects and enhances the character of this unique and valuable landscape and we would not wish to see any further mineral development within this area.	Support welcomed, although it should be noted that the policy does not preclude further mineral development within Charnwood Forest.
UK Coal		CS13		1502: Paragraphs 4.96 to 4.98, and Policy CS13 sets out the strategy for minerals development within or adjacent to the Charnwood Forest. Whilst the Charnwood Forest is an important regional landscape it is not of national importance. We recognise that this is reflected within Policy CS13 which is supported.	Support welcomed.
Aggregate Industries		CS13		1644: Although in the main the policy is supported by the Company, it does have 2 comments it wishes to add which it believes would provide greater clarity and tighten the definition. These are as follows: (ii) The words 'used for' should be added after the word 'materials' and the word 'of' deleted to accommodate these alternative words. As mentioned above, any adopted boundary for the Charnwood Forest must take due regard to the economic importance of the granite as a source of construction aggregate either by excluding the quarries and potential extension areas or by acknowledging that quarrying activity is an acceptable land use within the Forest area.	The Council accepts that the wording of (ii) should be amended. The Council proposes that Policy CS13 (ii) be amended to read: '...scale and design of the development together with the materials to be used reflect...'
Charnwood Borough Council		CS13		1415: The effectiveness of the policy in supporting the National Forest and Charnwood Forest is questioned.	See LCC Response to Minerals – Environmental Matters (Question 7) (LCC M9)
Woodhouse Parish Council		CS13		1551: Woodhouse Parish Council is concerned about the lack of specific protection for Charnwood Forest in the latest MDF Core Strategy & Development Control Policies document. In particular, the Council has concerns about proposals for extending existing quarrying operations in the area around Bardon Hill. The Council therefore offers the following comments: Charnwood Forest is a key factor in the	See Topic Note – Provision for Crushed Rock (paragraph 28) (LCC M2)

				economic prosperity of the area. The area proposed at the foot of Bardon Hill is an Area of Outstanding Natural Beauty. Bardon Hill is a local landmark, and also contains a Site of Special Scientific Interest and, at over 1000 ft., is the highest point in the county. The Council considers that the applicant's statement that it would be an extension of an existing quarry is incorrect. The quarry to which it is planned to be linked is 1.5 miles away. Therefore any "extension" should be considered under a new planning application. Further quarrying in this location would destroy farmland on a greenfield site.	
Confederation of UK Coal Producers	4.102			1516: It should be recognised that the restoration phase of mineral workings offers opportunities for the extension of forested areas in line with the plans for the National Forest (see Policy DC21).	Paragraph 4.88 recognises that mineral restoration schemes can provide potential benefits through the creation of newly wooded landscapes.
English Heritage	4.102			1447: National Forest This area includes significant historic interest, particularly industrial archaeology, such as the Moira Furnace and Ashby Canal. Paragraph 4.101 refers to draft RSS Policy 29, which promotes the enhancement of 'cultural and historic assets'. For this reason, it is proposed that there should a minor amendment to the final sentence of paragraph 4.102: 'In considering proposals for the Forest, it is important that due regard is given to nature conservation and cultural heritage sensitivities and opportunities.'	See LCC Response to Minerals – Environmental Matters (Question 8) (LCC M9)
Natural England		CS14		1582: Support Natural England supports this policy as it protects and enhances the character of this unique and valuable landscape and we would not wish to see any further mineral development within this area.	Support welcomed, although it should be noted that the policy does not preclude further mineral development within the National Forest.
UK Coal		CS14		1503: Policy CS14 sets out the strategy for development within the National Forest outside the Charnwood Forest, the aims of this policy are supported.	Support welcomed.
GOEM	4.103			1663: The RSS Proposed Changes, taking account of the recommendation of the EIP Panel, do not support Green Wedges for their 'undeveloped' or general 'amenity' value,	See LCC Response to Minerals – Environmental Matters (Question 9) (LCC M9)

				and those references should be removed from paragraph 4.103.	
Charnwood Borough Council	4.104			1422: The supporting text to Policy CS 15 indicates that: 'the level of protection afforded land designated as Green Wedge is very similar to the national policy presumption against development in Green Belts. This approach does not accord with national or regional policy. The Panel in the draft RSS8 EIP Report (November 2007) found green wedges 'do not have the national policy status of the Green Belt and it seems that there is justifiable concern that they should not be regarded as unduly restrictive'. [paragraph 14.48].	See LCC Response to Minerals – Environmental Matters (Question 10) (LCC M9)
GOEM	4.104			1662: Green Wedges as designated by district level development plans in Leicestershire are not similar to Green Belt as suggested in paragraph 4.104. That paragraph should be deleted.	See LCC Response to Minerals – Environmental Matters (Question 10) (LCC M9)
Blaby District Council		CS15		1554: Supports policy.	Support welcomed.
English Heritage		CS15		1462: The Green Wedges include sites and landscape of historic interest. Notwithstanding Policy CS11 (Environmental Protection), for consistency with similar policies in the Plan, such as Policies CS12 and CS13, it is recommended that, as well as reference to the protecting the amenity of these areas, there is specific reference to protecting their environmental assets. The following change in wording is recommended: 'with appropriate measures being taken to minimise severance and adverse effects on amenity and the environment.'	See LCC Response to Minerals – Environmental Matters (Question 12) (LCC M9)
GOEM		CS15		1664: It is unclear what function Policy CS15 is intended to fulfil. In terms of the various possible functions of a Green Wedge, it is unclear how minerals extraction could cause coalescence of settlements, whilst eventual restoration could positively enhance biodiversity and recreation value. It is considered that the main qualities of Green Wedges, their bio-diversity, recreation, flood plain and landscape / townscape function are adequately addressed by other local, regional or national policy and that Policy CS15 can be deleted.	See LCC Response to Minerals – Environmental Matters (Question 11) (LCC M9)

