

22/10/2025 – MINERAL PLANNING AUTHORITY REVISED CONSULTEE RESPONSE

APPLICATION DETAILS:

Planning Application Number: 25/00692/FUL

LCC Reference Number: 2025/3475/04

Description of Application: Installation and operation of a ground-mounted solar farm with associated infrastructure for a period of 40 years

Location of Application: Land at Heath Road, Bagworth Heath, Bagworth, Leicestershire

Thank you for your consultation in respect of the above planning application. The County Council has been forwarded a representation that Forterra Building Products Ltd has made to Hinckley and Bosworth Borough Council in relation to the above development. Having considered the representation, the County Council, as the Minerals and Waste Planning Authority (MWPA), has revised its response submitted to Hinckley & Bosworth Borough Council on 9th September 2025.

The proposed development site lies partially within a Mineral Safeguarding Area (MSA) for Sand & Gravel but also overlaps with land that contains reserves of brick clay which are not identified as a MSA but could support the continued operation of the Desford Brickworks in the future.

Under the granted planning permission, ref. 2024/EIA/0081/LCC, it identified an expected yield of 5.7m tonnes of brick clay, approx. 16.7 years supply of mineral reserve. It is also noted that additional reserves may be present beyond the approved extension, and the proposed solar farm would be located where workable deposits are present.

While the submitted Mineral Assessment (MA) for the above planning application concludes that the sand and gravel deposits are not economically viable and that the development is temporary in nature, it does not assess the bedrock clay deposits. Whilst the above is not identified as an MSA for clay, geological investigations undertaken by Forterra Building Products Limited have confirmed the presence of 13.6 million tonnes of viable mudstone (brick clay) beneath the application site.

Paragraph 227c (footnote 81) of the NPPF require MPAs to maintain a 25-year supply of brick clay, and the approved extension to mineral extraction area associated with Desford Brickworks contributes towards this national policy requirement.

I would, however, draw your attention to Policy M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure, which states that “*significant infrastructure that supports the supply of minerals in the County will be safeguarded against development that would adversely affect operations at an existing mineral site and the use of associated mineral infrastructure by creating incompatible land uses nearby.*”

Although the proposed solar farm would only be temporary development – with a lifespan of circa 40 years – it would sterilise this proven clay resource beyond the 16.7-year extraction period for the approved extension to the quarry and inhibits any future extension to extract further deposits beyond the current approved extension boundary.

In this context, Policy M12 of the Leicestershire Minerals and Waste Local Plan must be afforded significant weight. This policy seeks to safeguard existing mineral sites from incompatible land uses nearby. Furthermore, the National Planning Policy Framework (NPPF) places great weight on the benefits of mineral extraction and emphasises the need to safeguard mineral resources for future generations. Paragraphs 224–227 of the NPPF reinforce the importance of maintaining a steady and adequate supply of industrial minerals, including brick clay, which the approved extension area provides.

Given the above, the MPA considers that the current application does not adequately address the implications of mineral sterilisation, particularly in relation to the proven brick clay reserves. Although not identified as a safeguarded mineral in this location, the development would conflict with Policy M12 of the LMWLP and therefore, the MPA recommends that further consideration be given to the mineral safeguarding implications before any decision is made.

Yours Sincerely,

R. Tollyfield

Robert Tollyfield
Planning Officer