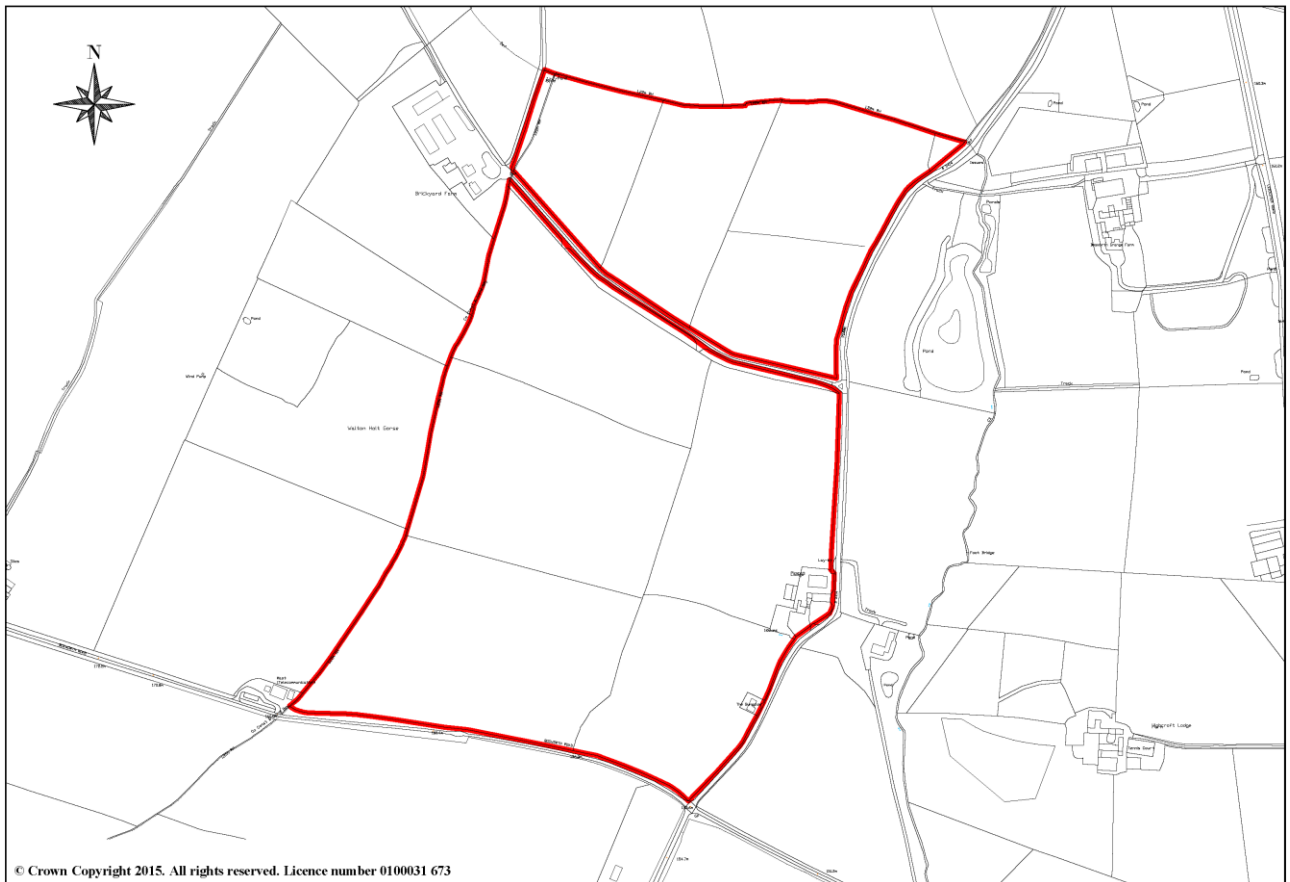


Pincet Lane North Kilworth



Submission in respect of the Leicestershire Minerals and
Waste Local Plan

August 2015

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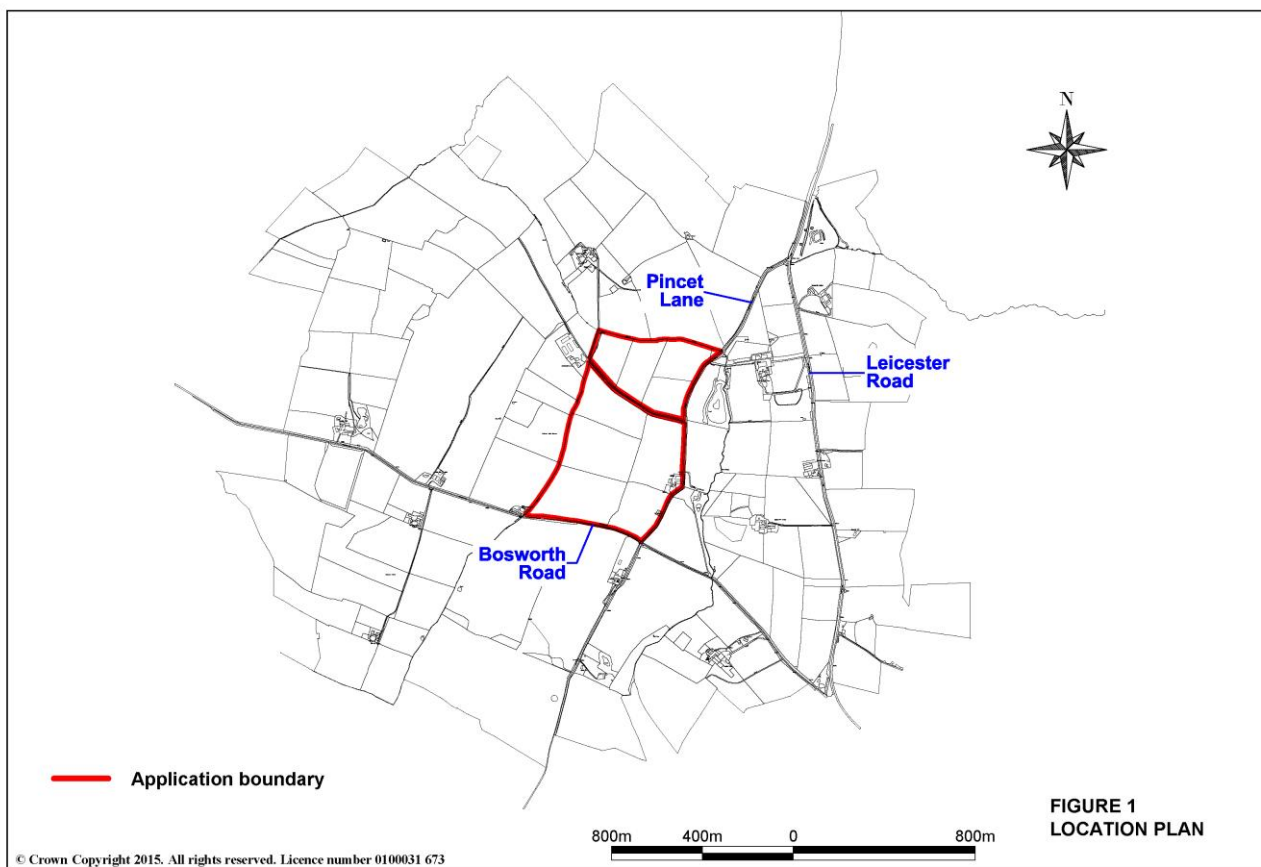
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1. Introduction

- 1.1. In November 2013, Leicestershire County Council published an Issues Consultation in order to find preferred sites based on information provided by those mineral operators and landowners, as well as published data, to supply the County with mineral reserves up to 2031.
- 1.2. From that consultation exercise, the County were unable to locate adequate sites to provide the required mineral reserves for the Plan period, and in July 2014 gave further opportunity to put forward any potential sand and gravel sites. This document prepared by Mick George Ltd seeks to put forward the Pincet Lane site which is located in North Kilworth for the supply of sand and gravel. The location of the site is shown below.



- 1.3. The primary mineral extraction area extends to approximately 24ha and it is proposed that minerals will be processed within a screened location to the north. Access will be provided onto Pincet Lane via one of two alternative access points which are available.
- 1.4. Mick George Ltd operates a number of quarries and landfill facilities in Lincolnshire, Cambridgeshire and Northamptonshire and in 2014 produced over 1 million tonnes of primary aggregate (sand, gravel and limestone) along with over 200,000 tonnes of recycled aggregate. In Leicestershire, Mick George Ltd have recently commenced works at the Ellistown Brickworks quarry, restoring the redundant void using suitable inert waste to achieve a beneficial after-use of the site.