Ibstock Brick		CS15		1596: In the preamble to the policy, the text refers to the similarities of the Green Wedges to the Green Belt. We consider that this similarity should also be replicated in the wording of policy CS15.	See LCC Response to Minerals – Environmental Matters (Question 10) (LCC M9)
Ibstock Brick	4.107			1597: We welcome the clear and concise preamble to policy CS16 and in particular the acknowledgement that the close relationship between clay reserves and brick works inherently mitigates the transport issue of raw materials. Paragraph 4.110 is also appropriate in highlighting that alternative means of transport are not always appropriate. We believe however that the above positive statements are not carried into policy CS16 sufficiently and would appreciate amendments to this effect.	The supporting text recognises that the majority of minerals need to be transported by road, and that other means such as rail or water are not always practicable. The Council does not consider that the policy needs to be amended.
Aggregate Industries		CS16		1645: The Company supports this policy in its entirety which encourages any mineral working to be located either in close proximity to the market such that transportation impacts are minimised, in close proximity to the County's (primary) lorry route network and where materials can be transported by either road or rail. As mentioned previously each of the rail linked quarries within Leicestershire supply not only local markets with materials by road but through the rail connection are able to distribute high quality aggregates into more distant markets. The scale of investment made in infrastructure, quality of material extracted and ability to transport materials by rail makes these sites nationally important quarry operations.	Support welcomed.
Lafarge Aggregates		CS16		1483: Policy CS16 sets out the strategy for the transportation of minerals. The policy and supporting text recognises that the majority of minerals need to be transported by road, and that other means such as rail or water are not always practicable. Policy CS16 is supported.	Support welcomed.
UK Coal		CS16		1504: Policy CS16 sets out the strategy for the transportation of minerals. The policy and supporting text recognises that the majority of minerals need to be transported by road, and that other means such as rail or water are not always practicable and that mineral development is located in close proximity to markets. Policy	Support welcomed.

				CS16 is supported.	
GOEM		CS16		1690: Despite strong support for the bulk transportation of minerals by waterway or rail, no proposals to create new wharfs / railheads are included in Policy CS16. Given that the Core Strategy seeks to make provision mostly through extensions to existing sites, the prospects for improved links should be apparent. If there are no such prospects, then the value of Policy CS16 (iii) is questionable.	See LCC Response to Minerals – Environmental Matters (Question 14) (LCC M9)
Ibstock Brick		CS16		1598: The wording of parts (i) and (ii) of the policy almost suggest there is a choice to locating minerals in close proximity to the transport links. As highlighted elsewhere in the document, this is not always possible, therefore the policy should be extended to reflect that where this is not possible, development control will be used to mitigate impacts. Part (iii) of the policy needs amending to reflect the content of the preamble clauses. The wording ...'as practicable and commercially viable rail/water....' would seem an appropriate addition.	The supporting text recognises that the majority of minerals need to be transported by road, and that other means such as rail or water are not always practicable. The Council does not consider that the policy needs to be amended.
Confederation of UK Coal Producers	4.112			1517: Whilst it is true that mineral operations can exist for a number of decades, it should also be recognised that they can be completed and fully restored within a few years. This is typically the case with opencast coal operations.	Para 4.112 makes a general comment related to mineral operations which reflects the following statement in the Practice Guide to MPS1 (MCD 3): 'working is a temporary use of land, although it often takes place over a long that period of time' (para.13.) The long term examples given in 4.112 relate to hard rock and brickclay, not coal.
Coal Authority	4.117			1525: The Coal Authority would like to see a reference to mine water treatment schemes being included within the preamble to Policy CS17 and follow paragraph 4.117. There will be a need for such a scheme in North West Leicestershire in the future. It is important to make reference in the text to provide the flexibility and raise general awareness of the need for such schemes. Minewater treatment schemes are vital to the need to remediate and control rising minewater which is occurring across the	See LCC Response to Minerals – Environmental Matters (Question 15) (LCC M9)

				<p>coalfields as the water table re stabilises. The treatment schemes need to be retained in perpetuity. The north-west Leicestershire and South Derbyshire coalfield will require a minewater treatment scheme by The Coal Authority in the medium term. Minewater treatment schemes comprise of a series of settlement ponds and reed beds which filter the iron ochre sludge from the rising minewater. They can be unobtrusive features and in addition to creating biodiversity opportunities can also improve the appearance of the landscape. They often provide a water feature as part of a larger recreation area. A proposed new paragraph, 4.118 could read: 'One of the legacies of underground mining activity is rising minewater. Mine water contains iron deposits which gives the water a distinctive orange colour. The minewater treatment schemes designed and operated by The Coal Authority remove the iron deposits through a series of settlement ponds and reed beds to effectively prevent contamination of the nation's drinking water supplies and watercourses. Minewater treatment schemes will be needed in perpetuity across the coalfields which will include the North West Leicestershire and South Derbyshire coalfield in the medium term.'</p>	
Lafarge Aggregates		CS17		1484: Policy CS17 sets out the strategy for reclamation and future use of mineral sites and is supported.	Support welcomed.
UK Coal		CS17		1505: Policy CS17 sets out the strategy for reclamation and future use of mineral sites and is supported.	Support welcomed.
Coal Authority		CS17		1531: The Coal Authority is keen to ensure that reclamation proposals for former minerals sites includes the requirement for an assessment of the stability of the land to ensure any future use will be not present any future risks to the public or other land users. This is the role and purpose of the Government Guidance contained in PPG14 - Development on unstable ground. The Coal Authority would like to see the following wording highlighted in bold inserted into Policy CS17: ..land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place using industry best practice at the time which seeks to minimise the future public safety hazards and ground stability	See LCC Response to Minerals – Environmental Matters (Question 19) (LCC M9)

