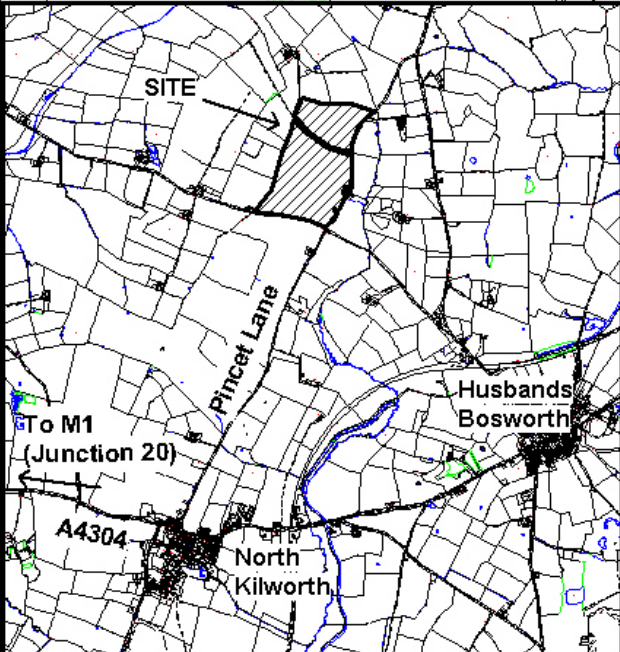
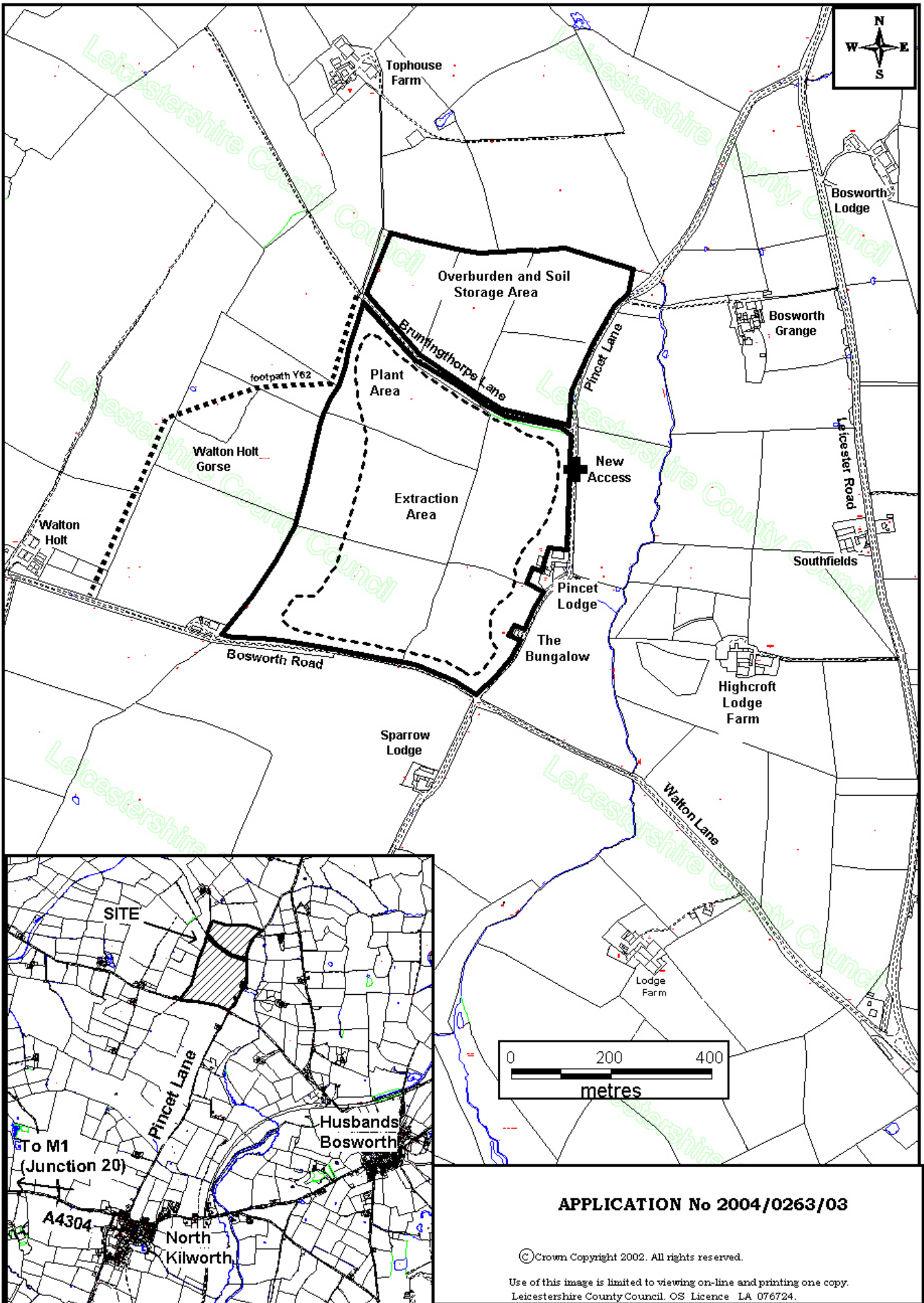