- 1.5. With regard to the mineral demand and supply **Section 2** of this submission will highlight that a very significant proportion of the sand and gravel currently permitted is within the direct control of a single operator which could be considered anti-competitive. In order to provide greater competition within the market in the County it is proposed that this, in part, can be addressed by the introduction Pincet Lane, operated by a different company (Mick George Ltd).
- 1.6. **Section 3** of this Statement provides details of the potential working method and restoration options which seek to minimise only potential environmental harm whilst optimising on sustainable bio-diversity gains that can be achieved through the creative conservation.
- 1.7. **Section 4** reviews the environmental setting of the site considering such matters as Ecology, Traffic, Archaeology, Landscape, Hydrology (and Flood Risk), Noise and Soil Resources. Each of these are supported by appraisals undertaken by suitably qualified consultants. The respective consultants reports are contained within Annexures 1 to 7 of this submission.
- 1.8. **Section 6** provides a summary and conclusion.
- 1.9. Figure 1 on the previous page defines the boundary of the Pincet Lane site and identifies the envisaged mineral extraction area, soil storage area and possible location of the low profile processing plant.
- 1.10. The Pincet Lane site lies 2 kilometres to the north of the village of North Kilworth, 1.5 kilometres northwest of Husbands Bosworth, on the western side of the B5414, near to its junction with the A50. Extensive geological investigations within the application area have identified a recoverable deposit of sand and gravel, estimated at approximately 2.5 million tonnes. The proposed development would include for the phased extraction of this reserve and the progressive restoration of the site using imported inert material to achieve a sustainable afteruse of the site.