				problems which can arise from the legacy of mineral workings. To ensure that an appropriate after use that enhances and complements the natural environment.....	
English Heritage		CS17		1463: This policy rightly gives emphasis to the opportunities for enhancing biodiversity that can be achieved through appropriate reclamation of mineral sites. While there are references in this policy to local distinctiveness and for restoration to be 'in keeping with the local area', the policy could be more explicit about the opportunities for landscape re-creation and improving the setting of historic assets and areas, such as individual listed buildings or scheduled monuments, or conservation areas. Paragraph 2.26 of PPG15, in addressing historic landscapes, highlights the need to 'encourage development that is consistent with maintaining its overall historic character'. Where mineral extraction takes place within an area of historic landscape, there is an opportunity for landscape restoration. The following amendment to the policy is proposed: 'that high quality restoration and aftercare takes place to an appropriate after-use that enhances and complements the natural and historic environment and that is in keeping with the local area, including its landscape character and with due regard to the setting of historic assets, adding to local distinctiveness'. In paragraph 4.112, we propose the following minor change to the last sentence to support the change in wording to the policy: 'or enhancing the character and quality of the natural and historic environment.'	See LCC Response to Minerals – Environmental Matters (Question 18) (LCC M9)
GOEM		CS17		1691: The requirement of Policy CS17 for early reclamation of workings may conflict with the strategy of preferring extensions, which would prolong the life of quarries and could prevent their restoration and effective after-use. Support for phased restoration, the preferable extension of quarries suitable for phased restoration, and the identification of quarries not suitable for extension and therefore appropriate for early restoration could be considered.	See LCC Response to Minerals – Environmental Matters (Question 17) (LCC M9)
Natural England		CS17		1583: Natural England would like to see an additional reference in this section on green infrastructure and the	See LCC Response to Minerals – Environmental Matters (Question

				possibility to link into existing and new rights of way and with existing recreational resource as promoted by central government. This should include the need to maximise opportunities for informal recreation and green networks for walking and cycling, linking into existing green infrastructure, natural greenspaces, and /or connecting rural and urban areas. We would therefore like to see this point mentioned in paragraph 4.118 and added to the policy wording of CS17 at bullet point (iv), we suggest the following: 'iv) Public access and improvements to the public rights of way network including links to surrounding green infrastructure.'	20) (LCC M9)
English Heritage		DC1		1464: MPS1 does not make specific reference to nationally and internationally designated areas of historic importance (PPG 15). This considered an oversight. English Heritage maintains that 'sustainable mineral development' cannot be achieved without appropriate recognition of the importance of historic assets as set out in Policy 26 of the draft RSS8. While the policy refers to 'no significant loss in other sustainability objectives', we recommended the Preferred Options stage that, for clarity, more specific wording is used in the policy to clarify what these 'other sustainability objectives' are. If it has been decided that it is not appropriate to list these 'other sustainability objectives' in the policy itself, it is important that the text refers specifically to the historic environment. Therefore, it is proposed that paragraph 5.3 makes specific reference to Policy 26 of the draft RSS8 Protecting and Enhancing the Region's Natural and Cultural Heritage, as well as the overarching core objective in draft RSS8 Policy 1 (To protect and enhance the environment).	See LCC Response to Minerals – Development Control Policies (Question 3) (LCC M10)
GOEM		DC1		1669: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)

				that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	
Lafarge Aggregates		DC1		1485: Policy DC 1 requires development to demonstrate that the Government objectives for sustainable minerals development have been appropriately addressed. It is questioned whether this policy is necessary given that it is already covered in MPS1.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
UK Coal		DC1		1506: Policy DC 1 requires development to demonstrate that the Government objectives for sustainable minerals development have been appropriately addressed. It is questioned whether this policy is necessary given that it is already covered in MPS1.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
CABE		DC2		1574: Due to limited resources, we are unable to comment on this document. However we would like to make some general comments which you should consider: - Design is now well established in planning policy at national and regional levels, and LDFs offer an opportunity to secure high-quality development, of the right type, in the right place, at the right time. - Robust design policies should be included within all LDF documents and the Community Strategy, embedding design as a priority from strategic frameworks to site-specific scales. - To take aspiration to implementation, local planning authorities' officers and members should champion good design. -Treat design as a cross-cutting issue - consider how other policy areas relate to urban design, open space management, architectural quality, roads and highways, social infrastructure and the public realm. - Design should reflect understanding of local context, character and aspirations. - You should include adequate wording or 'hooks' within your policies that enable you to develop and use other design tools and mechanisms, such as design guides, site briefs,	Policy DC2 seeks to ensure that proposals for minerals development are appropriately designed. The Council considers that the policy addresses the matters raised by CABE.