**DEVELOPMENT CONTROL AND REGULATORY BOARD****20<sup>TH</sup> JANUARY 2005****REPORT OF THE DIRECTOR OF COMMUNITY SERVICES****COUNTY MATTER****AGGREGATE INDUSTRIES UK LTD. - DEVELOPMENT OF A SAND AND GRAVEL QUARRY, ERECTION OF PROCESSING PLANT AND ANCILLARY FACILITIES, CONSTRUCTION OF NEW ACCESS ONTO PINCET LANE AND RESTORATION TO LOW LEVEL AGRICULTURE AND FORESTRY - PINCET LODGE, NORTH KILWORTH (HARBOROUGH DISTRICT)****2004/0263/03 - 11<sup>th</sup> FEBRUARY 2004****Location of Proposed Development**

1. The application area is located on the western side of Pincet Lane (B5414), some 3 kilometres north of North Kilworth, and 2.5 kilometres north west of Husbands Bosworth. The site is bounded on the east by Pincet Lane, on the south by Bosworth Road and on the west, in part, by a woodland copse known as Walton Holt Gorse.
2. The planning application covers a total area of 42 hectares. Bruntingthorpe Lane, which leads to Tophouse Farm, effectively splits the area into 2 blocks of land. The southern block of 30 hectares will form the quarry area where processing plant and silt lagoons will also be located. The northern block of 12 hectares will form the main overburden and soil storage area.
3. There are a number of individual residential properties in close proximity to the site. Pincet Lodge (which is currently empty and due to be demolished) and The Bungalow lie immediately adjacent to the eastern boundary. Tophouse Farm lies some 300m to the north west; Bosworth Grange and Highcroft Lodge Farm lie 250m and 400m respectively to the east; Walton Holt lies 400m to the west; and Sparrow Lodge lies 200m to the south. (Distances measured from the property to the planning application boundary).

**Description of Proposal**

4. Aggregate Industries UK Limited has submitted a planning application, together with an Environmental Statement, in respect of the development of a new sand and gravel quarry, erection of new quarry processing plant and ancillary facilities, and the construction of a new access onto Pincet Lane.



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5. It is anticipated that 85-90% of mineral from North Kilworth will go to 5 existing ready mixed concrete plants operated by Company in Leicestershire (Croft and Ellistown), Northamptonshire, Oxfordshire and Bedfordshire. Remaining sales would serve the general market within a 30 kilometres radius of the site.

Extraction

6. It is proposed to extract around 2.8 million tonnes of sand and gravel at an output rate of 275,000 tonnes per annum. This equates to a life of about 10 years.
7. The extraction area would be worked in a series of 7 phases. Excavations will proceed in a 'clockwise' direction commencing in the north-west. In the early phases, the direction of working will be towards the main viewpoints to the east and south east. This is intended to ensure that as far as possible the new working faces will be hidden from these views.
8. Soils and overburden will be stripped and either placed into storage for use in subsequent restoration or used directly to restore earlier phases. The height of topsoil bunds will not exceed 3m. A 3m high screen bund comprised of topsoil is to be erected 30m from The Bungalow to act as an acoustic and visual barrier from the workings.
9. Overburden from Phases 1 and 2 will be stored on four fields to the north of Bruntingthorpe Lane. Topsoil will be stripped from these fields and used to create a screen bund along the western edge of Pincet Lane. The existing low hedge that divides the two eastern fields will be removed, but other hedgerows will be retained. Overburden will be transported via an access route that crosses the lane, using an existing gateway opening. The overburden storage heaps will be constructed to a height of about 4m.
10. Mineral will be raised from the ground by excavator and transported to the processing area by dump trucks. The plant site will be located in the north western area of the quarry area. The plant will be situated 9 metres below existing ground level. This will involve the removal of some mineral, which will be stacked within the plant site area ready for processing. The plant will have a maximum height of approximately 13 metres. The washing and crushing equipment will be acoustically clad and painted olive green. A portacabin office and weighbridge will be situated north of the access ramp into the plant area. It is proposed to locate water treatment lagoons within the western part of the site, where mineral is not present.
11. During the final working phase, the processing plant will be removed and the mineral beneath will be processed using mobile plant. During this final phase of operations, which will take approximately 2 years, the mobile plant will be located in the worked out Phase 6. Material stored in the area north of Bruntingthorpe Lane will be used for restoration of the final operational areas.