2. Mineral need & supply

2.1. Introduction

- 2.1.1. The Company has identified a strategic opportunity for expansion of its business in Leicestershire and wishes to propose Pincet Lane quarry as a new entrant to the marketplace. Whilst the recession has hit the construction sector and therefore the minerals extraction sector hard, Mick George Ltd (MGL) has been able to expand its operations when competitors have been reducing outputs. The company's favourable position rests on its ability to give customers a unique product offering which combines the supply of mineral and back haul of inert waste combined with aggregate recycling. This is extremely well received by customers and the company is looking to establish new operations in appropriate areas with potential for future growth. Moreover, the company's proposal at Pincet Lane has the benefit of almost immediate deliverability.
- 2.1.2. The sands and gravels of Leicestershire are a major resource for the economy in the East Midlands, for expected growth within the county itself. The intended market for material from the Pincet Lane quarry is Leicester City and South Leicestershire via the good highway network accessible from the site.

Deliverability

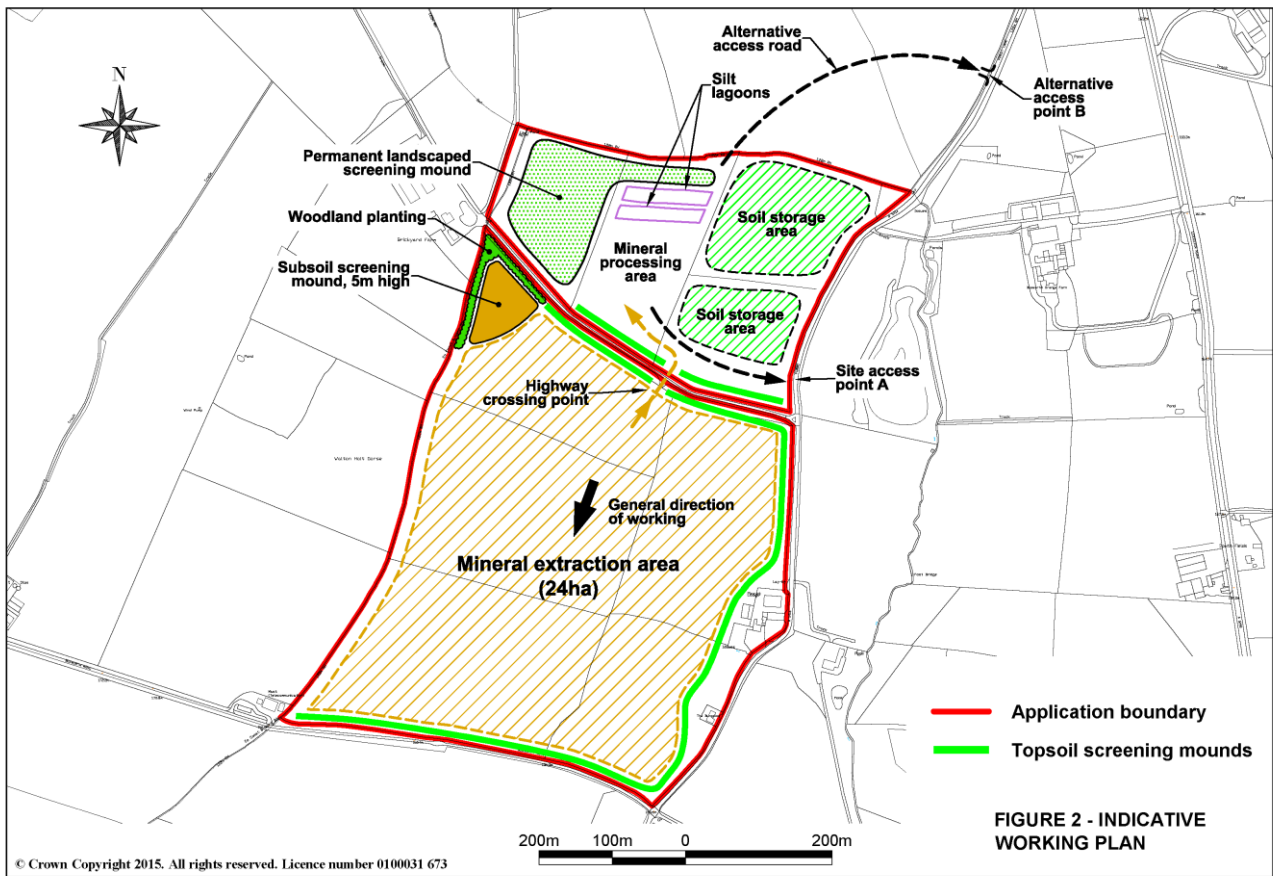
- 2.1.3. The opportunity identified by MGL means that with recent signs of an upturn in demand the Company wishes to be ready to respond to economic growth when it arises. To do this, it must allow for lead-in times for the development of an operation and therefore MGL wish to develop the Pincet Lane quarry with immediate effect if the site is identified as an appropriate site to include in the plan. The Company notes that the current landbank probably stands around the policy minimum having been confirmed in the Local Aggregates Assessment at around 9 million tonnes at the end of 2013. Based on figures from 2013 and the County's annual requirement is around 1.1 million tonnes per annum, these sites will be unable to meet the County's future requirements. MGL note that the future provisions show a shortfall in capacity of 10.95 million tonnes within the Plan Period as stated in the Minerals and Waste Plan Consultation draft.
- 2.1.4. Moreover, the Company note that all of the operational quarries within the Local Aggregates Assessment are operated by the same Company. Out of the 6 quarries, one (Slip Inn Quarry) is inactive, and three of the permissions expire before the end of the Plan period.