				and design codes.	
English Heritage	5.8			1448: Natural and Historic Environment There appears to be an oversight in the second sentence of this paragraph as there is no longer any reference to historic designated sites. In order to be consistent with the heading and subsequent policies the following minor change is recommended: `Traditionally a system of designation has been used as the basis for protection. Important features relating to landscape, the historic environment and nature conservation have become protected by statute'	See LCC Response to Minerals – Development Control Policies (Question 6) (LCC M10)
GOEM	5.9			1693: Paragraph 5.10 correctly states that PPS9 prevents the duplication of statutory protection of European sites in planning policy. However, the Key Diagram does not show the actual River Mease SAC, but rather the drainage catchment area for that SAC. Despite making this designation on the Key Diagram, there is no indication of how the Core Strategy seeks to manage proposals in that area. The drainage catchment includes all of the likely Leicestershire fireclay resources, most of the shallow coal resources, the Measham brick-clay works, an oil exploration licence area and some sand & gravel resources. The Core Strategy could usefully indicate how a precautionary approach could be applied to each of these resources.	See LCC Response to Minerals – Environmental Matters (Question 21) (LCC M9)
UK Coal	5.9			1507: Paragraph 5.9 refers to the Rivers Mease SAC. It would be helpful for purposes of clarification if the diagram identifying the catchment area was at a scale that was more useable.	See LCC Response to Minerals – Introductory, Background and Key Diagram Points (Question 8) (LCC M6)
Confederation of UK Coal Producers		DC3		1518: CoalPro considers this policy to be too loosely worded. Virtually any mineral operation could be adjudged to have a significant adverse effect. Scale and particularly duration are important elements and this should be recognised.	The Council considers that the wording accords with that used in MPS1 (para.14 – 7 <sup>th</sup> bullet point) (MCD 2). Whether a particular proposal would have a 'significant adverse effect' will be a matter of planning judgement based on the particular circumstances of each case.
English Heritage		DC3		1465: You should also be aware that within the time period	The Council considers that Para

				covered by the Plan, there will be significant changes to the system of heritage protection. The Heritage Protection Bill was published in March this year. It may be appropriate to refer to this in paragraph 5.15. However, for the present, the wording of the policy has to reflect the current legislation and national guidance. English Heritage welcomes the inclusion of this policy, but wishes to suggest changes in wording that distinguish between direct and indirect effects. We are also concerned that the clause at the end of the policy does not indicate that the overriding reasons for development to proceed that would cause significant adverse effects should be of national importance, as stated in paragraph 5.15. We recommend the following amendments to the policy: `Planning permission will not be granted for minerals development that would have significant adverse direct effects on sites of national historic importance or on their character, appearance or setting, including: `..unless there are overriding reasons of national importance for development in that location that clearly outweigh the impacts that it is likely to have on the features of interest.'	5.15 should at this stage only refer to current national guidance. In respect of Policy DC3, see LCC Response to Minerals – Development Control Policies (Question 8) (LCC M10)
GOEM		DC3		1670: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Lafarge Aggregates		DC4		1486: Policy DC4 seeks to offer protection to sites of regional and local importance. Included within the list, which is generally supported, is bullet point (v) protection of Special Landscape Areas. PPS7 recommends that utilising tools such as landscape character assessment should	See LCC Response to Minerals – Development Control Policies (Question 10) (LCC M10)

				provide sufficient protection to landscape areas without the need for rigid local designations. We recommend that bullet point (v) of Policy DC4 is amended to read `landscape features of importance`.	
UK Coal		DC4		1508: Policy DC4 seeks to offer protection to sites of regional and local importance. Included within the list, which is generally supported, is bullet point (v) protection of Special Landscape Areas. PPS7 recommends that utilising tools such as landscape character assessment should provide sufficient protection to landscape areas without the need for rigid local designations. We recommend that bullet point (v) of Policy CS4 is amended to read `landscape features of importance`.	See LCC Response to Minerals – Development Control Policies (Question 10) (LCC M10)
UK Coal	5.20			1509: Paragraph 5.20 refers to the inevitability of mineral working within the open countryside. For this reason it is suggested that the policy is more balanced and reflects the improvements in restoration techniques of the minerals industry. It is suggested that the following is added to the paragraph `or the restoration benefits of the proposal outweigh those affects`.	The Council does not consider that any change to Para 5.20 is necessary. The final sentence of the paragraph already indicates that the assessment of impacts will take into account restoration proposals.
Confederation of UK Coal Producers		DC5		1519: The same considerations (referred to in respect of DC3) apply to Policy DC5, perhaps more so. It should be recognised that mineral operations of small scale or of relatively short duration will have a limited effect.	The Council does not consider that any change to Policy DC5 is necessary. The final sentence of 5.20 indicates various matters that will be taken into account in assessing the impact of proposals. Whether a particular proposal would have a `significant adverse effect` will be a matter of planning judgement based on the particular circumstances of each case.
GOEM		DC5		1671: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)

				that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	
Ibstock Brick		DC5		1603: We consider that the policy as currently worded would be too restrictive. It is conceivable that minerals development would adversely affect the countryside. Whilst this is mitigated in the last part of the sentence, we feel that the addition of '...need for development or that impact on the appearance and character can be mitigated to an acceptable level'.	See LCC Response to Minerals – Development Control Policies (Question 13) (LCC M10)
Natural England		DC5		1584: Whilst Natural England supports the overall aim of this policy, we have considerable concern in relation to the way in which it is written and phrased. The use of terminology such as 'planning permission will not be granted', should be phrased differently so as to give greater credibility and weighting to the policy. We are particularly concerned over the caveat at the end of this policy which states 'unless it can be demonstrated that here is an overriding need for the development', this should be changed as it is ambiguous and could be interpreted as a 'get out clause'. For this policy we would suggest the following alternative wording: 'Minerals Proposals that would result in an adverse impact on the general appearance and character of the landscape and the countryside will not be permitted.'	See LCC Response to Minerals – Development Control Policies (Question 11) (LCC M10)
Ibstock Brick		DC6		1604: This policy seems to unnecessarily duplicate the content of CS14. We suggest that combining the two could avoid unnecessary duplication.	The Council does not consider that Policy DC6 duplicates Policy CS14. Policy DC6 relates to minerals development throughout the whole of the County; CS14 only relates to the area cover by the National Forest.
Natural England		DC6		1581: Whilst we support the establishment of new woodland areas we are concerned that this policy places a strong emphasis on new woodlands to the possible detriment of other habitats. Restoration of any site should consider a	The Council does not consider that Policy DC6 should be amended. The policy states that new woodland planting will be required

