

Waste Core Strategy and Development Control Policies document

Councils' responses to representations received

Respondent	Paragraph	Policy	Respondent's Comments	Councils' Response
Blaby District Council	GEN		1741: BDC supports the removal of Policy 2: Waste Reduction from the Core Strategy and Development Control Policies document, given this Council's previous comments.	Noted. Policy 37 in the published Secretary of State's proposed changes to the emerging RSS (WCD 4) states that other LDFs (excepting WDFs) should provide for the minimisation of waste.
Charnwood Borough Council	GEN		1563: With regard to the Waste Development Framework, officers at Charnwood Borough Council welcome the greater openness within the document given to the role for energy from waste within the overall strategy. It is also beneficial to have greater explanation of the different types of technology that are encompassed within energy from waste. This satisfies some of the concerns that Borough Council had with how contentious waste facilities are put forward for public engagement.	Noted.
EMRA	GEN		1610: Having considered the contents of the two draft Core Strategies and their associated documents, our view as Regional Planning Body for the East Midlands is that the submissions are in general conformity with RSS8.	Noted.
GOEM	GEN		1613: The nature and content of Waste Development Frameworks in general and Waste Core Strategies in particular is an evolving area of planning practice. Of the 3 Waste Core Strategies adopted since September 2004, it is notable that none have yet received a ringing	Noted.

			endorsement from either the Planning Inspectorate or from the profession in general. Consequently, Waste Planning Authorities do not have the benefit of established best practice to guide their work. Against this background, GOEM believes that there is much to commend in the Leicester & Leicestershire Waste Development Framework Core Strategy.	
GOEM	GEN		1615: The spatial strategy is anticipated to play a major role in helping to deliver the step change in waste management envisaged in the 2007 National Waste Strategy. In this context GOEM considers this Core Strategy to be basically sound, subject to the appropriate examination of the underpinning evidence.	Noted.
GOEM	GEN		1616: The waste management requirements over the plan period in terms of type, capacity and indicative land take are all usefully outlined in paragraphs 4.2-4.6, whilst Policies CS2&3 set out the broad locations for the delivery of these facilities at the strategic and non-strategic scale respectively. Paragraph 4.10 indicates how the choice of those locations was informed by the extensive testing of options. Following through from this logic paragraph 4.25 identifies that some Greenfield sites will be needed to meet the level of provision required in the most sustainable general locations, repeated again in the development control context of paragraph 5.11. The Core Strategy is the appropriate place to make these difficult decisions and the GOEM strongly endorses these radical developments of extant local waste planning policy to meet the new challenges of the next decade.	Noted.

Highways Agency	GEN		1735: Core Strategy continues approach contained in Option 3 from the previous Preferred Options consultation document. The HA supports this strategy, which allows for the sustainable location of facilities in proximity to where waste is created, whilst allowing for economies of scale in waste disposal and recycling.	Noted.
Ibstock Brick	GEN		1725: In general terms we consider that the Waste Core Strategy provides a good overview of the industry and waste management 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.	Noted.
Ibstock Brick	GEN		1733: We see that the minerals and waste documents produce duplication between the two. There are a number of policies, specifically in the DC sections which are broadly similar with minor amendment could be brought together. We consider that regard should be given to bringing the documents together in order to provide a more streamlined overall plan.	See LCC W10 Response to Waste – Miscellaneous Points (Question 1)
Ibstock Brick	GEN		1734: The policies as drafted have the potential to create confusion between the two plans. The core strategy policy reference numbers differ between the two documents for the same policies eg. CS11 in minerals equates to CS10 in waste. If some combination of the documents is not capable, it is considered that in order to reduce confusion of referencing in future policies, the waste policies should all be prefixed with 'W'.	See LCC W10 Response to Waste – Miscellaneous Points (Question 2)

Lafarge Aggregates	GEN		1646: 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. However, we do have some concerns over its timing. At present the Waste Core Strategy cannot provide any certainty over what facilities will be brought forward or where they will be located, there is therefore a question over deliverability. This is due to the County Council entering into a procurement process to deliver a long term means of dealing with the residual municipal waste as part of the Leicestershire Municipal Waste Management Strategy. It is accepted that there is a need to move forward with the Core Strategy and a need for new facilities to be brought forward through the development framework process, we just think the document would be more useful once the procurement process had been completed. Hertfordshire County Council are in a very similar position, a pre-examination meeting was recently held by the appointed Inspector in to some concerns over the soundness of the documents, one of the key concerns related to timing of the Core Strategy with the procurement process for the management of municipal waste. The Inspector's recommendations are due shortly.	Noted. See LCC W10 Response to Waste – Miscellaneous Points (Question 3)
Lafarge Aggregates	GEN		1649: With the exception of DC9, the remaining Development Control Policies seem reasonable and are supported.	Noted.
Melton Borough Council	GEN		1651: At this time we have no comments to make on either of the Core Strategies. However, Members have asked me to reiterate to you this authority's objections to the	Noted. The Borough Council would be consulted either at the time of an application or if the site was put forward for further consideration for inclusion in