3. Potential Working and restoration scheme

- 3.1. The sand and gravel deposits at Pincet Lane vary from 0 to 21 metres in depth and consist of clayley to very clayey, medium/coarse grained sands with gravel. The proportion of gravel ranges from 5-62% but averages 35% and is predominantly composed of limestones/chalk with subordinate flints, quartzites, sandstones and ironstones. Within the main sand and gravel body numerous thin clay horizons are also present. Up to 12 metres of stiff blue/grey clay has been proven to exist below the sand and gravel resource.
- 3.2. The mineral reserve is estimated to be 2.5 million tonnes and at a typical extraction rate of 200,000 tonnes per annum this would give a working life of 13 years.
- 3.3. The site will be restored using a combination of on-site residual quarry waste and imported suitable inert material. In total, some 1.5 million cubic meters of imported material would be required to restore the site close to existing levels and this would primarily be sourced from within Leicestershire.

Working scheme

- 3.4. Given the site's setting the proposed quarry development at Pincet Lane can be operated with minimal environmental impact. The site can be reinstated close to original ground levels using suitable imported inert material giving the opportunity to improve the natural capital balance of the site making a local contribution to the bio-diversity resource on the site.
- 3.5. The quarry will be progressively worked and restored disturbing the minimum area of land practical to do so at any one time. It is proposed to use a low profile mineral processing plant with a maximum height of 5.5m and this will be located in the northern sector of the site over 200m from the nearest residential dwelling with an intervening landscaped screening mound , reducing any potential adverse views of these mineral processing activities and mineral stockpile areas.
- 3.6. Strategically located landscaped soil screening mounds will progressively be established around the periphery of the mineral extraction area to limit adverse visual impact and control noise to acceptable levels as determined by the National Planning Policy Framework. Figure 2 over the page indicates an indicative working with soil screening mounds shown and location of the low profile mineral processing plant in relation to the proximity of residential dwellings.
- 3.7. Brickyard Farm is located to the north-west of the site and will be screened from the operational areas by landscaped mounds, the outer face of which could be tree planted to further aid screening of activities.



Access and HGV Movements

- 3.8. The site access will be from a new junction onto Pincet Lane (B5414), to the east of the mineral processing area. The two options for the access point have been considered and are shown on above. The Transport Appraisal undertaken by David Tucker Associates (DTA) and this is contained within Annexure 4 and confirms the acceptability of either junction to gain safe access and egress to and from the site.
- 3.9. It is anticipated that the mineral will be exported at a typical rate of 4,000 tonnes per week equating to 40 loads (80 movements) per day. Imported restoration material would in theory double that figure but a high proportion of imported material will be “back-loaded” which would reduce overall traffic movements to a total figure of 120 movements. DTA has considered higher daily levels of traffic as a worst case scenario and no highway safety or capacity issues were identified whatsoever.
- 3.10. A recent traffic survey of the B5414 confirms the following;

Traffic Flow Data (5 day average)			
Direction	AM Peak	PM Peak	24 Hour
Northbound	68	200	1323
Southbound	161	75	1261
Total	229	275	2584

Objectives and Restoration Concept

- 3.11. The proposed restoration scheme will secure a suitable and characteristic afteruse for the site in terms of improved landscape character and as a bio diversity resource contributing to the County's Biodiversity Action Plan. The proposed restoration strategy for the site involving the importation of suitable inert material will ensure there is no permanent loss of "best and most versatile" soil resources (i.e. ALC Grades 2 and 3a) with the ability to re-establish all prime quality agricultural land, along with a range of alternative habitats, which will complement the existing degraded landscape setting and provide the opportunity for contributions to green infrastructure improvements.
- 3.12. The restoration of the site will provide opportunities for biodiversity enhancements to several faunal species, some of which are priority species and habitats within the Leicestershire Biodiversity Action Plan (Leicestershire and Rutland Wildlife Trust, 2010). The peripheral hedgerows will be retained as part of the proposed development and although some hedgerows at the site will be removed as a result of the proposed development, at least the equivalent length of hedgerow to be removed will be replaced as part of the restoration scheme. There are also opportunities to increase the overall species diversity within the hedgerows to be replaced as well as to gap up any retained hedgerows. There will be a preference within the restoration scheme to plant/sow native species with biodiversity value (i.e. nectar-rich wildflowers, fruit bearing trees/shrubs etc.).
- 3.13. The planting of woodland areas, scattered trees and re-laying of hedgerows will replace the habitat which has been lost as a result of the proposed development. It may also be possible to provide additional foraging areas for breeding birds through wildlife habitat creation at the site.
- 3.14. The final restoration of the site would be the subject of a long term, comprehensive landscape management proposal designed to realise and integrate landscape and nature conservation objectives and benefits of future restoration works with the surrounding landscape context.
- 3.15. The Bio-Diversity Action Plan for Leicestershire is intended to guide local authorities in translating advice into action for habitats and species alike. The Bio-Diversity Action Plan sets out targets for the conservation and enhancement of the County's bio-diversity. The County's development plan determines the strategic role of development control in the delivery of bio-diversity action and as such is guided in part by the Bio-diversity Action Plan for the County. As well as playing a role in the protection of the important statutory sites, such as SSSI's and County Wildlife Sites,

