

Resource Management Policies

RM/1	Groundwater and aquifer protection (*now deleted)
RM/2	Flood protection - land liable to flood
RM/3	Flood protection - assessment of flood risk (*now deleted)
RM/4	Flood protection - surface water run-off (*now deleted)
RM/5	Waste water management (*now deleted)
RM/6	Agricultural land (*now deleted)
RM/7	Sites of Special Scientific Interest (*now deleted)
RM/8	Sites of local ecological or geological interest
RM/9	Maintenance and protection of habitats – Character and appearance (*now deleted)
RM/10	Maintenance and protection of habitats – Ecological and Geological Diversity
RM/11	Protected species (*now deleted)
RM/12	Scheduled Ancient Monuments (*now deleted)
RM/13	Sites of archaeological significance - field evaluation (*now deleted)
RM/14	Sites of archaeological significance - preservation of remains (*now deleted)
RM/15	Sites of archaeological significance - excavation and recording of remains (*now deleted)
RM/16	Development on former railway lines
RM/17	Development in the vicinity of mineral extraction sites
RM/18	Development on or in the vicinity of landfill sites
RM/19	Renewable energy – wind turbines (*now deleted)

* Further information on deleted policies can be found within the chapter.

CHAPTER 2

RESOURCE MANAGEMENT

Objectives

1. To promote the conservation of the natural and non-renewable resources in the District.
2. To provide for and encourage development that minimises pollution and the consumption of energy, land and other non-renewable resources.

Introduction

- 2.1** The conservation and management of resources is an area of increasing concern. Rising living standards and expectations lead to increased demands on water supplies, energy and other resources that are necessary to support our lifestyles. In allocating land and determining applications for development the District Council will take account of the resources available to support development.

Water Supply

- 2.2** The supply of water and its abstraction from source is not regulated through planning legislation. Under legislation governing the water industry the statutory water companies have a duty to supply water to new development by requisition subject to a charge. To ensure sufficient investment in infrastructure to cope with increases in demand generated by new development, an infrastructure charge is levied on new development. The water supply to the District is provided by Anglian Water Services Ltd and Severn Trent Water Ltd. Water abstraction at source is licensed by the Environment Agency.

Groundwater and Aquifer Protection

- 2.3** Groundwater resources are an essential source of water and also sustain some of the watercourses and canals in the area. Some activities, such as the disposal of effluent in soakaways or the inappropriate storage of chemicals can lead to the pollution of ground water. Since the clean up of contaminated water is not always possible, the District Council will seek to reduce the risk of groundwater pollution by liaising with the Environment Agency and refusing consent for developments likely to pose an unacceptable risk to water resources. The District also contains shallow river gravel aquifers where development will be carefully controlled to conserve water quality and resources. Developers are advised to consult the Environment Agency for further information on the issues relating to ground water protection.

2.4 *POLICY RM/1 This policy has now been deleted.

Please refer to PPS23 para.11 & 15 regarding Groundwater and Aquifer Protection.

Flood Protection

2.5 To ensure that new development is not at risk from flooding and does not put other areas at risk, the District Council will consult the Environment Agency and other bodies as appropriate on proposals that affect land liable to flood or that generate substantial changes in surface water run-off. Development that increases the risk of flooding will not normally be acceptable unless compensatory works can be carried out to alleviate the risk.

Land Liable to Flood

2.6 Flood plains and areas of low-lying land adjacent to watercourses are particularly vulnerable. Development that encroaches on these areas will not only reduce the storage capacity of the floodplain, but may impede the flow of flood water and increase the risk of flooding. It can also reduce access to the watercourse for future maintenance. In principle, development in floodplains will normally be resisted.