				range of factors in determining the plan for restoration which should include the proximity of other semi natural habitats and how best biodiversity gain for the area can be achieved. There must be consideration of local and national BAP targets. Where woodland is created it should be ensured it is designed with biodiversity in mind alongside other goals such as amenity and landscape. We would therefore suggest that the following is added to the last line of the policy, replacing 'where appropriate': 'where it is the most appropriate habitat and will contribute to the wider diversity of the area'	<u>where appropriate</u> . By way of explanation, Para 5.22 indicates that woodland planting should respect the local landscape character and local biodiversity.
Confederation of UK Coal Producers	5.24			1520: It should also be recognised that remains and artefacts can often only be recovered and/or documented by mineral extraction.	The Council does not consider that Para 5.24 needs to be amended. PPG16 (para.13) (MCD 30) indicates that, from the archaeological point of view, archaeological excavation for the purposes of 'preservation by record' should be regarded as a second best option to physical preservation in situ.
English Heritage		DC7		1436: Support	Support welcomed.
GOEM		DC7		1672: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Coal Authority		DC8		1532: The Coal Authority supports the policy approach to safeguarding the important minerals which includes coal as set out in Policy DC8.	Support welcomed.

Lafarge Aggregates		DC8		1487: Policy DC8 seeks to restrict any form of development within a Mineral Safeguarded Area. This policy is supported. We would like to recommend that aggregate railheads be included within Mineral Safeguarded Areas in the Site Allocations DPD.	See LCC Response to Minerals – general matters and Aggregates (Question 21) (LCC M8)
UK Coal		DC8		1510: Policy DC8 seeks to restrict any form of development within a Mineral Safeguarded Area. This policy is supported. We would like to recommend that aggregate railheads be included within Mineral Safeguarded Areas in the Site Allocations DPD.	See LCC Response to Minerals – general matters and Aggregates (Question 21) (LCC M8)
Coal Authority		DC9		1533: The Coal Authority is pleased to see a positive approach to prior extraction of minerals to avoid undue sterilisation by other forms of development. Prior extraction offers the safest way of dealing with ground instability issues arising from previous mining activities.	Support welcomed.
GOEM		DC10		1673: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Ibstock Brick		DC10		1605: A similar policy is included in the Waste DC policies (DC6). We feel that the opportunity exists for a more combined approach between the respective policies which are exactly the same except for the omission of 'in the case of landfill' at the beginning of (iii) on DC10. It would seem appropriate to add this comment to ensure the respective policies are the same.	Minerals and Waste policies cannot be combined as the Framework areas differ.
UK Coal		DC10		1511: Policy DC10 refers to agricultural land. It is suggested that the word 'significant' is added before 'loss' to reflect the contents of paragraph 28 of PPS7	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)

UK Coal	5.33			1512: Paragraph 5.33 refers to the water environment. It is suggested that this paragraph and Policy DC11 should recognise that surface mine development can provide flood alleviation in areas of flood risk that could reduce the areas prone to flooding.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
GOEM		DC11		1675: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Blaby District Council		DC12		1555: Supports policy.	Support welcomed.
GOEM		DC12		1674: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Lafarge Aggregates	5.36			1488: Paragraph 5.36 discusses the cumulative impact of a mineral proposal and states that the impacts of a mineral proposal are considered in conjunction with the impacts of other past, present or reasonably foreseeable developments. We would like further clarification on how far in the past would be taken into consideration in terms of cumulative impact. Policy DC13, Cumulative Impact, appears to suggest	See LCC Response to Minerals – Development Control Policies (Question 19) (LCC M10)

				it would be the result of concurrent or successive operations.	
UK Coal	5.36			1513: Paragraph 5.36 discusses the cumulative impact of a mineral proposal and states that the impacts of a mineral proposal are considered in conjunction with the impacts of other past, present or reasonably foreseeable developments. We would like further clarification on how far in the past would be taken into consideration in terms of cumulative impact and what is reasonably foreseeable. It is also not clear from the supporting text or Policy DC13 how the collective effects of different impacts of an individual proposal will be assessed. Paragraph 5.35, page 58, correctly quotes from MPS2, 'impacts that are acceptable individually should not be regarded as unacceptable in combination without a proper assessment'. Further guidance on this would be appreciated.	See LCC Response to Minerals – Development Control Policies (Question 19) (LCC M10)
English Heritage		DC13		1437: Support	Support welcomed.
GOEM		DC13		1676: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
GOEM		DC13		1692: The Core Strategy with its preference for extension to existing quarries and its identification of shortfalls in sand & gravel and brick-clay over the plan period has largely determined the general location of future extraction. Despite this, no general areas vulnerable to cumulative effects have been identified in strategic policy. If no such areas exist, then the value of Policy DC 13 is questionable.	See LCC Response to Minerals – Development Control Policies (Question 19) (LCC M10)
Ibstock Brick		DC13		1607: The policy refers to cumulative impact on an 'area'. The 'area' is not however defined and therefore this could	See LCC Response to Minerals – Development Control Policies