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12. During the first two phases of mineral extraction, the silt generated from the processing plant will be pressed and stored temporarily. It is anticipated that the silt press plant will have a maximum height of 7.25m. The pressed silt will be used as a fill material in the restoration of the site. It is proposed to create a silt lagoon in the worked out void of Phase 2. This lagoon will meet all of the silt storage requirements for the extraction operations from Phase 3 onwards.
13. Peripheral vegetation, hedgerows and hedgerow trees will be retained and protected throughout the life of the quarry. These existing features will be thickened with supplemental planting where required. Due to lack of available space on site, the applicant does not consider that there are any other opportunities to carry out advance tree planting. The phased restoration proposals do however include tree planting from Phase 4 onwards.

#### Restoration

14. It is proposed to restore the site progressively to agricultural use, at a lower level, with a new woodland (about 3.5 hectares) on land to the east and south of Walton Holt Gorse and a lake (about 2 hectares in extent) in the south eastern section of the site. The proposed usage of the lake is quiet amenity or fishing with nature conservation. The water treatment lagoon near Walton Holt Gorse will be retained as an area for colonisation by reeds/willow carr and other suitable indigenous aquatics. No waste material will be imported into the site for restoration purposes.

#### Highways/Traffic

15. A new site entrance is proposed off Pincet Lane, approximately 75m south of the junction of Bruntingthorpe Lane and 175m north of Pincet Lodge. The new access road will be 5m wide and tarmac surfaced. All vehicles will enter and leave the site via this new access. It is estimated that there will be 120 lorry movements per day (60 in and 60 out), which equates to an average of 10 movements per hour.
16. It is proposed that all lorries (other than those with local deliveries) turn right out of the site and head south along Pincet Lane towards North Kilworth, where all lorries will turn right at the junction with the A4304 and head towards Junction 20 of the M1. The Company considers that this is the best route to reach its intended outlets, being the shortest, most direct route that uses a road network that is capable of supporting the size and volume of traffic envisaged. The Company has agreed to fund a package of improvements to Pincet Lane and has offered to enter into a routeing agreement to cover lorry movements to and from the site.
17. A traffic light system would be installed at the proposed vehicular crossing point on Bruntingthorpe Lane with a man in a kiosk or an automatic system controlling rights of way. Priority will be given to residents of Tophouse Farm. A concrete pad will be installed to protect the integrity of the lane and road-sweepers will be used regularly to remove mud. Assuming that 3 dump trucks are used for the

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transportation of soils and overburden, there would be 26 movements per hour using the crossing point for the initial 6-7 months period. This would then be repeated at the end of the quarry life.

### Hours of Working

18. The proposed hours of operation are as follows:

Monday – Friday	7.00am to 7.00pm
Saturdays	7.00am to 1.00pm

No working will take place on Sundays, bank or public holidays. Only essential maintenance, testing and servicing of plant and equipment and the use of pumping equipment will take place outside the above hours.

### Development Benefits

19. The applicant considers that the development proposed offers a number of direct and indirect benefits, including:
- Provision of good quality sand and gravel which can be extracted without significant environmental impact;
  - Secure employment of 10 direct employees based at the site, together with employment for road hauliers and local contractors;
  - Contribution to local economy in terms of salaries and wages, local spending on goods and services and business rates;
  - Provision of a range of ecological habitats and additional woodland and hedgerow planting.
20. Aggregate Industries have indicated that they are prepared to form a quarry liaison committee where representatives from the company and local community would meet regularly to discuss any issues generated by the operation of the quarry.