2.7 **POLICY RM/2** **THE DISTRICT COUNCIL WILL REFUSE PLANNING PERMISSION FOR DEVELOPMENT WHICH WOULD BE AT RISK FROM FLOODING OR WHICH WOULD MATERIALLY INCREASE THE RISK OF FLOODING UNLESS MEASURES ARE IMPLEMENTED ON OR OFF THE SITE TO COUNTERACT THE INCREASED FLOOD RISK.**

2.8 In examining the sites proposed for development in this Local Plan, the District Council has consulted with Environment Agency. Where there is information on the extent of essential washlands close to new development allocations, this is shown on the **Proposals Map Insets** for the relevant settlements. The interpretation of the washland areas should be made in conjunction with the Environment Agency. Full information on the extent of essential washlands and land liable to flood is not available for all watercourses in the District. In those instances where there is a risk of flooding, intending developers will be expected to research the risk and to submit their assessment to the District Council with any application for planning permission. The District Council will consult with the Environment Agency before determining whether development can be accommodated without aggravating the flood risk.

2.9 *POLICY RM/3**This policy has now been deleted****Please refer to PPS25 para.8, 10 and Annex E regarding Flood Protection and Assessment of Flood Risk.****Surface Water Run-Off**

2.10 Any development, regardless of where it is located in the District, can give rise to land drainage problems. This arises from an increase in the extent of impermeable surfaces such as roofs and paved areas, which increases the amount of surface water run-off within an area. The increased run-off can lead to flooding downstream of a development, unless measures are taken to mitigate the impact of the run-off. These works must be undertaken at the developer's expense. A second issue is the effect of increased run-off on the river and waterway environment, which may result in silt deposition and damage to sensitive ecological habitats. These effects may occur at considerable distances from the new development. The District Council will consult with the Environment Agency before determining whether development can be accommodated without an adverse impact on the land drainage system and the environment. If surface water is to be discharged into the canal system, then approval will be required from British Waterways.

2.11 *POLICY RM/4**This policy has now been deleted****Please refer to PPS25, Annex F regarding Flood Protection – Surface Water Run Off.****Waste Water Management**

2.12 To avoid the possible pollution of watercourses it is essential that future development does not overload existing sewerage systems and sewage treatment works serving the District. Legislation regulating the water industry empowers developers to requisition the sewage services undertakers to connect development to a public sewer subject to a requisition charge. In addition, to ensure there is sufficient investment in infrastructure to cope with increased demand on the sewage system as a result of new development, an infrastructure charge is levied on new development by the relevant sewage services undertakers. Within the District these are Anglian Water Services Ltd and Severn Trent Water Ltd. New development should be served by separate foul and surface water drainage systems and be connected to a sewage treatment works. The use of septic tanks will only be appropriate for small, isolated developments that cannot reasonably be connected to the main sewerage system.

2.13 *POLICY RM/5**This policy has now been deleted.****Please refer to Local Plan Policy IN/1 regarding Foul and Surface Water Drainage.**

River Corridors and the Grand Union Canal

- 2.14** The Environment Agency is keen to promote the protection and enhancement of river corridors. In settlements they are often an important corridor of ecological, amenity and recreational value. The River Welland through Market Harborough is a good example of a corridor that is well used, with the Riverside Walk extending through the town centre on the south bank of the river.
- 2.15** The Grand Union Canal extends for 25 miles through the centre of the District. Although it penetrates into Market Harborough, it meanders through open countryside for the majority of its length. The north-western section of the canal from the boundary with Oadby and Wigston Borough to Debdale Wharf is a Site of Special Scientific Interest, in recognition of its rich flora and fauna. There is good access to the canal towpath from the local road and footpath network. British Waterways is keen to promote the enhancement and development of the canal corridor through the District in a way that sustains the future conservation of the waterway's heritage, landscape and environmental assets.
- 2.16** **The District Council will support initiatives to conserve and enhance the environment of river corridors and the Grand Union Canal and to promote public access to them.**

The Protection of the Best and Most Versatile Agricultural Land

- 2.17** The best and most versatile agricultural land is a national resource for the future which, because of its special importance, should be protected from irreversible development unless there are no other sites on land of lower quality suitable for a particular purpose. The best and most versatile land is Grades 1, 2 and 3A. Land quality is an important consideration but other factors are also relevant, for example, farm structure, farm buildings and fixed equipment and the location of development in relation to farms.
- 2.18** *POLICY RM/6 **This policy has now been deleted.**
Please refer to PPS7 para.28 regarding Agricultural Land.