			proposed integrated waste management facility at Brooksby Quarry for reasons of Nuisance arising from dust, odour and birds; and Hydrological impact, subject to further information on water levels.	the Site Allocations document, at that time.
National Grid	GEN		1553: No specific comments.	Noted.
Langar cum Barnstone Parish Council	GEN		1544: No response from the council.	Noted.
NEMA	2.36		1755: It is felt that mention of the Airport could be usefully added to the 'Transport' section (paras.2.36-2.38).	Agree. Text to be added.
English Heritage	2.40		1712: 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 landfill 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.	Agree to put in but may be better placed in paragraph 2.39 which relates to landscaping .
Ibstock Brick	2.42		1726: Note the reference that residual waste is currently transferred outside of the Framework Area to landfill, which is less sustainable in terms of transportation. At the appropriate Allocations time, we would look towards assisting with our Leicester brickworks clay quarry and lands. The potential for waste	Noted.

			recycling, treatment and disposal at the Leicester Quarry site may assist in a more sustainable approach.	
Charnwood Borough Council	Spatial Vision		1564: The spatial vision and strategy need to refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that waste sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure.	See LCC W7 Response to Waste – Environmental Matters (Question 3)
GOEM	3.4		1637: PPS12 specifically allows Local Development Documents to include polices that go beyond strict land-use policies in order to implement their objectives. It is noted that Waste Core Strategy Objectives 1 & 5 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 W4 Response to Waste – Spatial Vision and Objectives (Question 3)
EMRA	4.6		1612: Whilst no specific levels are specified within the Regional Waste Strategy (RWS) in terms of hazardous waste, the strategy does make reference to the fact that the hazardous waste arising is linked to commercial and industrial generation and therefore should be considered in light of C+I generation. The strategy also states that a strategic approach should be taken at the sub-regional level to ensure the provision of appropriate facilities for the sustainable management of the Region's hazardous waste arising and to identify	Emerging RSS (WCD 4) states that new growth would be directed to the main urban areas in which any non strategic waste sites (which a hazardous waste site is) would be directed. Provision is to be made to reach all C&I waste arisings forecast which includes the hazardous element. Also, please refer to Topic Note on New Waste Management Capacity, paragraph 14 (4.6).

			potential increases in hazardous waste arisings as a result of major new developments.	
GOEM		CS1	1623: Several policies, e.g. CS7, CS13, DC5 and DC6, are all subject to a test of need. The need for additional waste management capacity, by type of waste, category of treatment, required capacity and anticipated land-take, is discussed in paragraphs 4.2 to 4.6. If these figures were included in Policy CS1 Waste Management Capacity, e.g. in the form of a table, this would identify the level of need for the operation of other policies and provide a clear focus for delivery and monitoring.	See Topic Note on The Need for New Waste Management Capacity (re-written paragraph 4.7) – LCC W1
Narborough Parish Council	4.9		1550: There have been 2 planning applications for a waste transfer site within Narborough off the B4114. These have been strongly objected too on sound environmental reasons (copies of which you already hold). The siting of such a facility would generate inconsistencies with the intent of this paragraph: in that such facilities are best placed in high population density areas. This view is fully supported by Narborough Parish Council.	Noted. However, this site has now been granted planning permission.
Narborough Parish Council	4.9		1652: We are concerned that the document does not clearly indicate the areas being considered.	Policy CS2 and the Key Diagram are intended to guide the broad locations where such sites should go and give a level of certainty to where they would be expected. Detailed sites would be expected to be allocated within the Site Allocations document having regard to the Core Strategy policies towards locating sites.
Ibstock Brick	4.11		1727: Whilst reference is made to the Entec study, it is noted that comments are not requested on the details of the study findings.	See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 4)