### **Environmental Statement**

21. An Environmental Statement has been submitted in support of the planning application as required by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1999. The Environmental Statement includes sections on the following matters: landscape and visual impact, ecology, soils and agriculture, archaeology, hydrology and hydrogeology, noise, dust, and highways and traffic.
22. The landscape and visual assessment identifies the character of the existing landscape as gently undulating vale and ridge formation lacking any major woodland but with a strong pattern of enclosure by linear tree belts and low hedges. The application site contains 9 fields, 7 of which are under pasture, the other two being under cultivation. The assessment considers that the proposed restoration will provide a significant increase in the landscape and environmental quality of the site.

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23. The assessment has identified a number of publicly accessible locations from which views of the proposed operations could be seen. It is considered that the phasing of operations together with the retention of perimeter trees and hedgerows and the construction of temporary screen bunds will mitigate views into the site. The location of the plant in the north west corner of the site has been based upon minimising its visual impact, being located below existing ground level and screened by the linear woodland belt along Bruntingthorpe Lane.
24. The assessment concludes that the overall visual impact of the proposed workings is low. Although the initial visual impact of the site set-up is high, the extent of disturbance is confined to an area close to and within a distance of 600-800m of the site boundaries and only affects a small number of viewers.
25. 'Screen grabs' have been prepared for 3 properties based on basic 3D models showing a snapshot at Phase 2 of the development. These suggest that Bosworth Grange would have views of the overburden storage area, but that the processing plant would be screened by landform and vegetation. Highcroft Lodge Farm would have open views into the site and processing plant from an upstairs elevation. Lodge Farm would have limited views of the site.
26. The ecological assessment concludes that the site is of low value for nature conservation. The main habitats comprise pasture and arable fields with some species rich hedgerows. The hedgerows are the most notable ecological features within the site and are considered to be of local value for nature conservation.
27. The agricultural land classification survey identifies that 11.7 hectares of the site is best and most versatile agricultural land, being Grade 3a. This comprises 27.7% of the proposed development site. The remainder of the site comprises Grade 3b land. It is proposed to restore some 40 hectares of land back to agricultural use. The agricultural assessment concludes that the potential impact on agricultural land quality would not be significant.
28. A desktop archaeological appraisal has been carried out. The site contains no recorded archaeological sites or find-spots. The impact of the proposed development on any known archaeology is considered to be low. A geophysical survey was carried out in May 2004. This identified several areas of enhanced response. The survey could not exclude the possibility that some of the features identified are of archaeological origin. It concluded that further field investigation might be required.
29. A hydrological and hydrogeological assessment has been carried out. Potential impacts on the water environment have been identified. It is considered that the majority of the identified impacts can be readily mitigated by the adoption of standard measures. The issue of potential adverse impact upon several water supply boreholes in the vicinity of the site has been addressed by the formulation of a legal agreement between Aggregate Industries and Severn Trent Water.

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30. Noise monitoring has been undertaken at a number of properties located around the site and noise predictions made for those properties as a result of proposed operations. It is predicted that 'worst case' noise levels will occur during soil stripping and bund formation, but these will be of short duration and within the noise criteria considered by MPG11 to be normally justified for such operations. It is recommended that no extraction be carried out within 60m of The Bungalow and that operations in the vicinity of the property take place behind a 5m high bund. With the exercise of reasonable control over routine operations, the assessment concludes that the noise levels considered by MPG11 to be normally acceptable can be met.
31. The baseline dust assessment has been undertaken in order to establish background rates of deposition. Baseline dust deposition fell well below the unofficial guideline level that is frequently used for assessing nuisance. The potential for fugitive dust emissions is minimal due to the high moisture content of the mineral. The assessment considers that there should be minimal impact from dust, providing that appropriate mitigation measures are implemented.
32. A traffic impact assessment has been carried out. Whilst the proposed development will result in an increase in vehicle movements on the B5414 and A4304, no significant highway impacts are identified. It is concluded that the proposed site access has visibility meeting national standard requirements and that Pincet Lane has adequate capacity to meet the traffic flows generated.
33. Following a request from North Kilworth Parish Council for additional traffic counts, Aggregate Industries arranged for automatic counters to be placed on Bruntingthorpe Lane, Pincet Lane, and the A4304 over a 7-day period commencing Thursday 22<sup>nd</sup> April 2004.