Sites of Ecological or Geological Interest

Sites of Special Scientific Interest

- 2.19** There are 14 Sites of Special Scientific Interest (SSSI) in the District, designated by English Nature under the Wildlife and Countryside Act 1981. All SSSIs are listed in **Appendix B** together with plans of those that lie outside the Proposals Map Insets. English Nature will be consulted regarding any proposed development which would affect an SSSI. These sites are an important part of the ecological and geological heritage of the District and will be protected from development.
- 2.20** *POLICY RM/7 **This policy has now been deleted**
Please refer to PPS9 para.8 regarding Sites of Special Scientific Interest.

Sites of Local Ecological or Geological Interest

- 2.21** Leicestershire County Council Museums Service has undertaken a survey to identify and evaluate sites of ecological and geological interest in the District. The sites are categorised into their importance at County, District and Parish levels. Only SSSIs are statutorily protected. The preservation of these sites, particularly those of County and District level significance, is a material consideration in the determination of planning applications for development. The County and District level sites are listed at **Appendix B**.
- 2.22** Much wildlife and historic interest can be found in the landscape although the effects of modern and intensive farming have now confined the better examples to the more inaccessible stream valleys and steep escarpments. Many meadows still retain the ridge and furrow earthworks, a relic of mediaeval ploughed fields, which provide the conditions for a varied range of meadow grasses and flowers.
- 2.23** Some of the most important wildlife habitats are ancient woodlands. Many fine examples are found within the District, although they are often only a remnant of their former size. Ancient woodlands are particularly valuable wildlife habitats because they provide a long-established, stable woodland environment.

2.24 POLICY RM/8

THE DISTRICT COUNCIL WILL HAVE REGARD TO THE ECOLOGICAL OR GEOLOGICAL INTEREST OF LAND IN DETERMINING PLANNING APPLICATIONS. DEVELOPMENT ADVERSELY AFFECTING THE ECOLOGICAL OR GEOLOGICAL INTEREST OF:-

A SITE OF COUNTY OR DISTRICT LEVEL ECOLOGICAL OR GEOLOGICAL SIGNIFICANCE; OR

A REGIONALLY IMPORTANT GEOLOGICAL SITE;

WILL NOT BE GRANTED PLANNING PERMISSION UNLESS AN OVERRIDING NATIONAL OR LOCAL NEED CAN BE SHOWN AND NO OTHER SUITABLE SITE IS AVAILABLE. WHERE DEVELOPMENT IS PERMITTED, ANY DECREASE IN THE INTEREST OF THE SITE MUST BE KEPT TO A MINIMUM AND COMPENSATED FOR BY:

ECOLOGICAL SITES – HABITAT CREATION OF AT LEAST EQUAL QUALITY WITHIN THE SITE OR LOCAL AREA.