			The 2006 study and changing circumstances since that time should be a consideration at this stage. Policies should maintain an open view to strategic sites which are located outside of the area identified but which could assist in the provision of facilities identified in 4.17.	
Charnwood Borough Council	4.15		1599: It is not clear how the alternative options in the procurement evaluation exercise were used to arrive at a preferred option for the Core Strategy, or how the alternative options were put forward for public engagement.	The report referred to states that energy from waste is the 'best' methodology to handle residual municipal waste but this does not mean that it will be the method employed. It is a reference technology against which others are judged – a baseline. The Core Strategy reflects this by not specifying a particular technology that a strategic site must utilise thereby not stifling innovative technologies. Borough Council are member of Leics Waste Management Partnership of approved Waste Management Strategy.
Ibstock Brick	4.17		1728: The reference Strategic Sites is not defined in the document, however some of the text suggests that these do not include landfill. We consider that the characteristics of strategic sites as set out in parts A to E can be identified in certain landfill facilities and these should therefore be considered appropriate as such.	See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 4)
Ibstock Brick		CS2	1729: We consider that our Leicester site should be considered a Strategic Site however this seems to be outside the Broad Locations. Refer again to comments on para 4.11. Highlight that we should look towards the promotion of the Leicester site in the allocations. The Broad Locations as currently set out should allow this flexibility.	Although, sites shall be dealt with at the Site Allocations stage the site is outside the Broad Locations and cannot be a strategic site. Please see response to paragraph 4.17.
Lafarge Aggregates		CS2	1647: Policy CS2 sets out the strategy for	See LCC W6 Response to Waste –

			strategic waste sites. Due to the constraints placed on the core strategy because of the procurement process Policy CS2 is very broad in outlining where strategic waste sites may be located. We would also have to query why landfills are not considered as strategic sites given that they will still have an important role to play in the disposal of residual waste after treatment and whilst new alternative waste management facilities become established.	Distribution and Location of New Facilities (Question 4)
SITA UK		CS2	1746: Support this policy on the premise that the Broad Locations key diagram contained within the document incorporates SITA's Enderby Warren site. As set out within paragraph 4.17, the Enderby Warren site exhibits many if not all of the characteristics listed as key to the successful and appropriate selection of a strategic waste site.	Noted.
Braunstone Parish Council	4.18	CS2	1558: Panel's report on draft RSS recommends deletion of detailed locations. The SUEs should be deleted from key diagram.	Agree.
Viridor	4.19		1694: Consistent with Paragraph 4.26, the text should be revised to acknowledge the role of landfill in securing the restoration of despoiled/previously quarried land. <u>Notwithstanding the broad locational preferences expressed above there will still be the need for more dispersed location of certain types of waste facility such as landfill to secure the restoration of despoiled or previously quarried land</u> , on farm composting in rural areas and sewage treatment works serving smaller settlements. New text underlined.	Agreed.
GOEM		CS3	1619: It is noted that Policy CS4 Waste Location Principles states under its first bullet	See LCC W6 Response to Waste – Distribution and Location of New Facilities

			<p>that locational priority will be given to existing waste management sites where transport, operational and environmental benefits can be demonstrated as a consequence of the co-location of waste management facilities. Given that this criteria is to apply to the minority of non-strategic sites to be located outside the broad locations, there would be consistency in also applying it to policy CS3 criteria (iv) which could otherwise be interpreted as promoting development at existing waste sites outside broad locations even where the criteria in Policy CS4 was not met.</p>	<p>(Question 5)</p>
<p>William Davis Ltd</p>		<p>CS3</p>	<p>1697: By their very nature the SUEs proposed within the Draft RSS are designed to deliver large numbers of houses and we believe that locating waste facilities in SUEs will have a severe effect on the residential amenity on the housing proposed in that area. In this way the constraint on the location of waste facilities from proposed local land use and development has not been considered, making policies CS3 and CS4 inconsistent with National and Regional Planning Policy and therefore unsound. We accept that some SUEs may involve a degree of mixed use development. However in many cases employment uses are likely to be predominantly B1, suitable for residential areas, and would be inappropriate locations for waste sites. We therefore believe that any reference to locating waste facilities within SUEs should be removed from the development framework. Not only does this require the removal of point (iii) of Policy CS3 but it also requires the removal of reference to locating waste sites in SUEs in paragraphs 4.18</p>	<p>See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 7)</p>