### **Planning History**

34. The Minerals Local Plan proposes the release of land for the establishment of a new sand and gravel extractive operation at North Kilworth. An application for planning permission in respect of the proposed site was submitted by Tarmac Roadstone (Central) Ltd in May 1994 but was subsequently withdrawn in October 1996.
35. An application by Tarmac Roadstone on land at Sparrow Lodge Farm, Valley Farm and Lodge Farm (to the south of the current site) was refused planning permission in 1988. The reasons for refusal related to the following matters:
  - contrary to the (then) Minerals Local Plan (June 1986)
  - lack of need
  - significant adverse environmental impact
  - adverse impact on public water supply wells within the valley adjoining the site
  - inadequate proposals for restoration.

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## **Planning Policy**

### **Government Guidance**

36. Planning Policy Statement (PPS) 7, 'Sustainable Development in Rural Areas' (August 2004), sets out the Government's planning policies for rural areas. PPG9, 'Nature Conservation (1994) provides advice on the relationship between planning control and nature conservation. PPG16, 'Archaeology and Planning' (1990), gives advice on the handling of archaeological remains and discoveries.
37. Minerals Planning Guidance Note (MPG) 1, 'General Considerations and the Development Plan System' (1996) provides advice on policies and the operation of the planning system with regard to minerals. MPG 6, 'Guidelines for Aggregates Provision in England' (1994) provides advice on the supply of aggregate materials to the construction industry. MPG7, 'The Reclamation of Mineral Workings' (1996) provides advice on the reclamation of mineral sites. MPG11, "The Control of Noise at Surface Mineral Workings" (1993), provides advice on how the planning system can be used to keep noise emissions from surface mineral workings within environmentally acceptable limits.

### **Regional Guidance**

38. A revised draft of Regional Planning Guidance for the East Midlands (RPG8) was published in July 2004. Policy 38 deals with regional priorities for non-energy minerals. This states that Development Plans and future Local Development Frameworks should, amongst other matters:
  - identify sufficient environmentally acceptable sources to maintain an appropriate supply of aggregates and other minerals of regional or national significance;
  - have regard to the aggregates apportionment figures agreed at the regional level;
  - identify the proposed uses to which former mineral extraction sites should be put, including opportunities for the creation of priority habitats.

Leicestershire, Leicester and Rutland Structure Plan (as proposed to be adopted December 2004).

39. Strategy Policy 8 aims to protect the countryside from development but does acknowledge that minerals extraction may well have to be located in the countryside.
40. Resource Management Policy 1 aims to avoid air, noise, water, land and light pollution.
41. Resource Management Policy 5 seeks to protect the best and most versatile agricultural land.
42. Resource Management Policy 7 aims to release land to maintain an adequate supply of minerals to contribute to local, regional and national needs.

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43. Resource Management Policy 9 says that planning permission will only be granted where the need for the development outweighs the environmental impact that would arise.
44. Resource Management Policy 12 aims to restrict the use of unsuitable roads by heavy lorries.
45. Resource Management Policy 13 requires restoration of mineral workings to an acceptable use at the earliest opportunity and thereafter a programme of aftercare for an appropriate period.
46. Environment Policy 3 seeks to protect, conserve and manage sites of ecological importance.
47. Accessibility and Transport Policy 1 aims to minimise the traffic generated by new development by appropriate measures, including road improvements to be undertaken at the developer's expense.

Leicestershire Minerals Local Plan (May 1995)

48. Policy 2 sets out a list of factors that will be taken into account in assessing proposals for mineral extraction.
49. Policy 3 indicates instances where mineral working will not normally be allowed by virtue of the impact on environmentally sensitive areas.
50. Policy 5 sets out measures to control the environmental effects of mineral operations through the imposition of suitable planning conditions.
51. Policy 6 outlines the basis on which planning obligations will be sought.
52. Policy 11 identifies the kinds of conditions likely to be attached to any permission in order to achieve high quality restoration and aftercare.
53. Policy 12 sets out the policy for after uses. It seeks the restoration of the best and most versatile agricultural land to an agricultural use, an increase in woodland cover, the creation of new wildlife habitats and a revised network of rights of way. It is proposed that land at North Kilworth be restored to a landform to facilitate agriculture and/or forestry.
54. Policy 16 proposes the release of land at North Kilworth for the establishment of one of 3 new sand and gravel extractive operations.

