

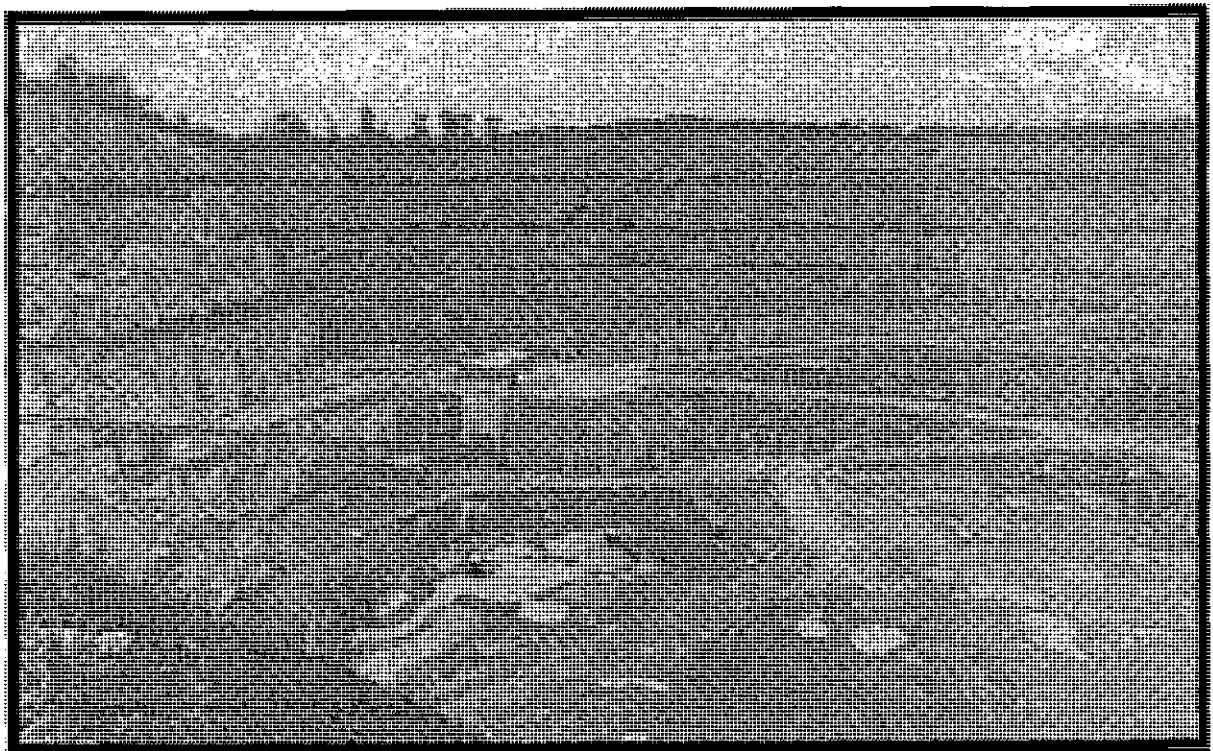
# MINERALS, DERELICT LAND AND WASTE DISPOSAL

## POLICIES AND PROPOSALS

Where appropriate, policies from the approved Leicestershire Structure Plan (1994) are included in this Local Plan. These appear in *italics*.

The Local Plan policies and proposals are in **UPPER CASE BOLD TYPE**.

All of the policies must be considered together before a view can be determined on a particular proposal.



Croft Quarry.

**MINERALS, DERELICT LAND AND WASTE DISPOSAL - POLICIES AND PROPOSALS**

**PLANWIDE POLICIES**

**Minerals**

- 10.22 Minerals are a finite resource and it is therefore in the long term economic interest to protect mineral reserves from being sterilised by other forms of development. Minerals and Waste Disposal Policy 4 of the Structure Plan states:

*"Land will not be allocated and planning permission will not normally be granted for surface development which could sterilise important, economically workable deposits of minerals. Exceptionally, where development of land is considered essential, and proven reserves would be permanently sterilised, planning permission will normally be granted for the prior extraction of the mineral."*

- 10.23 In certain circumstances where reserves are believed to exist but are not proven, the proposed developer may be required to undertake a geological survey in order to establish whether economically workable deposits exist before any application for development is determined. Those sites where potential workable deposits are known to exist are referred to in policy M4.