			(2nd sentence) and 4.21 (4th sentence).	
William Davis Ltd		CS3	1699: William Davis Ltd object to the policy principle of locating waste sites within Sustainable Urban Extensions (SUE) established in section 4 of the report. SUEs in Leicestershire although containing elements of mixed use will be predominantly residential based developments, with up to 4,000 or more dwellings. Any employment areas contained within these extensions may be relatively small in scale and with an emphasis of B1 uses suitable for a residential area. Any provision for waste sites could have a significant effect on residential amenity and would adversely affect viability of development because of the negative impact upon prospective purchasers when highlighted on legal searches. We believe that this policy has not been properly tested and is not based on a robust and credible evidence base and therefore is unsound when tested against test of soundness number 7. As far as we are aware at no point have the impacts of a waste facility on other land uses within a SUE been considered within the Sustainability Appraisal or any other supporting evidence of the Waste Development Framework. Therefore we believe policies CS3 and CS4, along with the supporting text, are not based on a robust and credible evidence base. We also believe the proposal to site waste facilities on SUEs was not tested in the consultation process of this Development Framework as such a proposal did not feature in earlier elements of the consultation process including the Preferred Options consultation.	See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 7)
Ibstock Brick		CS4	1730: Policy suggests a sequential approach to	See LCC W6 Response to Waste –

			waste sites. Under bullet 2 we must clarify that the list A-F should be clear as to not be sequential and that this only applies to the 2 bullet points.	Distribution and Location of New Facilities (Question 9)
Lafarge Aggregates		CS4	1648: It is welcomed that existing mineral sites are recognised in Policy CS4 as appropriate locations for waste sites.	Noted.
SITA UK		CS4	1747: In determining the locational principles upon which a sequential approach to the selection of suitable sites capable of fulfilling the spatial strategy within CS2, SITA support this policy. However, it will be important to ensure that the core strategy is sufficiently flexible to take account of changing economic conditions so that the priority criteria listed within the sequential approach are not slavishly followed and are capable of moving up or down the sequential priority list in response to market conditions. For example, if the criteria listed in paragraph (a) of Policy CS4 is not capable of being realised as part of a major new development proposal because such a development proposal has been delayed or re-thought, there should be sufficient flexibility in the approach towards the provision of waste sites in order to deliver the waste management strategy and that such a strategy is not prejudiced by the inability of any party in bringing a site forward for major development with concomitant waste facility provision. The adequate and effective treatment of waste is the priority and it is that that should lead and direct the strategy rather than any other factor.	Support noted. See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 11)
Viridor		CS4	1695: Paragraph 1.9 states that where a policy contains a list of criteria, these are not in any	See LCC W6 Response to Waste – Distribution and Location of New Facilities

		<p>order of priority unless the policy specifically states they are. Although the content of CS4 and the supporting text indicates that CS4 is setting out a sequential test, it is not clear from the policy whether this is the case and if it is what the sequence is. Furthermore although Policy CS3 makes allowances for a more dispersed location and paragraph 4.26 highlights the need for additional landfill void and acknowledges that locations for landfill are somewhat restricted, CS4 provides very little in the way of guidance as to suitable locations for landfill. In the interests of clarity the wording of the policy should be revised and provide guidance on locating landfill sites. The latter could be achieved with a simple acknowledgement ` In the case of non-inert landfill, priority will be given to securing the restoration of mineral workings.</p>	<p>(Question 9)</p> <p>Disagree. Policy CS3 has the caveat of 'where a more dispersed location is required' thereby putting the onus onto the applicant to prove and Policy CS4 has mineral workings. Paragraph 4.44 acknowledges landfill as a means to restore mineral workings. Policy CS8 gives priority to existing waste disposal sites.</p>
<p>William Davis Ltd</p>		<p>CS4</p> <p>1698: We do however accept that waste facilities can be suitably located in new major employment proposals, a point recognised in paragraph 4.20 of the Development Framework which states that Certain types of modern waste management development such as waste recycling and recovery involves purpose designed buildings and structures which in most instances are suited to industrial areas. We therefore recommend that point A of policy CS4 should be amended as follows: a) Land forming part of new major employment development proposals; In doing so the Framework Document will separate SUEs from ` major employment development proposals and will therefore be more consistent with National and Regional Policy and would be sound when</p>	<p>See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 10)</p>