development plans also play an important role in the protection and enhancement of the wider countryside. This opinion is reinforced by the National Planning Policy Framework.

Soil resources

- 3.16. The NPPF advises that higher quality soil resources should be protected. Accordingly, the soil will be carefully handled using methods as set out in the MAFF Good Practice Guide issued in April 2000. Topsoils and subsoils will be stripped by a hydraulic backactor and articulated dump trucks to recover the maximum volume of soil material consistent with MAFF Guidance. All topsoil and subsoil mounds will be seeded with grass to minimise loss by erosion and infestation by weeds. The grass sward will be subject to an annual maintenance regime and any excess weed growth will be controlled by a combination of herbicides and mechanical means as required. Topsoil and subsoil will be replaced sequentially using the method set out in Sheet 4 of the MAFF "Good Practice Guide for Handling Soils" (April 2000).
- 3.17. Aftercare provisions for the reinstated agricultural land will be appraised at annual meetings which will be held with the MPA to review the ongoing aftercare provisions of the site on a regular basis. The gradients of the restored land will be designed to provide appropriate surface drainage and a landform, which is conducive to good agricultural husbandry.

4. Environmental setting

4.1. Introduction

- 4.1.1. The site lies within the '94 Leicestershire Vales National Character Area' with the key characteristics including; open landscape of gentle clay ridges and valleys, land use characterised by a mixture of pasture and arable agriculture, woodland derived from spinneys and copses on the ridges, frequent small towns and large villages. The site also lies within the 'Laughton Hills Landscape Character Area' of the District-wide Landscape Character Assessment (2007) again with similar characteristics as that of the '94 Leicestershire Vales National Character Area.' The landscape value of the site and locality is Medium due to its rural character, representativeness of the landscape character of the area and surrounding public right of way network.

4.2. Ecology

- 4.2.1. A detailed Phase 1 Habitat Survey has been undertaken on the land at Pincet Lane by suitably qualified ecologists (Crestwood Environmental Ltd) and that report is contained within Annexure 5 of this submission. This survey includes a field walkover as well as a desktop data-gathering exercise.
- 4.2.2. The assessment identified that the habitats within and surrounding the Pincet Lane site are of low to potentially high ecological value, and there are no statutory or non-statutory sites within 2km of Pincet Lane. Arable fields are the dominant site habitat, along with areas of semi-improved grassland, broadleaved woodland and hedges with trees. The assessment concludes that with regards to habitats and flora, the proposed development will not have a negative effect as the floral diversity at the site is confined to areas that will be retained or only partially affected.
- 4.2.3. With regards to bats, the site is considered to be of low suitability for foraging bats. The buildings within the site are considered to be of high suitability for roosting bats; however the buildings will not be affected by the development at Pincet Lane.
- 4.2.4. Other than common breeding birds and badgers, no evidence was found during the assessment for the presence of protected species such as Great Crested Newts. (Only one single hole latrine was found at the southern sector of the site with regards to badgers).
- 4.2.5. In respect of site restoration, the opportunity exists to enhance biodiversity within the site following completion of the development. These could include hedgerow and woodland planting for breeding birds, bat boxes and nesting boxes (which can also be established during the development), wetland areas or grassland/scrub for amphibians and reptiles. Restoration of the land to its pre-development agricultural status will also reinstate any lost foraging areas for badgers.
- 4.2.6. The survey concludes that there *"would be no important adverse effect from the Proposed Development on fauna and habitats."* Any potential adverse effects can be reduced by

appropriate mitigation measures and therefore, ecology should not be a reason for refusal from the Plan.