Maintenance and Protection of Habitats

- 2.25** Many features of the landscape, including sites of ecological significance are valuable habitats for wild fauna and flora. Linear features such as rivers, canals and hedgerows and other features such as ponds and woodlands are important for migration, dispersal and genetic exchange of species. These features are often also important to the character and appearance of the countryside and will be protected. Development in or adjacent to these areas can have a major impact on the visual amenity and interest of the area as well as its ecology. The District Council will encourage their management through the imposition of conditions on planning permissions or management agreements where appropriate.
- 2.26** ***POLICY RM/9** **This policy has now been deleted**
- Please refer to PPS9 para.12 regarding Maintenance and Protection of Habitats.**
- 2.27** The management of ecological sites is important to ensure that the often fragile nature of the site is protected. Whilst many sites within the District do not enjoy the benefit of statutory protection they contribute to the environmental quality and diversity of the District and should be maintained wherever possible. The Wildlife and Countryside Act 1981 makes provisions for local authorities to enter into management agreements with private landowners in order to conserve or enhance the natural beauty or amenity of land. Such agreements will be pursued where appropriate.
- 2.28** **POLICY RM/10** **THE DISTRICT COUNCIL WILL GRANT PLANNING PERMISSION FOR DEVELOPMENT THAT MAINTAINS OR IMPROVES THE ECOLOGICAL AND GEOLOGICAL DIVERSITY OF THE DISTRICT, WHERE THE FOLLOWING CRITERIA ARE MET:-**
- 1. THE DEVELOPMENT MAKES PROVISION FOR THE RETENTION OF AREAS OF ECOLOGICAL OR GEOLOGICAL INTEREST WITHIN AND ADJOINING THE SITE AND THEIR PROTECTION DURING THE CONSTRUCTION PERIOD;**
 - 2. THE DEVELOPMENT MAKES PROVISION FOR REPLACEMENT HABITATS OF AS NEAR EQUAL QUALITY WHERE THE LOSS OF EXISTING WILDLIFE HABITATS IS UNAVOIDABLE;**
 - 3. THE USE OF NATIVE VEGETATION AND PLANTS IN ANY LANDSCAPING SCHEME;**
 - 4. THE DEVELOPMENT MAKES PROVISION FOR THE MAXIMUM POSSIBLE AREA OF PERMEABLE GROUND SURFACE AND THE**

REGULATION OF SURFACE WATER RUN-OFF IN THE INTERESTS OF ECOLOGY;

5. THE INCORPORATION OF WILDLIFE HABITATS AND FEATURES ATTRACTIVE TO WILDLIFE IN THE DESIGN OF BUILT STRUCTURES, WHERE APPROPRIATE.

Protected Species

- 2.29** The presence of a protected species is a material consideration in planning decisions. The District Council recognises the importance of safeguarding protected species and will seek to resist proposals for development which would adversely affect a protected species or its habitat. Where appropriate, the Council will consider attaching conditions to a planning permission or entering into agreements to ensure that the species are protected.
- 2.30** Protected species are defined as badgers and all wild species protected by the Wildlife and Countryside Act 1981, as amended. The level of protection afforded to these species and therefore their consideration as protected species is defined within sections 1 and 3 of the Protection of Badgers Act 1992 and within sections 1, 4, 9 and 13 of Part 1 of the Wildlife and Countryside Act 1981 (as amended). Special consideration will also be given to those species listed in Schedules 2 and 4 of the Conservation (National Habitat and Conservation) Regulations 1994.
- 2.31** *POLICY RM/11 **This policy has now been deleted.**
Please refer to PPS9 para.15 regarding Protected Species.

Sites of Archaeological Interest

- 2.32** The District contains the archaeological remains of human activity in the past, which have formed today's built and rural landscapes. Archaeological remains are often fragile and vulnerable to damage and destruction. Where nationally important remains exist, their preservation, together with their settings, will be sought. Other important remains will also be protected. For sites of lesser significance, depending on the merits of the remains, it may be sufficient to make provision for investigation and recording of archaeological evidence before development proceeds.

Scheduled Ancient Monuments

- 2.33** Many nationally important monuments are included in the Schedule of Ancient Monuments (SAMs) compiled by the Secretary of State for Culture, Media and Sport. A national resurvey of ancient monuments is taking place, resulting in new monuments being added to the schedule. The Leicestershire and Rutland archaeological sites and monuments record should be consulted for up-to-date information. All SAMs are listed in **Appendix C**, together with plans of those that lie outside the Proposals Map Insets. SAMs and other important archaeological remains will normally be protected from development.

2.34 *POLICY RM/12 **This policy has now been deleted**

Please refer to PPG16 para.27 regarding Scheduled Ancient Monuments.

