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Your Ref: PINS/K2420/429/8  
Our Ref: ESBAAP/RC  
Date: XX January 2014

Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

Mr John Wright  
Planning, Historic and Natural Environment  
Leicestershire County Council  
County Hall  
Glenfield  
Leicestershire  
LE3 8RA

Dear John,

**RE: MINERALS & WASTE LOCAL PLAN – ISSUES DOCUMENT**

Thank you for your letter dated 22 November 2013 inviting Hinckley and Bosworth Borough (HBBC) to comment on the above document.

I note that the purpose of this consultation is to seek views on how Leicestershire County Council should approach the preparation of a revised joint Minerals and Waste Local Plan (MWLP) and there will be further opportunity to comment on a pre-submission draft of the Plan.

**Minerals**

*How much aggregate should Leicestershire provide?*

It is noted that to conform with the National Planning Policy Framework (NPPF) the County Council is required to maintain a landbank (provision of mineral extraction sites with planning permission) of at least 7 years for sand and gravel and 10 years for crushed rock based upon an average annual requirement. The NPPF advises that to inform the requirement to be made, a Local Aggregate Assessment (LAA) is prepared based upon a rolling 10-year average of sales data and other relevant local information. It is noted that it is intended that the MWLP will cover the period up to 2031.

The consultation document acknowledges that in preparing a LAA it is appropriate to consider population forecasts, future house building; and major infrastructure projects. Reference is also given to the housing provision set out in existing and emerging Core Strategies and notes that housing completions are forecast to be some 13% higher than the last ten years.



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Whilst regard should be had to existing Core Strategies as a starting point, you may also be aware of the emerging Leicester and Leicestershire Strategic Housing Market Assessment (SHMA). The SHMA will consider the need for additional housing to 2036 and in turn will inform the housing provision to be made through future Local Plans in Leicester and Leicestershire. It is therefore recommended that regard is had to the outputs of the SHMA to inform the LAA. This will ensure the most up-to-date evidence is considered when forecasting the future demand for aggregates, enabling the County Council to make the necessary provision for mineral supply over the plan period.

*Where should future sand and gravel and crushed rock operations be located in the County?*

The consultation document notes that to make the necessary plan provision and identify where future mineral workings could take place, the County Council can seek to allocate specific sites; Preferred Areas or Areas of Search.

Specific sites provide greater certainty as to where mineral extraction is likely to take place minimising the risk of ad-hoc proposals coming forward over the plan period. The Borough Council would favour an approach which seeks to make the necessary provision through allocating specific sites, with the possibility of a phasing trajectory of when the sites are likely come forward over the plan period. This would provide certainty to land owners and residents as to where minerals extraction is likely to take place and make the necessary policy provisions and amenity and environmental safeguards such as appropriate buffer distances between sensitive uses. It also provides the opportunity to identify appropriate restoration and after use schemes from the outset to inform future planning applications.

When considering future provision of mineral extraction, existing Policy of the Minerals Core Strategy (Policy MCS2) favours extensions to existing mineral workings which offers benefits such as minimising environmental disturbance elsewhere and utilising existing infrastructure (such as existing access and processing facilities). The approach of continued extraction in a relatively small location can however result in the ongoing and cumulative impacts on amenity and the environment. The impacts of extending existing workings need to be considered against the impacts of new provision elsewhere.

The Borough Council recommends adopting a strategy of favouring extensions to existing workings where this is considered environmentally acceptable compared to the creation of new sites. The Borough Council would request that LCC undertake an appraisal of extensions to existing sites, in addition to potential new sites, to inform allocations for future mineral working.

### *Safeguarding Mineral Resources*

The safeguarding of mineral resources prevents the loss of known economically viable mineral deposits from built development. It also prevents development encroaching on mineral workings to protect both the amenity of occupants and the loss of mineral resource where a buffer would be required between the extraction and the development. Development proposals which lie within a Mineral Safeguarding Area (MSA) are required to undertake further assessment to identify the value of the resource and whether prior extraction is required.



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The Borough Council notes that the County Council had intended to delineate the boundaries of MSAs within the county more precisely in preparing its site allocations development plan. The Borough Council would welcome this work being undertaken by the County Council to assist in the assessment of development proposals which may / may not lie within or adjacent to MSAs and whether further investigation or the extraction of mineral resources is required prior to development taking place.

## **Waste**

*How much waste needs to be managed?*

Whilst any further work to underpin future modelling will be a matter for waste industry experts, it is recommended that LCC undertake a review of projected waste arisings and consider the outputs of projected housing demand from the emerging SHMA. This will ensure the most up-to-date and robust projections (from a 2011 baseline) are taken in to account to inform the overall provision to be made, consistent with emerging and future Local Plans throughout the County.