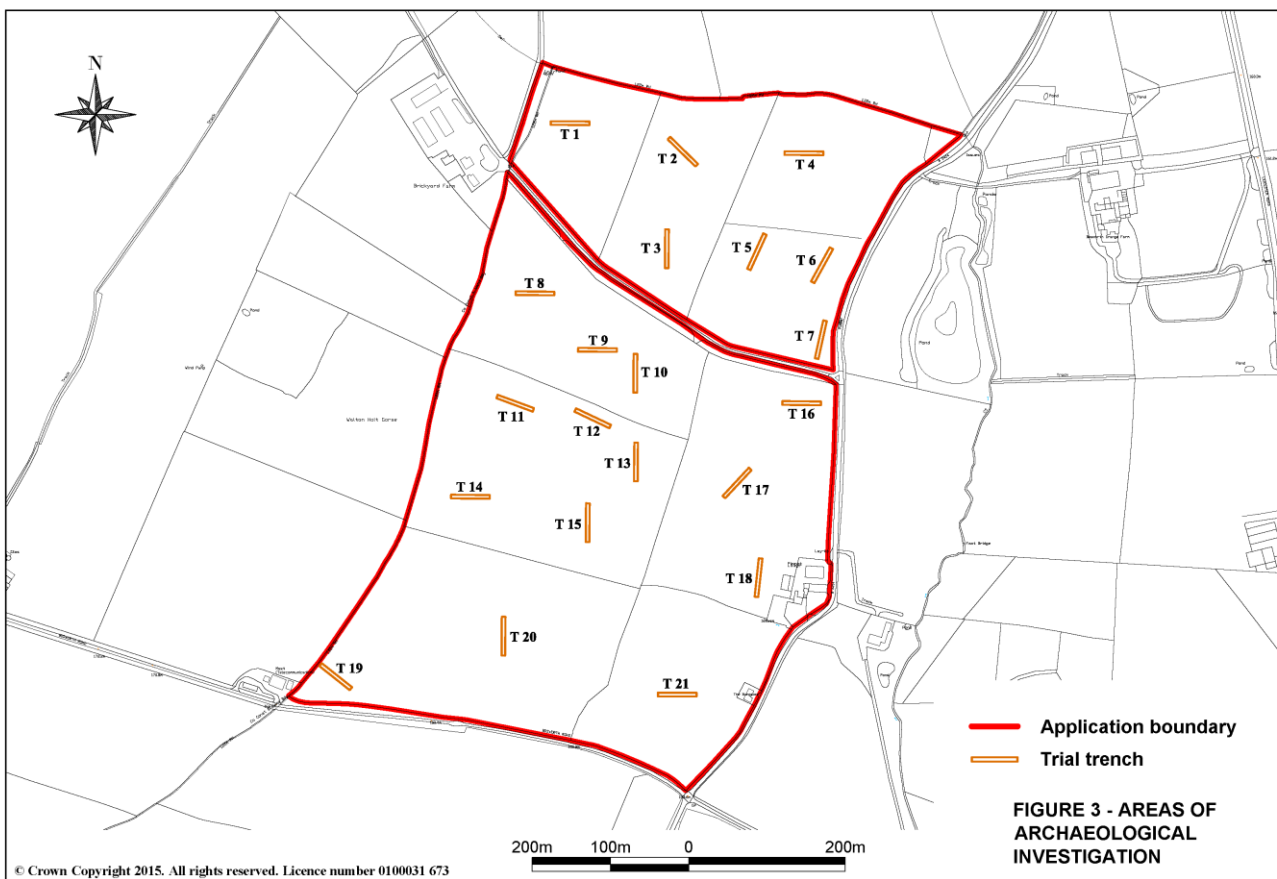
4.3. Transport

- 4.3.1. A detailed transport statement has been prepared by David Tucker Associates and this is contained at Annexure 4 of this document. The transport statement assessed the suitability of the adjacent highway network to accommodate the level and type of traffic expected to be generated by the proposed mineral workings. The analysis concluded that the existing highway infrastructure is adequate to cater for existing traffic flows and that no further off-site improvement works are necessary as a result of the development. The report identified an appropriate access strategy for the proposed development.
- 4.3.2. It is estimated that the proposed quarry would increase current traffic levels on Pincet Lane by approximately 6%. In terms of link and junction capacity, the additional traffic is not likely to result in a significant impact. Access is proposed from Pincet Lane via a priority T-junction in two potential locations. In terms of capacity and visibility, the junction is considered to be appropriate to serve the development site.
- 4.3.3. The transport appraisal concludes that the proposed development will have no material impact on the safety or operation of the adjacent highway network, and concludes *“there are no highways or transport grounds for objecting to the planning application.”*

4.4. Archaeology

- 4.4.1. Phoenix Consulting has undertaken a desk-based archaeology assessment, amalgamating findings from previous extensive archaeological investigations that have taken place. These past works included desk-based assessments, field walking, geophysical surveys and trial trenching.
- 4.4.2. A desk-based assessment carried out in 1992 identified little evidence of archaeological interest. A ridge and furrow cultivation had previously been recorded, together with several dispersed pieces of worked flint. However, nothing of significant archaeological interest was found that would be a constraint to development.
- 4.4.3. Further archaeological investigations were carried out in 2004. A desk-based assessment again found no record of archaeological interest on the site. Ridge and furrow cultivation marks (such as those identified in the 1992 assessment) presumed of Medieval date were found surrounding Pincet Lodge (Bosworth Road). A geophysical survey comprising of a magnetic susceptibility scan and detailed magnetometer surveying revealed generally poor findings, the most distinct reading being linear anomalies that most probably related to traces of the ridge and furrow cultivation. Twenty-one trial trenches were excavated identifying a former field boundary and the remains of probable Medieval plough furrows. No archaeological features were identified and no artefacts were recovered. (Details of the trial trenching undertaken are shown over the page).