			compared with test of soundness number 4 as due consideration would have been given to the neighbouring land uses of proposed waste facility sites.	
Ibstock Brick	4.35		1731: It is considered that reference to the production of energy from landfill gas should also be listed. This represents a good source of non fossil energy production from landfill activities. Reference should be carried into Policy CS6.	See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 18)
Charnwood Borough Council		CS6	1576: Energy from waste is a fundamental part of the strategy for dealing with waste within the framework area. This aspect of the strategy seems to be poorly justified in terms of evidence, there has not been the necessary engagement on the alternative options and therefore has not been subject to the necessary rigour within the sustainability appraisal.	See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 15)
GOEM		CS6	1621: In accordance with the general guidance in paragraph 1.9, the criteria in Policy CS6 do not take the form of a hierarchy. However, some of these criteria refer to different elements in the waste hierarchy laid out in PPS10 Annex C. In order to accord with national policy, it is necessary for the policy criteria to be rearranged into the following hierarchy: (i) Pre-sorting is carried out. (ii) Value recovery from by-products of the process is maximised. (iii) Energy recovery is maximised. Criteria (iv) and (v) could remain where they are, in so far as they are considered necessary.	Correct. See LCC W6 Response to Waste – Distribution and Location of New Facilities (Question 17)
SITA UK		CS6	1749: The company supports the general principle of this strategy and considers that its Enderby Warren site is ideally placed to make a	Noted.

			significant contribution towards energy recovery in a most sustainable way and to the development of synergistic relationships with other existing and proposed uses in this location all of which will be detailed in the Site Allocations stage of the LDF process.	
Ibstock Brick	4.47		1732: Reiterate our comments in relation to future Site Allocations and the need for a full review upon the commencement of such documents in 2009. This will enable sites to be promoted including the Leicester quarry and which can assist in the targets of the plan.	Noted.
Derbyshire County Council		CS8	1700: The development plan document does not adequately reflect Council's comment on the preferred options. Council noted that there were insufficient materials to enable adequate restoration of minerals extraction sites in the Trent Valley and that the WDF should encourage cross-boundary movement of waste for such purposes, rather than resorting to landfill within the Leicestershire framework area. Therefore, Council requests that the following change be made to the Waste Core Strategy in Policy CS8 (iii), the phrase or minerals extraction sites be inserted after restoration of existing waste disposal sites. Council raises no other objections.	See Topic Note on The Need for New Waste Management Capacity (paragraph 17) – LCC W1
Anglian Water	4.58		1560: We endorse the importance given to environmental impact associated with sewage treatment. We would be keen for the last 2 sentences of Para 4.58 to be replaced by wording as follows: The strength of the odours from a Sewage Treatment Works (or Pumping Station) at any particular time will depend on a number of factors, including the distance from	Disagree. The supporting text is there only to describe briefly the types of waste developments this policy covers. The suggested inclusion seems unnecessary to the aims of the text.

			<p>the source, wind strength and direction and ambient temperature. The concentration of odour will normally diminish as the distance from the source increases. Therefore, the Cordon Sanitaire around the Works should ensure that dwellings, offices and other development which is likely to be sensitive to odours are not in a location likely to be affected by odour nuisance. Based on our experience of odour from Sewage Treatment Works and Pumping Stations, we would recommend safeguarding a Cordon Sanitaire of distance 400 metres for the Works (15 metres for Pumping Stations). This is in line with the recommended distance used elsewhere for planning purposes e.g. the Town and Country Planning (General Permitted Development) Order from slurry tanks, etc on agricultural land, which are likely to result in similar strength odours. This distance may be relaxed (following consultation with Anglian Water) on a case by case basis depending upon the nature of the Works and the sensitivity of its locations.</p>	<p>The imposition of Cordon Sanitaires is undertaken by the Borough and District Councils and would be a feature of their emerging LDFs. The Council would not seek to restrict waste development adjacent to sewage treatment works. Indeed, plants like anaerobic digestion may be ideally suited next to an existing works.</p>
Anglian Water	4.58		<p>1562: We would also be keen to include a statement relating to protection of the long-term operation of Biosolids processing centres such as: Anglian Water operating arrangements in Harborough district include a major Biosolid (sludge) processing centre located at Market Harborough Sewage Treatment Works. Anglian Water has invested significant capital expenditure at this site and has plans to further develop this facility to accommodate growth. We would therefore seek planning measures to protect current operations and assist their enhancement where required to facilitate</p>	<p>No policy required to protect current, lawfully permitted waste developments. Permission itself gives the operator its use which cannot be amended without a further application. Policy CS9 will allow extensions where they are acceptable, i.e. in line with other policies.</p>

			achieving development targets in terms of housing and employment. Finally, we would wish to include a statement to safeguard future operation of Sewage Treatment Works such as: It is essential that Sewage Treatment Works are able to operate and continue to be developed appropriately to meet the demands of new developments. Anglian Water therefore considers it is important that the need for Sewage Treatment works to serve existing and new developments is made explicit in the Plan and that these Works and associated Cordon Sanitaire are identified and safeguarded (plans showing site boundaries are attached).	
SITA UK		CS9	1750: The company supports this policy and considers that such flexibility and adaptability of policy towards emerging situations and embryonic technology is absolutely essential to a comprehensive and responsive approach towards the management of waste in the County.	Noted.
English Heritage		CS10	1701: General support of this policy.	Noted.
GOEM		CS10	1624: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
Natural England		CS10	1653: 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 note that the SA/SEA highlights possible negative effect on geodiversity as a result of some the Plan's policies. Whilst we are satisfied	See LCC W7 Response to Waste – Environmental Matters (Question 1)

