

Alex Jelley
Hinckley and Bosworth Borough Council

Date: 29 December 2023
My Ref: 23/00330/OUT
Contact: Charlie Cookson
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APPLICATION DETAILS:

Planning Application Number: 23/00330/OUT
LCC Reference Number: 23/00330/OUT

Description of Application:

Outline application to include up to 500 dwellings, a primary school / education use (Class F1), retail (Class E), community hub (Class E/F1/F2), hot food takeaway (Sui Generis), accesses from Mill Lane and Astley Road and infrastructure including; public open space, SUDS, landscaping, the provision of associated infrastructure and ancillary works. Outline - all matters reserved except for access (EIA development)

Location of Application:

Earl Shilton Sustainable Urban Extension (SUE) Mill Lane Earl Shilton Leicestershire

Thank you for your consultation in respect of the above planning application. The County Council has considered the application, having regard to the Development Plan, National Planning Policy Guidance and other relevant material considerations. In this particular instance, the County Council, as Minerals and Waste Planning Authority, comments as follows;

The development site is located within a mineral safeguarding area for sand and gravel as identified in the Leicestershire Minerals and Waste Local Plan (2019-2031) (LMWLP). Whilst it is noted that Geo-environmental documents and various other documents have been submitted, this does not appear to give any consideration to potential mineral sterilisation, nor does this look to have been provided for in any other submitted document. We also note that paragraph 9.15 of the Earl Shilton and Barwell Area Action Plan (AAP) (2014), states that further detailed assessments are required to consider the presence of sand and gravel deposits within the site.

Chief Executives Department
Leicestershire County Council, County Hall, Glenfield, Leicestershire, LE3 8RA

John Sinnott, CBE, MA, Dipl. PA, Chief Executive
Tom Purnell, MSc, Dipl. PLM, Assistant Chief Executive

Policy M11 of the Leicestershire Minerals and Waste Local Plan (2019-31) outlines that mineral, including sand and gravel, will be protected from permanent sterilisation by other development. Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it. Therefore, the Mineral Planning Authority would require further information in the form of a Minerals Assessment before commenting fully on the proposed development and its impacts upon the Mineral Safeguarding area. In general, the following matters are recommended for inclusion in mineral assessments:

- An estimate of the quality and quantity of mineral reserve impacted by the proposed development (preferably verified by evidence from borehole investigations);
- Assessment of whether the proposal can be modified to avoid sterilisation;
- Assessment of the potential for the use of the mineral in the proposed development and whether it is feasible and viable to extract the mineral resources ahead of the development;
- Assessment of the commercial and practical considerations of prior extraction – such as environmental impacts, the location of processing facilities, method of transport and the interest from local mineral operators;
- Where prior working is proposed, an explanation of how this will be carried out as part of the overall development;
- The effect of prior extraction on the deliverability and/or viability of the proposed development.

The full text to Policy M11 can be found on Page 38 of the Leicestershire Minerals and Waste Local Plan (2019-31) on the following link:

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/10/3/Leicestershire-Minerals-and-Waste-Local-Plan-Up-to-2031-Adopted-2019.pdf>

Safeguarding Waste management Facilities

Furthermore, it is noted that the safeguarded Earl Shilton Sewage Treatment Works is within close proximity to the proposal. Policy W9: Safeguarding Waste Management Facilities of the LMWLP is therefore also relevant. The proposal does not appear to physically impact the access to the site but by their very nature, operations at sewage treatment works can on occasion give rise to environmental impacts such as out of hours working, noise and odours which could affect local amenity. Residential development of the type proposed may also prejudice the current and future operation of the facility. Your authority should be satisfied that you have sufficient information to demonstrate the above to ensure that there would be no conflict with the waste safeguarding interest.

Yours Sincerely,

Charlie Cookson
Planning Officer