- 4.4.4. Within the wider vicinity of the site, the earliest recorded archaeology is of Neolithic date (3,500 to 2,000 BC) where a Late Neolithic pottery vessel was found 2km south of the site in 1865. A mound of potential Bronze Age date (2,000 to 1,000 BC) was recorded 1.5km to the south of the site, although Bronze Age activities are poorly represented in the general vicinity. There are no recorded sites or finds relating to the Iron Age and Romano-British date in or around the site for several kilometres.
- 4.4.5. There is documentary evidence of two Medieval Granges within the site, one of which is believed to be the Pinslade Grange (a scheduled Ancient Monument). Various post-Medieval buildings are within sight of Pincet Lane, however none of these are Listed Buildings.
- 4.4.6. The assessment confirms the Pincet Lane site contains no remains of archaeological interest. Other than the isolated pieces of flint and the ridge and furrow cultivation, no other archaeological features were identified and no artefacts recovered. The site previously appears to have been open and cultivated fields (dating from the Medieval period or possibly earlier), as they remain today. Therefore, there are no archaeological constraints on the site being allocated within the Plan as the impact is considered to be low.



4.5. Landscape

- 4.5.1. A landscape appraisal has been prepared by Crestwood Environmental and is contained at Annexure 1. It comprises of a Landscape and Visual Appraisal (LVIA) that has been undertaken

by Crestwood Environmental. The appraisal undertaken by Crestwood Environmental confirms that no part of the site lies within or near to any statutory or any non-statutorily designated landscape. The Husbands Bosworth Conversation area is located 1.8km from the site but does not lie within the Zone of Primary Visibility (ZPV). There are no public rights of way within the Pincet Lane site, however footpath Y62 within the ZPV of the site. Footpath Y68 runs 500m north-west of the Pincet Lane site but is outwith the ZPV.

- 4.5.2. The LVIA confirms that a majority of views into the Pincet Lane site are screened by boundary hedgerows and mature trees or woodland. The sensitivity of the landscape character to the development is considered to be Medium. The visual and landscape effects are limited to a very localised area due to the site's context and proposed screening by way of strategically located landscaped mounds which further reduce potential impacts.
- 4.5.3. The restricted visibility of the site limits the potential for important effects on views, to close-range locations. Views are likely to be oblique views of the proposed landscape bunding and planting and would be visible from Bosworth Road to the south, Pincet Lane to the east and the minor lane between the two site areas. Overall, the visual effects from the roads would be considered to be, at most of Moderate importance, with scope to provide further mitigation (e.g. through gapping-up hedgerows) to minimise adverse effects further.
- 4.5.4. Views from surrounding dwellings are from close range to the east of the site, namely The Bungalow, Pincet Lodge, the newly built dwelling off Pincet Lane and Bosworth Grange Farm. Views from these dwellings are likely to take in the peripheral bunding and planting from ground floor windows and potential filtered views from second storey windows. Views of Moderate Importance are anticipated from The Bungalow and Pincet Lodge.
- 4.5.5. After assessing appropriate viewpoints, the LVIA concludes that overall the site has the capacity for some landscape change and a sensitively designed scheme ensuring minimal disturbance to the landscape fabric within the site could be accommodated without any significant landscape or visual effects. The LVIA recognises the relatively minor impact during working but concludes *"Overall, there are no overriding reasons, due to potential landscape or visual effects not to allocate this site for mineral development and there is potential for Long-term enhancement through targeted landscape and habitat improvements as part of the restoration scheme."*

4.6. Hydrology (Flood Risk)

- 4.6.1. The Environment Agency's (EA's) indicative flood risk mapping shows the Pincet Lane site is located within Flood Zone 1, outside the extent of the 1 in 1,000 year risk of fluvial flooding, and therefore the site is considered to be at 'low' risk of fluvial flooding. The levels of the site range from 167m AOD (Above Ordnance Datum) in the northwest to approximately 153mAOD to the east.
- 4.6.2. Groundwater levels at site range from around 147mAOD to 146mAOD. The site slopes from west to east with the nearest watercourse being an unmade land drain. The land drain conveys run-off to the east into a stream which branches off from the River Avon. The Water Environment Assessment completed by Enzygo (and contained at Annexure 7) suggests that

field drains are likely to be present on the site which will discharge into shallow ditches again directing water east.

- 4.6.3. The site will be restored to the similar land use and ground elevations as in the pre-development situation. This will make the restored site indistinguishable from the pre-development site in terms of flood risk. Therefore the restored site will not increase flood risk for any receptors (external or internal).
- 4.6.4. Flood risk and hydrogeological issues relating to quarrying at the Pincet Lane site are not insurmountable and it is considered that they could be mitigated adequately during and after operations. Therefore, it is considered that these issues should not preclude the site from the Minerals Local Plan.