Harborough District Local Plan

55. Policy IN/1 (Standards of Development) seeks to ensure that new development achieves a good standard of layout and design and is in keeping with the scale and character of its surroundings. It specifies criteria to be met in respect of various matters including design, best use of site, landscape features, traffic generation, access, protection of amenities and habitats.

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56. Policy RM/1 (Groundwater and Aquifer Protection) seeks to prohibit development that would pose an unacceptable threat to the quality and quantity of the underlying groundwater. Policy RM/6 (Agricultural Land) seeks to prevent the loss of the best and most versatile agricultural land. Policies RM/9 (Maintenance and Protection of Habitats – character and appearance), RM/10 (Maintenance and Protection of Habitats – Ecological and Geological Diversity), RM/11 (Protected Species) and EV/1 (Safeguarding and Enhancing the Environment) broadly seek to protect or enhance the ecology of the District. Policy RM/13 (Sites of Archaeological Significance) seeks to ensure that an appropriate archaeological assessment is carried out prior to the determination of planning applications in order to protect archaeological remains.
57. The site is outside ‘limits to development’ as defined in the Plan. EV/5 (Development in the Countryside) stipulates that development proposals in the countryside should sustain or improve the rural economy, not unduly harm the character and appearance of the countryside, not adversely affect the amenities of local residents, minimise impact on the landscape and on important views, use appropriate materials, design, etc, protect ecological and archaeological resources, have appropriate access and not create unacceptable levels of traffic.
58. Policy TR/3 of the Plan states that the District Council will refuse planning permission for new development where the traffic flow generated by the development would create a substantial adverse effect on the existing road network unless satisfactory and environmentally acceptable improvements can be implemented to alleviate the impacts of the development.

## **Consultations**

### **Harborough District Council**

59. Following consideration by the Planning and Regulatory Committee on 29<sup>th</sup> June 2004, the District Council raise strong objections to the proposal on the following grounds:
1. Effect on groundwater levels: the effect on groundwater levels in the surrounding area would be unacceptably affected and would unduly change the quantity of groundwater contrary to policy RM/1 of the Harborough District Local Plan.
  2. Pollution to water table: the quality of groundwater would be jeopardised by excavating into groundwater levels contrary to policy RM/1 of the Harborough District Local Plan.
  3. Pollution to environment: the level of airborne pollution (dust) and noise generated in the excavation of material would create unacceptable harm to nearby residents contrary to policy IN/1 of the Harborough District Local Plan.
  4. Traffic impact on local roads: the resulting vehicle movements would create unacceptable harm to the local road network by virtue of the number of HGVs using Pincet Lane towards North Kilworth and beyond contrary to policy TR/3 of the Harborough District Local Plan.

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5. Most importantly, the need for the additional extraction has not been justified and as such, the release of this site is premature: the proposal is premature on the basis that sufficient sand and gravel extraction is allocated under existing minerals permissions to satisfy the requirements of a 7 year landbank.

### **Harborough District Council (Environmental Health)**

60. Agree with the conclusions of the noise report submitted as part of the application provided that all mitigation measures are correctly implemented in line with the consultant's report and in accordance with MPG11. However, the noise report refers to a 5m barrier between the extraction operations and The Bungalow. This barrier does not appear on Plan No 5, which highlights the bunding to be put in place. Confirmation would need to be sought that this barrier will be installed to minimise the noise impact on this dwelling.

It is recommended that on commencement of the work a noise-monitoring programme is to be developed and implemented in line with the recommendation highlighted in para.52 of MPG11. This is to monitor compliance of the criterion noise levels derived for each of the 6 noise sensitive dwellings described in the consultant's noise report.

Dust mitigation measures should be implemented in accordance with the report "Assessment of the Potential Environmental Dust Impact from the Proposed Winning and Working of Mineral and Associated Operations at North Kilworth". In addition it may be beneficial to install wheel wash facilities at the exit point of the site to minimise the risk of dusty material going onto the highway.

Any necessary permits required under the Pollution Prevention and Control (England & Wales) Regulations 2000 should be in place prior to the commencement of processing of materials on site.

