

## Minerals Development Framework

### Core Strategy & Development Control Policies

#### Schedule of Proposed Changes to Submission Draft

(December 2008)

- MPC1:** Prefix **all policies** with an 'M' e.g. POLICY MCS1; Policy MDC1.
- MPC2:** **Para 2.3** – Add: 'PPS12 (Local Spatial Planning) states that local development documents should not repeat or reformulate national or regional policy.'
- MPC3:** **Para 2.4** – Delete last 2 sentences and replace with: 'The Secretary of State's proposed changes to the East Midlands Regional Plan were published in July 2008. References to the draft RSS throughout this document refer to these proposed changes.'
- MPC4:** **After Para 2.6** – Add the following new paragraph: 'The Leicestershire Minerals Local Plan was adopted in March 1995. Policies in the adopted Minerals Local Plan will be replaced by policies contained within this document. A table showing the relationship between the policies in this document and the Minerals Local Plan is set out in Appendix 2.'
- MPC5:** **Para 2.16** – Delete and replace with: 'By 2016, population levels are expected to rise by 5%, according to the ONS trend 2004 based population projections (published March 2008). The draft RSS proposes (Policy Three Cities SRS3) that 97,000 dwellings be provided within the Leicester and Leicestershire Housing Market Area over the period 2001-2016, of which 45,570 should be within or adjoining the Leicester Principal Urban Area (PUA). The housing strategy for this area is one which focuses on the Leicester urban area, initially by capitalising on its substantial urban capacity. However, this will be insufficient to meet all the proposed provision to 2026. It is proposed that later in the plan period provision will need to be met by planned sustainable urban extensions. The draft RSS indicates that the best opportunities to meet the bulk of the additional provision for the PUA lie west of Leicester in Blaby and north of Leicester in Charnwood. Beyond the PUA, sustainable urban extensions (SUEs) are proposed to Loughborough, Hinckley and Coalville to support their roles as Sub-Regional Centres, but draft RSS Policy Three Cities SRS 3 also indicates that housing growth in Blaby, Market Harborough and Melton Mowbray could be met by SUEs.'
- MPC6:** **Para 2.20** – Add: 'East Midlands Airport lies in the north of the county, providing flights to a wide range of destinations.'

- MPC7: Para 2.23** – After 5<sup>th</sup> sentence, add: ‘Work on the County Historic Landscape Characterisation is near completion. This will contribute to the understanding of the character of the landscapes of Leicestershire and the survival of historic landscapes.’
- MPC8: Para 2.24** - Add: ‘In parts of the County, the use of locally sourced building materials has made an important contribution to the local character and distinctiveness of the County’s built heritage.’
- MPC9: Table 1** – amend to read:
- |                                    |                            |
|------------------------------------|----------------------------|
| Clay (for bricks, pipes and tiles) | - 680,000                  |
| <b>Total</b>                       | <b>- 18,819,609 tonnes</b> |
- MPC10: Para 3.7 (1)** - amend to read: ‘...requirements for all minerals, in particular...’
- MPC11: Para 3.7 (8)** - amend to read: ‘...that enhances and complements the natural and historic environment...’
- MPC12: Para 4.6** – Delete 2<sup>nd</sup> sentence and replace with: ‘The maintenance of a stock of planning permissions for the extraction of minerals (commonly known as a landbank) is a widely used means of securing and maintaining adequate supplies of non-energy minerals. Landbanks are generally measured in terms of the number of years’ supply of a mineral at any point in time that can be made available within a MPA’s area, based on an estimate of the annualised provision for the mineral. MPS1 advises that the length of the landbank should be used as an indicator of when new permissions are likely to be needed.’
- MPC13: Para 4.10** 1<sup>st</sup> Sentence – Delete ‘non-energy’
- MPC14: Para 4.15** - Delete
- MPC15: Para 4.51** 2<sup>nd</sup> sentence - Amend to read: ‘... draft RSS (Policy 27)...’
- MPC16: Para 4.80** – Delete ‘non-energy’
- MPC17: Para 4.83** – Add: ‘A major 5-year study of England’s building and roofing stone resources, the Strategic Stone Study, is being carried out by English Heritage which will assist MPAs in identifying the location of these minerals and inform their safeguarding. The County Council will review the identification of MSAs within Leicestershire in the light of the findings of this study.’