- 10.24 The Structure Plan's Minerals and Waste Disposal Policy 2 deals with Environmental Impact and states:-

*"When allocating land and considering planning applications for the extraction of minerals or for the disposal of waste materials or related development, account will be taken of its likely impact on the environment and the operational and economic needs for the development. Where development would cause demonstrable harm to interests of acknowledged importance, planning permission will normally only be granted where the need for the development is sufficient to justify its environmental impact."*

- 10.25 The District Council is also mindful of the need for proposals to develop land in the proximity of existing and potential mineral workings to include measures to protect the wider environment and is therefore including the following policy which will be complementary to the Structure Plan.

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- 10.26 The effects on the environment of existing and any future mineral workings can be severely detrimental to the amenities of other nearby forms of development. This policy will ensure that where new development is acceptable, in the context of the other policies of the Local Plan, a satisfactory quality of environment will be maintained.

### Unstable Land

**M2 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT ON LAND KNOWN OR SUSPECTED TO BE UNSTABLE WHERE THE DISTRICT COUNCIL IS SATISFIED THAT THE ACTUAL OR POTENTIAL INSTABILITY CAN REASONABLY BE OVERCOME. PLANNING APPLICATIONS FOR DEVELOPMENT ON SUCH LAND SHOULD BE ACCOMPANIED BY A STABILITY REPORT DESCRIBING AND ANALYSING THE ISSUES, INCLUDING THE EFFECTS ON THE STABILITY OF NEIGHBOURING LAND.**

- 10.27 This policy alerts developers to their responsibilities of ensuring that development proposals take fully into account the effects of ground stability of both the site and the adjacent land.
- 10.28 PPG14 (Development on Unstable Land) states that the responsibility for determining whether land is suitable for a particular purpose rests primarily with the developer. The developer should undertake a thorough investigation and assessment of the ground to ensure that it is stable or that where actual or potential instability exists it can be overcome by appropriate remedial, preventive or precautionary measures. Planning applications for development where instability is suspected should be accompanied by such a stability report and the District Council is currently able to indicate 49 sites where it considers that ground stability (and/or contamination) may be of particular concern in the general vicinity. These are listed in Appendix 7 and

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represent the best information available to the District Council but the list is not necessarily exhaustive.

### Contamination

**M3 PLANNING PERMISSION WILL ONLY BE GRANTED FOR DEVELOPMENT DEEMED TO BE AT PERCEPTIBLE RISK FROM LAND CONTAMINATION WHERE THE DISTRICT COUNCIL IS SATISFIED THAT THE PROPOSED DEVELOPMENT CAN BE UNDERTAKEN SAFELY.**

**A FULL SITE INVESTIGATION WILL NEED TO ACCOMPANY PLANNING APPLICATIONS FOR DEVELOPMENT IN MOST CIRCUMSTANCES WHERE IT IS KNOWN OR STRONGLY SUSPECTED THAT A SITE IS AFFECTED BY CONTAMINATION TO AN EXTENT WHICH WOULD ADVERSELY AFFECT THE PROPOSED DEVELOPMENT. THIS INVESTIGATION SHOULD IDENTIFY THE LEVEL OF CONTAMINATION AND ANY REMEDIAL MEASURES REQUIRED TO DEAL WITH THE HAZARDS.**

- 10.29 This policy alerts developers to their responsibility to ensure the safe development and secure occupancy of the site. The policy covers all forms of contaminated land, although problems of leachate and gas emissions from landfill sites are of primary concern in the Local Plan area.
- 10.30 The Government's advice and guidance concerning development on contaminated land is contained in PPG 23 'Planning and Pollution Control'. A full site investigation will only be requested prior to the determination of a planning application where there is good reason to suppose that the land in question is actually contaminated. As part of this investigation developers will, where appropriate, be required to consider the potential impact on water resources and early discussion with the Environment Agency is advised. In cases of slight or suspected contamination, consent may be given without the need for a full site investigation prior to the determination of the application provided measures to protect the development from contamination are identified and implemented to the satisfaction of the District Council, before construction commences.