Sites of Archaeological Significance – Field Evaluation

2.35 Sites of archaeological interest are registered on the Leicestershire Sites and Monuments Record maintained by Leicestershire and Rutland Museums, Arts and Records Service. The preservation of archaeological sites, whether scheduled or not is a material consideration in the determination of planning applications for development. Proposals for development that may affect areas of archaeological interest should be discussed with the District Council and the Leicestershire and Rutland Museums, Arts and Records Service at the earliest opportunity. In determining planning applications there are several important stages in assessing the impact of development on a site of archaeological interest.

2.36 Prior to submitting an application a developer should undertake an initial assessment of whether the site is known or likely to contain archaeological remains. The assessment will normally involve a desk-based evaluation of existing information involving, as a first step, contact with the Leicestershire and Rutland Museums, Arts and Records Service. This need not involve fieldwork. In areas of important anticipated archaeological interest or potential the District Council will expect a field evaluation of the archaeology of the site to be carried out by a professionally qualified archaeologist or archaeological organisation, at the applicant's expense, prior to the submission of a planning application for development. The evaluation normally involves ground survey and small scale trial trenching. This should assess the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.

2.37 *POLICY RM/13 **This policy has now been deleted.**

Please refer to PPG16 Section B para.20 regarding Archaeological Significance – Field Evaluation.

Sites of Archaeological Significance – Preservation of Remains

2.38 The District Council will consult the Leicestershire and Rutland Museums, Arts and Records Service over the archaeological importance of remains revealed in any archaeological field evaluations. If the field evaluation reveals the presence of important archaeological remains the District Council will usually seek to preserve the remains in-situ. This may require amendments to development proposals in terms of re-siting or redesign to avoid damage to the remains.

2.39 *POLICY RM/14 **This policy has now been deleted**

Please refer to PPG16 para.27-28 regarding Sites of Archaeological Significance.

Sites of Archaeological Significance – Excavation and recording of Remains

2.40 Where it is neither justified nor feasible to preserve archaeological remains within a development site, there will be a requirement for the archaeological evidence to be recorded, before it is damaged or destroyed by development. The excavation and recording should be carried out by a professionally qualified archaeologist or archaeological organisation. The results of the excavation should be made publicly available.

3.41 *POLICY RM/15 **This policy has now been deleted.**

Please refer to PPG16 para.25 regarding Sites of Archaeological Significance – excavation and recording of remains.

Derelict Land – Former Railway Lines

2.42 Harborough District Council has very little land classified as derelict. The majority of the disused land is disused railway land. In the countryside the former railways lines have often been incorporated into the adjoining agricultural land and are now in a variety of land ownerships. The value of the former railway lines as corridors for wildlife is recognised and will be protected under **Policies RM/8 – RM/11**. The District Council will support the establishment of recreational routes along former railway lines. (see **paras. 3.56 – 3.57**)

2.43 **POLICY RM/16** **THE DISTRICT COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR THE DEVELOPMENT OR SEVERANCE OF FORMER RAILWAY LINES WHERE THIS WOULD PREVENT OR IMPAIR ITS FUTURE USE AS A RECREATIONAL OR TRANSPORT ROUTE.**

Mineral Extraction

2.44 Leicestershire County Council is the minerals planning authority and the policy context for such matters is contained in the adopted Leicestershire Minerals Local Plan Review (1995). Provision is made under the Local Government Planning and Land Act 1980 for the County Planning Authority to notify District Planning Authorities of areas in which development is likely to affect, or be affected by, the mining and working of minerals other than coal (normally referred to as mineral consultation areas). District Councils are requested to consult the County Council in respect of applications for development within such areas which could have the affect of sterilising proven mineral resources. The District Council will pay particular attention to the acceptability of development in the vicinity of existing or proposed mineral workings.

2.45 There are extensive deposits of sand and gravel throughout the District. Three operational sand and gravel workings are located at Slip Inn Quarry, Ashby Parva; Welford Road, Husbands Bosworth and Gibbet Lane, Shawell. The Leicestershire Minerals Local Plan proposes extensions to all three workings and the establishment of a new site at Pincet Lane, North Kilworth.