				lead to confusion. The policy should attempt to quantify the 'area'. In relation to the wider context of the policy, whilst it is acknowledged that cumulative impact is a material consideration, we must ensure that this policy does not conflict with the requirement to maximise reserves. The very nature of mineral reserves is that they are area specific. Once operations start it is preferential to maximise the reserve and as highlighted elsewhere this should be through extensions to existing quarries (Policy CS1). We must not be faced with a restriction on such extensions on the basis of successive cumulative impact. The wording of the policy needs detailed considerations and is not considered sound at this time.	(Question 19) (LCC M10)
Lafarge Aggregates		DC13		1489: It is also not clear from the supporting text or Policy DC13 how the collective effects of different impacts of an individual proposal will be assessed. Paragraph 5.35, page 58, correctly quotes from MPS2, 'impacts that are acceptable individually should not be regarded as unacceptable in combination without a proper assessment'.	See LCC Response to Minerals – Development Control Policies (Question 19) (LCC M10)
Highways Agency	5.39			1559: It would be helpful if the Core Strategy demonstrated that consideration will be given, at site allocation stage, to the overall implications of additional traffic movements that may be generated by minerals development in the area, and the extent to which these could give rise to specific problems on the Strategic Road Network (SRN). Given the number and scale of likely minerals developments in the County, overall transport impacts on the SRN may not give rise to major concerns, and localised impacts from site development may well be capable of being addressed at the planning application stage. However, evidence should be provided in the LDF to demonstrate that this is likely to be the case, rather than leaving it to the planning application stage. Assessment at Site Allocation stage would allow for the potential for cumulative impacts to be assessed more thoroughly than through a piecemeal approach through planning applications. Full Transport Evaluations, in accordance with Circular 02/2007 (planning and the Strategic Road Network) and the DfT 'Guidance on Transport	Traffic issues affecting specific sites will be addressed in the site allocations document and in respect of individual planning applications.

				Assessment' should therefore be undertaken for each proposed minerals site during the Site Allocation stage.	
Highways Agency		DC14		1557: The Highways Agency supports that statement in Policy DC14 that planning permission for minerals development involving road transport would not be granted unless the highway network is able to accommodate the increase in traffic generated by the production of minerals. Detailed consideration of the extension of existing minerals sites which may generate a significant additional number of traffic movements in proximity to the Strategic Road Network (SRN) will be required, to identify the measures necessary to reduce the impact of those sites on the SRN as and when site specific proposals are identified. Any measures deemed necessary should be implemented through the provision of planning conditions or obligations (as per Policies DC18 and DC19).	Support welcomed. Extensions to existing operations will not generally lead to significant additional traffic movements. The Council acknowledges that the traffic implications of any site allocations will need to be assessed.
GOEM		DC15		1677: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
NEMA	5.43			1572: We support the inclusion of paragraphs 5.43-5.45 relating to air safeguarding. With regards to paragraph 5.43, safeguarding maps are provided by the CAA or MoD, not the local airport.	Support welcomed. The Council accepts that reference to the provision of safeguarding maps in para.5.43 should be amended and proposes that the paragraph be changed accordingly.
NEMA		DC16		1569: Support the provision of Policy DC16 relating to air safeguarding.	Support welcomed.

GOEM		DC16		1678: The purpose of Minerals Development Frameworks and other local development plans is to put national policy into a local context, not simply to repeat it. PPS12 actively discourages the repetition of national policy in Local Development Documents, and in this respect MPS1 paragraphs 10-19 provides a useful national policy context for decision making. Policies of this Waste Core Strategy that appear to repeat elements of MPS1 and other national guidance include CS11, DC1, DC3, DC5, DC7, DC10, DC11, DC12, DC13, DC15 & DC16. Indeed, the supporting text to DC3, DC7, DC10 and DC16 acknowledge that these matters are addressed by specific national policy.	See LCC Response to Minerals – Development Control Policies (Question 1) (LCC M10)
Ibstock Brick		DC16		1608: The drafting of the policy does not reflect the excellent preamble provided. The very loose phrase 'new or increased hazards' should be extended to make specific reference to this being a concern in closer proximity to aerodromes etc.	See LCC Response to Minerals – Development Control Policies (Question 22) (LCC M10)
Midland Quarry Products		DC16		1468: This policy is considered far too imprecise, and should be amended to read 'Planning permission will not be granted for mineral developments which would give rise to material and unacceptable hazards to aviation'	See LCC Response to Minerals – Development Control Policies (Question 22) (LCC M10)
Quarry Products Association		DC16		1430: As drafted this policy is inconsistent with the advice in Circular 1/2003 and it therefore renders the DC Policy document unsound. It should be re-worded: 'Planning permission will not be granted for minerals development which can be shown to result in a material and unacceptable increase in risks to aviation.'	See LCC Response to Minerals – Development Control Policies (Question 22) (LCC M10)
Tarmac Ltd		DC16		1548: This policy is considered far too imprecise, and should be amended to read 'Planning permission will not be granted for mineral developments which would give rise to material and unacceptable hazards to aviation'	See LCC Response to Minerals – Development Control Policies (Question 22) (LCC M10)
English Heritage		DC17		1438: Support	Support welcomed.
Coal Authority		DC17		1534: The Coal Authority would like to see a reference to the need to ensure the ground is stable when it is restored in accordance with the advice contained in PPG14 Development on Unstable Ground. Suggested improvement: "No.29. Restoration proposals including finished levels,	See LCC Response to Minerals – Development Control Policies (Question 24) (LCC M10) The Council does not consider that putting the list in Box 3 within an