4.7. Soils

- 4.7.1. A study was conducted by Land Research Associates (see Annexure 2) to assess the agricultural land quality of the site comprising nine fields. A soil survey was undertaken which includes walking the land and observing the soils (at intersects of 100m) using a hand auger at 41 locations. Six soil resources were identified on site. The first is a heavy topsoil of around 280-300mm thick. The second topsoil present on site is of medium clay loam or sandy clay loam texture. The third topsoil was found in a small area to the south-east of the site which is light-textured topsoil, principally medium sandy loam or sandy clay loam. The other three resources identified are subsoils. The first subsoil is heavy subsoil of clay or heavy clay loam with the second subsoil being moderately permeable medium or sandy clay loam. The last subsoil was identified as a light loamy soil of around 200mm thick. These are shown on the plans contained within the Land Research Associates Report.
- 4.7.2. With much of the land at Pincet Lane being found to consist of heavy soils over slowly permeable clay subsoils and therefore due to seasonal wetness, there is a limitation of the land for agricultural use. Where there are more permeable soils the land is of “best and most versatile quality”. The distribution of the land grades (as set out by the MAFF Agricultural Land Classification (ALC)) are as follows:

Grade/sub-grade	% of agricultural land
Sub-grade 3a	28.4
Sub-grade 3b	71.6
Total area	100

- 4.7.3. The soils reports confirms that with the adoption of the MAFF Good Practice Guide for Handling Soils, soil resources will not be damaged and it will be possible to ensure that land can readily be restored to areas of “best and most versatile” quality similar to those that existed before any working.

4.8. Noise

- 4.8.1. A noise appraisal has been undertaken by L. F Acoustics and is contained at Annexure 3. Noise monitoring was conducted to determine the existing noise levels at properties within the vicinity of the site, and therefore, predict noise levels resulting from the quarry operations. Current National Guidance in the form of the National Planning Policy Framework (NPPF) indicates that noise levels should not exceed 55dBA for mineral extraction and processing operations.
- 4.8.2. The measurement exercise comprised of unattended measures taken at one location (Brickyard Farm) and attended noise surveys at a further two locations (the bungalow and New Pincet Lodge). Weather conditions were suitable for undertaking baseline monitoring. At each position, the microphone was positioned at a height of between 1.2 – 1.3 metres in free-field conditions (i.e. at least 3.5 metres from any building facades).
- 4.8.3. Using the data obtained and source term noise information for the low level plant that will be utilised on site, normal working noise levels and predicted noise levels when operating on site have been established of each of the properties within the vicinity of the site. The table below details these results, clearly indicating compliance with the NPPF;

Property	NPPF Noise Criteria levels	Worst case predicted levels during mineral extraction	Worst case predicted levels during mineral processing
Brickyard Farm	47	47	43
Tophouse Farm	47	30	42
Bosworth Grange	52	42	42
The Bungalow	50	43	40
New Pincet Lodge	52	39	42
Sparrow Cottage	50	41	36

- 4.8.4. Noise control measures will also be adopted on site to minimise noise levels where possible. These will include; “white noise” reversing alarms, fitted silencers on plant, establishment of acoustic bunds (as shown on the draft working plan), minimisation of drop heights when loading vehicles and maintenance of plant.
- 4.8.5. With these measures in place, the noise appraisal concludes site operations would remain within the working limits derived from the technical guidance attached to the NPPF for both the temporary operations and the normal working of the quarry. Noise will have no adverse impacts and should not be considered a factor for refusal of the site within the emerging Plan.

5. Conclusions

- 5.1. It is considered on balance that with appropriate mitigation the proposal to extract sand and gravel and import suitable inert material to achieve a beneficial afteruse on land at Pincet Lane, North Kilworth can be carried out in an acceptable manner, without causing demonstrable harm to matters of recognised importance. The resultant restoration scheme will reflect County Council objectives and governmental advice in that it will result in an improved restoration profile integrating the restored quarry into the wider landscape and promoting nature conservation and biodiversity initiatives in line with local and national policies.
- 5.2. Given the separation distance between the operational areas of the site and residential dwellings, matters such as noise and dust emissions can be readily controlled within recognised acceptable levels whilst the surface water management proposals will ensure there is no flood risk and receiving watercourses will be protected throughout.
- 5.3. The extraction of sand and gravel from the site in a responsible manner and the progressive reinstatement of the land in a well managed and sensitive fashion seeks to apply best environmental practice and give practical effect to strategic government initiatives on habitat creation using the extraction of the mineral as a catalyst for beneficial change in land use which would not otherwise occur. The scheme provides a high standard of mitigation by delivering net gain in environmental capital and strategic bio-diversity networks.
- 5.4. In respect of deliverability Pincet Lane is immediately available to develop. It is therefore proposed that the Pincet Lane site operated by Mick George Ltd should be allocated as a Specific Site or Preferred Area in the MLP.