*Where should future waste management facilities be located?*

In seeking to make provision for strategic waste management capacity, it is noted that the County Council propose to maintain the approach as currently presented in Policy WCS2 of the existing Core Strategy. Strategic sites are defined as sites located near to the centres of high population density (Leicester City; Loughborough and Coalville) which will divert a significant proportion of MSW and / or C&I waste away from landfill by recovery processes (i.e. to generate heat and power). The Borough Council supports this approach for the majority of waste to be managed as close as possible to where it arises.

For non-strategic (smaller) waste management sites such as those suitable for recycling and waste transfer facilities, it is noted that the County Council propose to maintain the approach set out in Existing Core Strategy Policy WCS3.

It is noted in paragraph 5.46 of the consultation document that the County Council does not intend to allocate sites for waste management use in the emerging Local Plan. The Borough Council is concerned that this approach, in conjunction with the proposed policy approach referred above, will result in ad-hoc proposals. Whilst a strong policy framework can defend inappropriate sites being granted planning permission, it would be beneficial to provide certainty to landowners and residents where the future waste management provision is to be made. This would also support the policy framework in defending against inappropriate proposals for waste management use.

In response to Question 41 of the consultation document, the Borough Council considers that there is merit in reviewing Policy WCS3, notably the necessity to include bullet points (ii) and (iii) which state:

*“The strategy for non strategic waste sites is to locate them in the following areas taking into account the principles set out in Policy WCS4: Waste Location Principles:  
(i) the Broad Locations for Strategic Sites indicated in the Key Diagram;  
(ii) in or close to the main urban areas of Hinckley or Melton Mowbray;  
(iii) within sustainable urban extensions...”*



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The Borough Council considers that the policy approach presented in bullet points (ii) and (iii) could preclude further opportunities for other non-strategic facilities to come forward elsewhere, particularly as significant housing growth is to occur throughout Leicestershire over the Plan period. The Borough Council suggest that the strategy and policy for the provision of non-strategic waste management capacity should be informed by the projected growth requirements from the emerging SHMA and subsequent Local Plans. Any reference to specific locations should be informed by evidence to justify their inclusion, for example the deliverability of sites within the intended location through a site search and appraisal process.

It is noted that paragraph 5.41 suggests that the supporting text to a revised Policy WCS2 could make reference that a site can be strategic either through a single development or through an agglomeration of a number of non-strategic developments occurring over time. If the latter is intended to be the preferred approach this would further necessitate the identification and allocation of sites to demonstrate deliverability and certainty.

Policy WCS4 provides land use hierarchy such as favouring existing waste management sites first then various land uses with Greenfield sites considered last. Whilst co-locating facilities on existing waste management sites is acceptable in principle, it is considered that the MWLP should seek to make the necessary waste management provision, identifying those sites which could be extended for co-located uses.

It would be beneficial if the County Council undertake a thorough site search and appraisal process to identify new potential waste management provision and explore the opportunities of extending or reconfiguring existing sites to increase capacity. The appraisal process should consider factors such as impact on amenity from the operational and vehicle movements to and from facilities; other highway impacts and environmental impacts. The Borough Council would welcome the opportunity to maintain dialogue with the County Council to identify which sites within the Borough may or may not be appropriate for such uses.

### *Safeguarding Waste Management Sites*

In response to Q44 of the consultation document, the principle of safeguarding existing sites is acceptable to ensure that the current capacity or land use is not lost or redeveloped to another use and that a sufficient distance is maintained between a facility and other forms of development or sensitive land uses. This is particularly important where sites have been identified to provide for increased capacity to minimise the need to identify new capacity elsewhere. Sites should however only be safeguarded where they are operationally acceptable and do not result in adverse impacts on amenity or the environment, and as such should also be subject to the site appraisal process referred above. The Borough Council would again welcome the opportunity to maintain dialogue with the County Council to identify which sites within the Borough are appropriate for safeguarding, with the potential for co-location of uses if this is considered necessary.

### *Development Management Policies*

The consultation document considers development management criteria policies and policies for mineral restoration and aftercare proposals. The Borough Council have no specific comments to make on the above issues at present and but welcome the opportunity to comment on the preferred policies in the Pre-submission draft of the Plan.

I trust that the comments above will be helpful to inform the Pre-submission version of the Minerals and Waste Local Plan. The Borough Council would welcome the opportunity, prior to consultation on the Pre-submission draft, to input further into the plan-making process, particularly to inform the identification of site specific allocations. If you would like to discuss the comments above or if you require further information please do not hesitate to contact me.

Yours sincerely,

Christopher Colbourn  
Planning Officer – Policy

DRAFT



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