				depths and source of soils and landscaping; and measures to ensure future ground stability." The list contained box 3 is very useful, but it may better contained in an appendix which would allow greater flexibility if and when an update is required.	appendix will make it any easier to update its content.
GOEM		DC17		1681: Some of the policies of the Waste Core Strategy provide useful guidance to developers in the form of checklists, e.g. Policies DC17, DC18, DC19 & DC20. However, the supporting text to all four indicates that not all the elements in the lists will apply to every application. Though the inclusion of such material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.	See LCC Response to Minerals – Development Control Policies (Question 2) (LCC M10)
Ibstock Brick		DC17		1609: Items 24 and 25 should be included in item 23. Item 26 should be included in 19.	The Council has no objection to amendments suggested to items 24-26 in Box 3 and proposes changes accordingly.
English Heritage		DC18		1440: Support	Support welcomed.
Charnwood Borough Council		DC18		1417: The effectiveness of the policy in supporting the National Forest and Charnwood Forest is questioned.	Policies CS13 and 14 deal with the National Forest and Charnwood Forest. In granting planning permission for minerals development within these areas, conditions covering matters listed in Box 4 will be imposed as appropriate to ensure that the development accords with the intentions the CS policies.
GOEM		DC18		1682: Some of the policies of the Waste Core Strategy provide useful guidance to developers in the form of checklists, e.g. Policies DC17, DC18, DC19 & DC20. However, the supporting text to all four indicates that not all the elements in the lists will apply to every application. Though the inclusion of such material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.	See LCC Response to Minerals – Development Control Policies (Question 2) (LCC M10)
Charnwood		DC19		1418: The effectiveness of the policy in supporting the	Policies CS13 and 14 deal with the

Borough Council				National Forest and Charnwood Forest is questioned.	National Forest and Charnwood Forest. In granting planning permission for minerals development within these areas, obligations covering matters listed in Box 5 will be sought as appropriate to ensure that the development accords with the intentions the CS policies.
English Heritage		DC19		1441: Support	Support welcomed.
GOEM		DC19		1683: Some of the policies of the Waste Core Strategy provide useful guidance to developers in the form of checklists, e.g. Policies DC17, DC18, DC19 & DC20. However, the supporting text to all four indicates that not all the elements in the lists will apply to every application. Though the inclusion of such material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.	See LCC Response to Minerals – Development Control Policies (Question 2) (LCC M10)
Ibstock Brick		DC19		1611: We consider that items i, k and l can all be adequately controlled in planning conditions and should not need to form part of obligations.	The Council does not consider that any amendment in respect of items i) and l) is necessary. In respect of i), PPG16 (MCD 30) states (para.26) that agreements covering excavation, recording and the publication of the results may take different forms. For example, developers or their archaeological consultants and local planning authorities may wish to conclude a voluntary planning agreement under section 106 of the Town and Country Planning Act 1990 or other similar powers. In respect of l), MPG7 gives (in para.76) examples of situations where planning obligations may be appropriate. These include long-

					term maintenance and management. The Council accepts that k) can normally be dealt with by planning condition and should therefore be deleted from Box 5.
Midland Quarry Products		DC19		1467: Box 5, item o) relates to dealing with the impact of mineral extraction through 'environmental, recreational, economic and community gain' by way of 'mitigation and/or compensation'. This approach appears to exceed Government guidance and could potentially lead to financial claims through the planning process especially when considering the terms 'economic' and 'compensation' together. The term 'effects of mineral development' is extremely wide ranging and again could potentially lead to a range of claims. This is considered inappropriate for inclusion in `Box 5' - which is otherwise a specific checklist as it is too general to be effective.	The Council does not accept that item o) in Box 5 exceeds Government guidance. Circular 05/2005 states that planning obligations might be used 'to secure a contribution from a developer to <u>compensate</u> for loss or damage created by a development.'
Tarmac Ltd		DC19		1547: Box 5, item o) relates to dealing with the impact of mineral extraction through 'environmental, recreational, economic and community gain' by way of 'mitigation and/or compensation'. This approach appears to exceed Government guidance and could potentially lead to financial claims through the planning process especially when considering the terms 'economic' and 'compensation' together. The term 'effects of mineral development' is extremely wide ranging and again could potentially lead to a range of claims. The principle is considered inappropriate for inclusion in `Box 5' - which is otherwise a specific checklist as it is too general to be effective.	See response to Midland Quarry Products above.
Ibstock Brick	5.65			1614: Reference is made to the controls to secure alternative restoration. The last sentence refers to the requirement for alternative proposals if reclamation is inactive for 6 months or more. On the basis of the defined term of Reclamation, we consider this content of this clause unacceptable. The nature of mineral working is often phased restoration progressing in accordance with the phased development. It may be for example that due to the time	The Council accepts that reference to a period of '6 months or more' is inappropriate and that it should be amended to 'at least 2 years.' This corresponds with the period after which MPAs may make prohibition orders in accordance with paragraph 3 of Schedule 9 to