2.46 POLICY RM/17

THE DISTRICT COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR DEVELOPMENT IN THE VICINITY OF EXISTING OR APPROVED AREAS OF PROPOSED MINERAL EXTRACTION, IF IT CONSIDERS THAT:-

1. **THE DEVELOPMENT WOULD ADVERSELY AFFECT THE EXISTING OR PROPOSED OPERATION OF THE MINERAL WORKINGS;**
2. **THE NATURE OF THE DEVELOPMENT WOULD BE AFFECTED TO AN UNACCEPTABLE DEGREE BY THE EXISTING OR PROPOSED MINERAL WORKINGS.**

Landfill Sites

2.47 Leicestershire County Council, the Waste Regulation Authority, is responsible for licensing waste disposal sites. The District Council, as local planning authority, is responsible for determining planning applications for development on former landfill sites or in the vicinity of existing and former sites. In view of the potential landfill gas hazards associated with such sites it is essential that the extent of possible contamination of the development site is fully investigated by the applicant and adequate protection incorporated in any development scheme.

2.48 The District Council is required to consult Leicestershire County Council as Waste Regulation Authority on all planning applications for development within 250 metres of landfill sites. Where there is likely to be a serious risk of contamination, the applicant will normally be required to commission an independent site investigation prior to the determination of the planning application. In cases where it is considered that the risk of contamination is not sufficient to warrant refusal of planning permission, any permission granted will be subject to conditions and/or legal agreements to ensure that acceptable measures are implemented to overcome any related problems.

2.49 POLICY RM/18

THE DISTRICT COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR BUILT DEVELOPMENT ON OR IN THE VICINITY OF PERMITTED OPERATIONAL OR FORMER LANDFILL SITES UNLESS IT IS DEMONSTRATED THAT THE SITE IS SAFE AND THERE ARE UNLIKELY TO BE SIGNIFICANT PROBLEMS ASSOCIATED WITH:-

1. **THE GENERATION OF METHANE OR OTHER GASES;**
2. **GROUND INSTABILITY;**
3. **THE POLLUTION OF GROUND AND SURFACE WATER AND**

4. OTHER CONTAMINATION.

Energy Conservation

- 2.50** The policies in this Local Plan seek to reduce fuel consumption and promote energy conservation by a number of means. The location of development where it can be served by public transport and the promotion of improved standards of public transport services, should assist in reducing the reliance on the private car. Small-scale development will be encouraged in villages, to provide local employment and reduce the need for commuting. Support for the retention of local services, recreation and community facilities should reduce the need for unnecessary travel. Energy conservation in new buildings will also be promoted to reduce energy consumption.

Renewable Energy

- 2.51** Renewable energy is the term used to cover those energy flows that occur naturally and continually in the environment. In this District the most significant sources of renewable energy are likely to be passive solar gain and the development of energy crops. The importance of designing for passive solar gain in new buildings is included in **Policy IN/1**, to encourage the reduction in demand for energy from other sources. The importance of harnessing renewable energy sources is likely to increase during the plan period and is compatible with the principles of sustainability. The District Council will encourage and support the development of new and renewable energy sources appropriate to the scale and character of the District.

- 2.52** ***POLICY RM/19** **This policy has now been deleted**
Please refer to PPS22 para.1 (ii) regarding Wind Turbines.

Recycling

- 4.53** The District Council supports the recycling of waste materials and has installed bottle, can, paper and textile banks in many of the larger settlements within the District. Additional locations for these facilities, which do not usually require planning permission, will be sought to ensure that recycling points are conveniently located for as many people as possible. The establishment of recycling points will be supported within new developments, such as shopping schemes which are regularly visited by local people.

- 2.54** **The District Council will encourage the establishment of recycling collection points within new development schemes where appropriate.**