Concern is expressed as to the route for vehicles taking materials from the site for processing at Croft. The most direct route to Croft would take vehicles directly through Lutterworth Town Centre. There is currently an Air Quality Management Area (AQMA) in Lutterworth due to the fact that the annual mean levels of Nitrogen Dioxide exceeds the National Air Quality Objectives. Findings of the Air Quality Assessment indicate that this exceedance is traffic related. Harborough District Council is currently developing an Action Plan to identify actions that can be undertaken by the local authority and other agencies/organisations to improve the air quality within the management area. One possible action identified is the use of planning controls to reduce the impact of new development on the AQMA. It is recommended that where possible a haulage routing arrangement be implemented to minimise the impact of traffic on the AQMA.

### **North Kilworth Parish Council**

61. The Parish Council have submitted a lengthy letter commenting on the proposed development. Particular concerns are expressed about the need for the development, the potential effect on the local aquifer, restoration, and traffic and transport. Other matters raised include visual impact, heritage, air pollution,

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noise pollution, increased demand for water, timecycle, landfill, European Union Regulations (Work Time Directive), lighting, electricity supply, effect on tourism, visitors and investors, and the effect on residents. A full copy of the letter from Parish Council is attached as an appendix to this report.

The Parish Council subsequently submitted a report on the Springs and Groundwater at North Kilworth together with an Ecological Field Survey, both of which they had commissioned.

### **Kimcote & Walton Parish Council**

62. It is felt that the plans may impact very minimally on the parish however there is great concern being expressed about the volume of traffic which will use Pincet Lane. The junction encompasses one of the worst junctions in the country and with the already high volumes of traffic it will lead to terrible problems and ought to be very carefully assessed by the Highways Agency. Furthermore there is concern regarding noise and smell if the wind is from the east. It is on these grounds that the councillors do not support the planned development by Aggregate Industries at North Kilworth.

### **Husbands Bosworth Parish Council**

63. Two properties within the parish (Bosworth Grange and Highcroft Lodge Farm) are likely to be adversely affected due to visual impact, noise and dust. Concerned about extra traffic on Pincet Lane together with the amount of 'local traffic' that may be allowed to travel through Husbands Bosworth.

### **Knaptoft Parish Council**

64. No reply received at the time this report was published.

### **Misterton with Walcote Parish Council**

65. The Council strongly object to the proposals to develop the quarry on the grounds that the proposed increase in heavy traffic through the village will mean unacceptable levels of noise and pollution for residents.

The traffic flows on the A4304 although initially showing a decrease after the opening of the A14, appear to have steadily increased to the pre A14 levels. The Parish Council would like to know if up to date figures have been supplied for this application.

A main sewer runs beneath the A4304 and the present high level of heavy goods traffic is already causing damage to manhole covers with consequent noise pollution and disruption for repairs. The proposals will have a detrimental effect on the road surface and increase the frequency of damage.

Although there is a 30 mph limit within the confines of the village, it is noticed that many vehicles do not adhere to this speed restriction with consequent dangers for pedestrians attempting to cross from one side of the village to the other. The proposals could increase this danger.

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There is restricted visibility for vehicles attempting to join the A4304 from Brook Street due to the curve of the road and the Tavern public house. The proposals could increase this danger.

### **Lutterworth Town Council**

66. Lutterworth Town Council strongly objects to any extra traffic being routed through Lutterworth as the level of pollution in Lutterworth town centre is already excessive. The application does not indicate the direction the HGV's would travel after reaching junction 20 of the M1. When travelling to their site at Croft, they will inevitably travel through the centre of Lutterworth, which already suffers from heavy through traffic.

### **Dunton Bassett Parish Council**

67. The Parish Council has expressed concern about the proposed development. Whilst there will be no direct impact from quarrying works, there is likely to be a significant increase in heavy traffic moving between North Kilworth and Croft, using the A426 and B581, which run through the village.

### **Environment Agency**

68. The Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted certain planning conditions are imposed. Following the receipt of additional information from the applicant's hydrologist, the Groundwater and Contaminated Land Team is satisfied that outstanding issues relating to the groundwater have been resolved. Groundwater level monitoring proposals have been agreed with the applicant.

### **English Nature**

69. English Nature wish to see conditions attached to any planning permission to prevent any working within 500m of a pond until the presence of great crested newts has been established or discounted; and to prevent work likely to disturb any badgers setts. Efforts should be made to retain the important hedgerows that have been identified.