- MPC18: After Para 4.84** - Add the following new paragraph: 'MPS1 states that MPAs should safeguard existing, planned and potential rail heads, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, particularly coal and aggregates, including recycled, secondary and marine-dredged materials. The protection of associated infrastructure will be taken into account in the identification of MSAs within Leicestershire. The BGS report referred to in Para 4.81 above adopted a different approach to the identification of safeguarding areas for each mineral, reflecting not only their different geology but also associated infrastructure. In particular, account has been taken of the extensive infrastructure, including rail links, associated with the County's igneous rock quarries and the existing infrastructure associated with the County's brickclay operations.'
- MPC19: Policy CS10** – 2<sup>nd</sup> bullet point: add 'building and roofing stone' and 'and significant infrastructure such as rail linked facilities'
- MPC20: Policy CS10** - Add further point under 2<sup>nd</sup> bullet point: '- through the establishment of a list of important sources of building and roofing stone'
- MPC21: Para 4.90** 2<sup>nd</sup> Sentence – Amend to read: 'Policy 26 of the draft RSS provides the key approach to the protection and enhancement of the natural and cultural assets, together with policies 27, 29, 30, 31, 32, 33 and 35 which relate to the historic environment, biodiversity, woodland, landscape character, water environment, strategic river corridors and flood risk respectively.'
- MPC22: Policy CS11** first bullet point – add: '- sites of geological interest'
- MPC23: Policy CS13 (ii)** – amend to read: 'The siting, scale and design of the development together with the materials to be used reflect...'
- MPC24: Para 4.101** 1<sup>st</sup> Sentence – amend to read: 'Draft RSS Policy 30 states...'
- MPC25: Para 4.101** 2<sup>nd</sup> sentence – amend to read: 'Draft RSS Policy Three Cities SRS 5 states...'
- MPC26: Para 4.102** Last sentence - Amend to read: 'In considering proposals for the National Forest, it is important that due regard is given to nature conservation and cultural heritage sensitivities and opportunities.'
- MPC27: Para 4.103** 2<sup>nd</sup> sentence - Amend to read: 'The draft RSS acknowledges that Green Wedges serve useful strategic planning functions in preventing the merging of settlements, guiding

development form, and providing a 'green lung' into urban areas, and act as a recreational resource.'

**MPC28: Para 4.104** - Delete paragraph

**MPC29: Para 4.112** last sentence - amend to read: ` or enhancing the character and quality of the natural and historic environment.'

**MPC30: Para 4.112** - add: 'Reclamation proposals should include an assessment of the stability of the land, in accordance with advice contained in PPG14 (Development on unstable ground), to ensure that any future use will be not present any future risks to the public or other land users.'

**MPC31: Para 4.113** 1<sup>st</sup> sentence – Delete and replace with: 'Draft RSS Policy 36 states that Local Development Frameworks should identify any likely adverse impact on habitats and propose mitigation, which may include creation of habitats elsewhere, and should set out the proposed uses to which former mineral extraction sites should be put.'

**MPC32: After Para 4.117** - Add the following new paragraph: '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.'

**MPC33: Para 4.118** - Add: 'Opportunities should be maximised for informal recreation and green networks for walking and cycling, linking into existing green infrastructure, natural greenspaces, and /or connecting rural and urban areas.'

**MPC34: Policy CS17** - amend to read: `...that high quality reclamation 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'.

**MPC35: Policy CS17** - bullet point (iv) - amend to read: 'Public access and improvements to the public rights of way network including links to surrounding green infrastructure.'

**MPC36: Para 5.3** 2<sup>nd</sup> sentence – Delete '10'

- MPC37: Para 5.8** 2<sup>nd</sup> sentence – amend to read: ‘Important features relating to landscape, the historic environment and nature conservation have become protected by statute...’
- MPC38: Policy DC3** - amend to read: ‘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.’
- MPC39: Para 5.17** 4<sup>th</sup> sentence - amend to read: ‘Draft RSS Policy 29...’
- MPC40: Policy DC8** – amend to read: ‘...safeguarding the mineral and significant infrastructure such as rail linked facilities unless...’
- MPC41: Policy DC10** – amend to read: ‘...result in the significant loss...’
- MPC42: Para 5.33** – add: ‘The restoration of some mineral sites in areas of flood risk could however provide flood attenuation and storage areas that have the potential to reduce the areas prone to flooding.’
- MPC43: Policy DC12** - amend to read: ‘...generate unacceptable adverse effects...’
- MPC44: Para 5.43** 2<sup>nd</sup> sentence – amend to read: ‘...safeguarding maps provided either by the Civil Aviation Authority or MoD.’
- MPC45: Policy DC17 (Box 3)** - amend item 19 to read: ‘...landscaping proposals, including screening, landscaping works and site boundary treatments;’
- MPC46: Policy DC17 (Box 3)** - amend item 23 to read: ‘...mitigation, including a flood risk assessment and proposals for compensation, and site drainage details;’
- MPC47: Policy DC17 (Box 3)** - delete items 24, 25, and 26
- MPC48: Policy DC17 (Box 3)** - amend item 29 to read: ‘Reclamation proposals including finished levels, depths and source of soils and landscaping; and measures to ensure future ground stability.”
- MPC49: Policy DC18 (Box 4)** - add: ‘bird management/control’.
- MPC50: Policy DC19 (Box 5)** – delete item k)
- MPC51: Para 5.65** last sentence – amend to read: ‘...for a period of at least 2 years...’

- MPC52: Policy DC20 (Box 7)** - delete item n)
- MPC53: Policy DC20 (Box 7)** - add: 'Details which will ensure the future stability of the ground following restoration'.
- MPC54: Policy DC20 (Box 7)** - add: 'the contribution of the development to the County's Green Infrastructure'
- MPC55: Key Diagrams** Delete Sustainable Urban Extensions
- MPC56: Key Diagrams** Show location of East Midlands Airport.
- MPC57: Chapter 6** Monitoring and Implementation Framework (Resource Management) – Delete 3<sup>rd</sup> target; replace with: 'All facilities at mineral sites to be located in accordance with the requirements of Policy DC22.'
- MPC58: Chapter 6** Monitoring and Implementation Framework (Transport) – Delete 4<sup>th</sup> indicator and target
- MPC59: Appendix One:** Glossary of Terms - Add: **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 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.
- MPC60:** Add **new appendix** – 'Appendix 2: Table showing the relationship between the policies in this document and the Minerals Local Plan.'