			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.	
SITA UK		CS10	1751: Whilst the company supports the general principle behind this strategy and acknowledges completely, the need for environmental protection through appropriate policy, there is a need to strike a balance between this and the provision of waste management facilities which are of strategic significance. Whilst the provision of waste management facilities can have significant effects on the environment and local amenity (paragraph 4.6) the inadequate provision of such facilities can have an even greater impact on the environment and the communities within it. The cost of provision of such facilities together with the costs of the mitigation measures outlined in 4.62 also need to be taken into account and a balance judgement made.	Noted.
English Heritage	4.66		1714: 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	See LCC W7 Response to Waste – Environmental Matters (Question 2)

			considering proposals for the Forest, it is important that due regard is given to nature conservation and cultural heritage sensitivities and opportunities.	
Charnwood Borough Council		CS11	1567: The spatial vision and strategy need to refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that waste sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure. Policies CS11, CS12, DC15 and DC18 should set out how the spatial strategy is to be achieved.	See LCC W7 Response to Waste – Environmental Matters (Question 3)
Natural England		CS11	1654: Natural England support the inclusion of this policy as it will encourage the restoration of derelict minerals sites within the National Forest through appropriate habitat restoration, woodland planting and recreational provision.	Noted.
Charnwood Borough Council		CS12	1568: The spatial vision and strategy need to refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that waste sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure. Policies CS11, CS12, DC15 and DC18 should set out how the spatial strategy is to be achieved.	See LCC W7 Response to Waste – Environmental Matters (Question 3)
English Heritage		CS12	1702: General support of this policy.	Noted.
Natural England		CS12	1655: Natural England supports this policy as it protects and enhances the character of this unique and valuable area and we would not wish to see any waste development within this area.	Noted.
Blaby District Council		CS13	1742: Supports the inclusion of separate policies for Green Wedges and Open Countryside. However, BDC objects to policy as	See LCC W7 Response to Waste – Environmental Matters (Question 9)

			Green Wedges should be protected from development that can be accommodated within urban areas. Policy should be amended to require sites for waste management development to demonstrate that the development is such that it cannot be accommodated within the urban areas as stated in Policy DC5 (i) Open Countryside.	
English Heritage		CS13	1703: General support of this policy.	Noted.
GOEM		CS14	1622: The first bullet of Policy C14 cites the need for proximity to markets. Though the market for waste management development could be defined as both producers of waste and users of waste derived material, the common understanding of market may result in an emphasis being placed on the transport of waste management facility outputs rather than inputs. Given the extensive effort the Waste Planning Authorities have expended in defining their own broad locations on the basis of access to inputs, the tendency of input volume to exceed output volume, and the tendency for outputs to benefit from economies of scale in transportation, there would be a benefit in giving proximity to waste arisings priority over proximity to markets.	See LCC W7 Response to Waste – Environmental Matters (Question 10)
SITA UK		CS14	1752: Whilst we are content to rely upon the provisions contained within National Policy PPS10 and other national policy statements which seek, where practical and beneficial to use modes other than road to transport waste, it will be important for the Waste Management Authority to undertake a realistic and practical assessment of the opportunity for achieving this in the context of those facilities and sites	Noted. Policy DC10 states ‘will not be granted by road where....there is a practicable alternative to road transport..’.

			which are currently available and for those proposed as part of the site allocations procedure. The drive for sustainable transport provision in this context must be based upon that which is realisable and realistic rather than aspirational.	
CABE		DC1	1575: 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, and design codes.	Noted. Design has been made an important consideration by the addition of the new policy, DC1: Design.
English Heritage		DC1	1704: General support of this policy.	Noted.
English Heritage	5.7		1715: The last sentence is incorrect as it implies that the subsequent policy (DC2) covers	Text to be amended to remove reference to legislation.