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- 10.31 The District Council in consultation with the Environment Agency is able currently to identify 49 sites where development in the general vicinity may be at risk from contamination (and/or stability problems). These are listed in Appendix 7 and, as this list may change with time, reference should be made to the public register held by the District Council and the Environment Agency for the most up to date information.

### AREA AND SITE SPECIFIC POLICIES

- 10.32 Minerals can only be worked where they are found and it is necessary to safeguard reserves which are known to exist from sterilisation. In accordance with Minerals and Waste Disposal policy 4 of the Structure Plan, policy M4 identifies areas of known mineral reserves in Blaby District.

#### Mineral Reserves

<b>M4</b>	<b>PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH WOULD STERILISE OR PREJUDICE THE EXTRACTION OF PROVEN MINERAL RESERVES FROM THE FOLLOWING LOCATIONS:</b>
(i)	<b>LAND IN THE VICINITY OF THE RIVER SOAR, SOUTH OF HUNCOTE ROAD, NARBOROUGH;</b>
(ii)	<b>LAND BETWEEN THE GRAND UNION CANAL AND THE PROPOSED GLEN PARVA BYPASS, GLEN PARVA;</b>
(iii)	<b>LAND IN THE SOAR VALLEY SOUTH;</b>
(iv)	<b>LAND IN THE VICINITY OF CROFT QUARRY, CROFT.</b>

- 10.33 Sand and gravel reserves are known to exist in the general vicinity of the Soar Valley but their precise extent, quantity and quality may require further investigation. Land south of Huncote Road (site (i) above) is not specifically proposed in the Minerals Local Plan as an area for sand

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and gravel extraction but nevertheless needs to be safeguarded from inappropriate surface development.

- 10.34 Planning permission has been granted for the extraction of brick clay reserves at Glen Parva (site (ii) above). The site would represent an extension to a now exhausted area which lies to the east of the proposed bypass. It should be noted, however, that the associated brickworks no longer exists.
- 10.35 The extensive area of sand and gravel bearing land in the Soar Valley South (site(iii)) has already been described in paragraphs 8.64 and 10.5.
- 10.36 An application by Bardon Associates to extend Croft Quarry into the igneous rock reserves identified in (iv) above has been approved by the Minerals Planning Authority. This will allow for the extraction of a further 45 million tonnes of granite over an anticipated period of 20 to 25 years. A number of conditions have been attached to the permission to protect the local environment, and these include the creation of a new hill and construction of a new access road. Policy CE23 deals with the protection of Croft Hill as a feature of Local Landscape Value.

### Waste Disposal

- 10.37 Due to technical difficulties associated with creating a void around the geological SSSI during infilling, thus leaving it exposed, the County Council has decided to allow for the interim filling of the void next to the geological interest. This will involve filling the void adjacent to the SSSI with inert materials on the understanding that the Palygorskite formation will be re-exposed after the Environment Agency has granted a Completion Certificate for the site under the terms of the Environmental Protection Act 1990. The timescale for the re-excavation of the SSSI is not yet known. Elsewhere once tipping has ceased, the Enderby Warren Quarry area will represent an area of considerable size located in an important position between Enderby and the

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existing and proposed built-up area to the east of the M1. The District Council wishes to see the future use of the restored land reflect the generally open character of the surrounding area and the present planning permission requires that the tipping area be covered with topsoil.

- 10.38 Although the above policy refers to future uses, it is unlikely that any certificate of completion will be issued until after the site has completed gassing and has stabilised to a point where it is unlikely to adversely affect adjacent land. This could be as long as 30 years or more. The site operator/landowner will be responsible for monitoring the site until this point is reached.