				period of year, soils cannot be stripped for restoration during the 6 months period. It would be entirely inappropriate to consider alternative scheme in such instances.	the Town and Country Planning Act1990.
English Heritage		DC20		1442: Support	Support welcomed.
Charnwood Borough Council		DC20		1416: The effectiveness of the policy in supporting the National Forest and Charnwood Forest is questioned.	Policies CS13 and 14 deal with the National Forest and Charnwood Forest. Box 7 lists the restoration details that should be submitted that will be assessed to ensure that the development accords with the intentions the CS policies.
Charnwood Borough Council		DC20		1421: Box 7 in Policy DC20 Reclamation and Aftercare could usefully refer to the National Forest, Charnwood Forest and contributions to Green Infrastructure.	See LCC Response to Minerals – Development Control Policies (Question 26) (LCC M10)
Coal Authority		DC20		1535: The Coal Authority is concerned that there is no reference to ensuring ground stability in restoration proposals. Ground instability presents a serious concern for future public safety. Further national planning policy guidance is contained in PPG14 Development on Unstable Ground. Suggested improvement: 'Details which will ensure the future stability of the ground following restoration.'	See LCC Response to Minerals – Development Control Policies (Question 24) (LCC M10)
GOEM		DC20		1684: Some of the policies of the Waste Core Strategy provide useful guidance to developers in the form of checklists, e.g. Policies DC17, DC18, DC19 & DC20. However, the supporting text to all four indicates that not all the elements in the lists will apply to every application. Though the inclusion of such material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.	Box 7 sets out the information that reclamation matters that should be submitted in planning applications to assist in the delivery of Core Strategy objective 8. It accords with the intentions of MPS1 (MCD 2) (para.19 4 <sup>th</sup> bullet point), which states that MPAs should ensure that proposals for restoration and aftercare of sites include details of appropriate phasing of progressive restoration, final landform and landscape and monitoring procedures. Planning applications may be

					refused on the grounds of insufficient information. The MPA is entitled to request appropriate information to assist in the determination of planning applications. Box 7 sets out the scope of information which is considered could be material to mineral development applications. It informs and assists applicants and the public and thus serves a useful practical purpose.
Ibstock Brick		DC20		1617: The second paragraph suggests that reclamation plans should be included in the application and Box 7 lists the requirements. This policy should be amended to reflect the potentially long periods of time between application and restoration. The requirements should therefore be for indicative schemes at application with detailed scheme closer to the restoration of the site. The restoration scheme would then be more reflective of conditions prevailing at that time.	The Council does consider that any change to Policy DC20 is necessary in response to this representation. Para.5.61 recognises that it is not always possible to provide full details in advance, in which case illustrative details should be provided. DC20 indicates that the details listed in Box 7 should be submitted <u>where appropriate</u> .
Ibstock Brick		DC20		1618: Many of the items in box 7 duplicate the application requirements in DC18 box 4. The duplication should be omitted (specifically e, f, h, l, m, s). Item 'n' in box 7 is a duplicate of item 'i' and should be removed,	The Council does not accept that Box 7 duplicates requirements set out in Box4. DC18 box 4 relates to the imposition of conditions, while box 7 relates to the provision of details regarding restoration. The Council accepts that item 'n' repeats 'i' and should be deleted.
English Heritage		DC21		1443: Support	Support welcomed.
Charnwood Borough Council		DC21		1419: The effectiveness of the policy in supporting the National Forest and Charnwood Forest is questioned.	Para.1.11 indicates that individual policies need to be read in the context of other policies and not interpreted in isolation. Policies CS13 and 14 deal with the National Forest and Charnwood

					Forest.
Confederation of UK Coal Producers		DC25		1521: CoalPro considers that the word 'and' should be replaced by 'or'. This will bring this policy in line with the wording in Policy CS7.	The Council considers that the reworking of minerals waste should only occur where there are both environmental improvements and no harm to the environment or communities. The Council does not therefore consider that Policy DC25 should be amended.
Coal Authority		DC27		1536: The Coal Authority welcomes the positive policy to allow exploration operations which fall outside of the GPDO.	Support welcomed.
Coal Authority		DC28		1537: The Coal Authority supports the opportunity for incidental resources to be extracted as this is a valuable way of recovering deposits and ensuring ground is stable for future development.	Support welcomed.
English Heritage	6.3			1444: Support proposals for monitoring.	Support welcomed.
Charnwood Borough Council			KEY DIAGRAM	1423: There is concern that a specific location is given for the location of a sustainable urban extension at land east of Thurmaston. Charnwood Borough Council has not yet published its Preferred Options for its Core Strategy. Land East of Thurmaston has not been agreed by the Borough Council, and remains one option only. It is suggested that alternative notation is used that doesn't commit to a specific location.	See LCC Response to Minerals – Introductory, Background and Key Diagram Points (Question 6) (LCC M6)
NEMA			Key Diagram	1565: We consider it would be worth including the Airport on the document's key diagrams, given the importance of the Airport both to the County and regionally (and indeed nationally in relation to freight), and also the relevance of the Airport in terms of Air safeguarding issues for minerals proposals.	The Council accepts that the Airport could usefully be shown on the Key Diagrams.
Ibstock Brick	4.30		2	1591: In our comments on the 'Minerals spatial Strategy - Further consultation (October 2007)' we suggested improvements to the plans to assist in spatial awareness. The plans seem largely unaltered and therefore we reiterate our previous comments i.e. the addition of road names etc would assist in the understanding of the plan. In addition,	See LCC Response to Minerals – Introductory, Background and Key Diagram Points (Question 7) (LCC M6)

				the place names on the map cover a considerable area of ground, for example Coalville extending out to cover the M1. We suggest the map clarity could again be improved by an arrow annotation to a dot marker representing the place name more accurately.	
Coal Authority			3	1524: The Coal Authority is pleased to see the inclusion of a key diagram which illustrates the broad locations of energy minerals within the plan area. It is strongly commended to the Inspector as an appropriate approach to ensure that the reader is aware of where minerals exist, particularly energy minerals.	Support welcomed.
UK Coal			3	1498: The Energy Minerals Spatial Map is at such a poor scale that it does not provide any clarity to be of use. It is recommended that the plans are printed to a more useable scale for both the industry and public to establish where the extent of the coalfield lies, and for the County Council to identify areas within that coalfield where extraction would and would not be appropriate.	See LCC Response to Minerals – Introductory, Background and Key Diagram Points (Question 7) (LCC M6)