			nationally important sites not specifically protected by legislation or national policy. The sites referred to in Policy DC2 are covered by legislation [Planning (Listed Buildings and Conservation Areas) Act 1990 and the Ancient Monuments and Archaeological Areas Act 1979] and national guidance (PPGs 15 and 16). This sentence should be deleted, but it could be replaced by a sentence that refers to the two PPGs.	
English Heritage		DC2	1713: You should be aware that within the time period 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 5.7. 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. We recommend the following amendments to the policy: ` Planning permission will not be granted for waste management 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	See LCC W8 Response to Waste – Development Control Policies (Question 10)

			likely to have on the features of interest.	
GOEM		DC2	1625: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
English Heritage	5.8		1719: Although conservation areas are designated by local authorities and not nationally, their significance can vary; some are considered to be of national importance. It is recommended that the following sentence should be added to the end of paragraph 5.8: Around 200 conservation areas have been designated within the County. The significance of conservation areas can vary, with some that may be of national importance.	See LCC W8 Response to Waste – Development Control Policies (Question 11)
English Heritage		DC3	1705: General support of this policy.	Noted.
English Heritage		DC4	1706: General support of this policy.	Noted.
GOEM		DC4	1626: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
National Farmers Union	5.11		1679: On page 46 paragraph 5.11 there are limits placed on development in the countryside, but what about composting? On farm composting is a good form of diversification and is best done in the countryside rather than on urban industrial estates with less nuisance and traffic. We would not wish to see the requirements of paragraph 5.11 prevent composting on farms.	It would not do so as long as landscape character is not harmed. It is accepted elsewhere in the document that open composting is unsuitable for urban areas.
Blaby District Council		DC5	1743: BDC objects to policy until it is amended to either resolve the issue of clarity between the terms Open Countryside and Countryside or to be consistent with the terms used within Policy DC5.	See LCC W7 Response to Waste – Environmental Matters (Question 13)

Natural England		DC5	1656: 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 bullet point (ii), which states 'unless it can be demonstrated that there 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: 'Proposals for waste management facilities 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 W7 Response to Waste – Environmental Matters (Question 12)
GOEM		DC6	1632: Policy DC6 does not appear to add anything to the content of PPS7.	See LCC W8 Response to Waste – Development Control Policies (Question 4)
Natural England		DC7	1665: Whilst we support the establishment of new woodland areas we are concerned that this policy places such a strong emphasis on new woodland to the possible detriment of other habitats. Restoration of any site should consider a 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	See LCC W7 Response to Waste – Environmental Matters (Question 17)

			suggest that the following is added to the policy replacing 'where appropriate' with 'where it is the most appropriate habitat and will contribute to the wider diversity of the area'.	
Blaby District Council		DC8	1744: BDC welcomes the amendment to Policy and supports the inclusion of this policy.	Noted.
GOEM		DC8	1627: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
English Heritage		DC9	1707: General support of this policy.	Noted.
GOEM		DC9	1631: Policy DC9 appears to duplicate PPS10 paragraph 21(i).	See LCC W8 Response to Waste – Development Control Policies (Question 3)
Lafarge Aggregates		DC9	1650: It is also not clear from the supporting text or Policy DC9 how the collective effects of different impacts of an individual proposal will be assessed.	Matter of judgement for the Authority to assess.
GOEM		DC10	1628: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
Highways Agency		DC10	1736: Supports policy as it aims to control the granting of planning permission where sites would have a detrimental effect on the SRN, whilst supporting the use of more sustainable transport modes. Particularly supports statement in Policy DC10 that planning permission for waste development involving road transport would not be granted unless highway network is able to accommodate the increase in traffic generated.	Noted. See above.
GOEM		DC12	1629: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)

Viridor		DC12	1696: Policy DC12 is inflexible in that it does not allow for any detrimental impact on the quality or flow of groundwater or surface water drainage, without any reference to the nature or size of the impact. Consistent with other policies the policy should introduce an element of proportionality and be revised as follows. (i)Have an unacceptable impact on the quality or flow of groundwater or surface water drainage; or...	Agree.
NEMA	5.21		1722: Paragraph should state that safeguarding maps are provided by the CAA or MOD, rather than the local airport.	Agree. Reference can be made.
NEMA	5.22		1723: It would be useful for the supporting text to policy DC13 to make reference to Circular 01/2003.	Agree.
GOEM		DC13	1630: Repeats elements of Annex E of PPS10.	See LCC W8 Response to Waste – Development Control Policies (Question 1)
NEMA		DC13	1720: Supports inclusion of this policy.	Noted.
English Heritage		DC14	1708: General support of this policy.	Noted.
GOEM		DC14	1633: The supporting text to 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 W8 Response to Waste – Development Control Policies (Question 2)
NEMA		DC14	1721: Supports inclusion of this policy. Pleased to note requirement for developers of waste management sites to consider measures to prevent new or increased risk to aviation from the proposed development.	Noted.
Charnwood Borough		DC15	1570: The spatial vision and strategy need to	See LCC W7Response to Waste –

Council			refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that waste sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure. Policies CS11, CS12, DC15 and DC18 should set out how the spatial strategy is to be achieved.	Environmental Matters (Question 3)
National Farmers Union		DC16	1680: On page 58 policy DC16 agriculture must be added as an alternative for after use along with woodland, access and wildlife habitats. The wishes of the landowner must be taken into account and if an agricultural after use is sought it should not be ruled out by this policy.	Policy does say 'where appropriate'. Text in paragraph 5.33 does not preclude agriculture.
Natural England		DC16	1666: Natural England would like to see an additional reference in this section on green infrastructure and the 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 5.36 and added to the policy wording of CS16 at bullet point (iii), we would suggest the following: 'iii) Public access and improvements to the public rights of way network including links to surrounding green infrastructure.'	See LCC W8 Response to Waste – Development Control Policies (Question 20)
English Heritage		DC17	1709: General support of this policy.	Noted.
GOEM		DC17	1634: The supporting text to indicates that not all the elements in the lists will apply to every application. Though the inclusion of such	See LCC W8 Response to Waste – Development Control Policies (Question 2)

			material clearly has value, it is not so clear that it constitutes policy that should be the starting point for the consideration of applications.	
Highways Agency		DC17	1737: Supports policy as it aims to control the granting of planning permission where sites would have a detrimental effect on the SRN, whilst supporting the use of more sustainable transport modes.	Noted.
Highways Agency		DC17	1739: HA supports the intention to allocate waste sites in areas where there is potential to utilise local rail access and thereby reduce the number of HGV trips, subject to transport impacts being investigated and a package of measures identified to minimise any adverse transport impacts. Any measures deemed necessary should be implemented through the provision of planning conditions or obligations (as per Policies DC17 and DC18).	Noted.
NEMA		DC17	1724: Would be worthwhile to raise same issues as DC14 in this policy. In certain situations it may be possible to mitigate against bird strike issues through the use of appropriately worded and monitored conditions where otherwise refusal on the grounds of Circular 01/2003 and Policy DC13 may have occurred.	Disagree. No need to mention here.
Charnwood Borough Council		DC18	1571: The spatial vision and strategy need to refer to Green Infrastructure strategies for the 6Cs area, and the substantial role that waste sites may be able to play in bringing about a net gain in biodiversity and other aspects of Green Infrastructure. Policies CS11, CS12, DC15 and DC18 should set out how the spatial strategy is to be achieved. Box 3 in Policy DC18 Planning Obligations could usefully refer to the	See LCC W7 Response to Waste – Environmental Matters (Question 6)

			National Forest, Charnwood Forest and contributions to Green Infrastructure.	
English Heritage		DC18	1710: General support of this policy.	Noted.
GOEM		DC18	1635: The supporting text to 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 W8 Response to Waste – Development Control Policies (Question 2)
Highways Agency		DC18	1738: Supports policy as it aims to control the granting of planning permission where sites would have a detrimental effect on the SRN, whilst supporting the use of more sustainable transport modes.	Noted.
Highways Agency		DC18	1740: HA supports the intention to allocate waste sites in areas where there is potential to utilise local rail access and thereby reduce the number of HGV trips, subject to transport impacts being investigated and a package of measures identified to minimise any adverse transport impacts. Any measures deemed necessary should be implemented through the provision of planning conditions or obligations (as per Policies DC17 and DC18).	Noted.
Charnwood Borough Council	MONITORING		1600: Policy CS 12 Charnwood Forest is not mentioned in the monitoring framework, and so it is not clear how the effectiveness of this policy is to be assessed.	See LCC W9 Response to Waste – Monitoring (Question 7)
Charnwood Borough Council	MONITORING		1601: DC1: Design has a target that 75% of applications with permanent buildings should incorporate sustainable design principles. This target seems rather arbitrary and it is not clear what the justification is for this target is. It is reasonable to expect that 100% of applications	See LCC W9 Response to Waste – Monitoring (Question 8)

			incorporate such design principles.	
English Heritage	MONITORING		1711: General Support for the monitoring proposals.	Noted.
NEMA	Key Diagram		1754: 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.	Agree.