### **Archaeological Advice**

70. The Leicestershire and Rutland Sites and Monuments Record shows that the application site lies in an area of archaeological interest. A possible prehistoric burnt mound lies in an adjacent field to the west and two possible Bronze Age barrows lie in adjacent fields to the east. Fieldwalking surveys have revealed various pieces of prehistoric flint, as well as sherds of medieval pottery, and confirmed the presence of medieval ridge and furrow on site. Consequently, the area has a likelihood of containing buried archaeological remains, but its potential cannot be accurately ascertained due to the limited nature of the initial fieldwork that had been undertaken.

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It is recommended that the applicant carry out a geophysical survey of the entire development area to determine better the character and extent of any buried archaeological remains, followed by trial trenching, if shown necessary by the geophysical survey, to identify and locate any archaeological remains of significance.

### **Ecological Advice**

71. Records indicate that overall the site is of minimal ecological significance. However, survey indicated that some hedgerows were 'important' under the Hedgerow Regulations 1997. Also, the network of species-diverse hedgerows throughout the site provides an important green corridor for wildlife, offering foraging and nesting habitat. Badgers and possibly bats and great crested newts are a material consideration.

Pleased to note that nature conservation issues are to be addressed through the restoration plan with replacement and creation of habitats prioritised within the Leicester, Leicestershire and Rutland Biodiversity Action Plan. The inclusion of hedgerow, lake and woodland in the restoration scheme are welcomed. Recommend that replacement hedgerow should be a high priority as this habitat is of the most ecological value.

### **DEFRA**

72. The principle of the proposals to restore most of the site back to an agricultural afteruse, with some areas of forestry (but with soils replaced to agricultural standards) and a small area to water, in the form of two lakes, is satisfactory.

### **Highway Authority**

73. No objections subject to the imposition of suitable planning conditions and obligations contained within a Section 106 agreement. In particular, the routing of HGVs should be controlled and the applicant required to fund an agreed package of highway improvements on Pincet Lane between the proposed site access and the A4304.

### **Severn Trent Water**

74. No comments to make. The Company's concerns regarding the potential impact on their boreholes and the need to provide an alternative supply have been addressed by a binding legal agreement with Aggregate Industries.

### **Northamptonshire County Council**

75. No objection provided proposed routing agreement confirmed. Would be concerned about any additional movements via A5199 due to impact on Welford.

### **Welford Parish Council**

76. Concern about any increase of hgv traffic along A5199 through Welford.

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### **Publicity**

77. The application was advertised by way of press notice, site notice (dated 2<sup>nd</sup> March 2004) and neighbour notification (dated 25<sup>th</sup> February 2004). The applicant held an exhibition of the proposals at Belgrave Village Hall, North Kilworth on 11<sup>th</sup> February 2004. The County Council held a public meeting at Belgrave Village Hall, North Kilworth on 11<sup>th</sup> March 2004 to hear the views of local residents on the planning application. About 80 people attended the meeting.

### **Representations Received**

78. A total of 54 responses have been received objecting to the proposed development. These include 40 responses from North Kilworth, 4 from Husbands Bosworth, 3 from Walton, 1 each from Knaptoft, Kimcote and Walcote. Letters of objection have also been received from the CPRE (Harborough Branch Committee) and the Lutterworth and Broughton Community Fora.
79. The main concerns raised in representations and at the public meeting are:

#### **Need**

Question need for new quarry

Substantial proportion of material to be exported out of County

Other sites within the county may well be more appropriate to fulfil the County's need

The sand and gravel is of relatively low quality, and unsuitable for making concrete.

#### **Highways and traffic**

Adverse impact of HGVs on roads in the area, particularly in North Kilworth, the junction with the A4304, the A4304 itself and Pincet Lane.

Lack of capacity of the existing road network to accommodate the extra traffic and its impact on highway safety.

Physical damage that the additional heavy traffic will cause to the surface of highways, particularly Pincet Lane.

Additional noise and air pollution from heavy lorries

Routing of heavy goods vehicle traffic is in direct conflict with the provisions of the Minerals Local Plan, which refers to a routing agreement to prevent vehicles travelling south along Pincet Lane

Impact on Bruntingthorpe Lane which provides access to Tophouse Farm

Pincet Lane is already subject to excessive heavy goods vehicle traffic, which would double, significantly reducing road safety. It is not designed to take heavy vehicles, being a narrow road with potentially dangerous bends and crossroads; is already used by car transporters to and from Bruntingthorpe, which has been the subject of complaints and objections; and has been damaged by vehicles.

The Pincet Lane/Walton Lane crossroads is already highly dangerous due to the very limited sightline. Any increase in the heavy goods vehicle traffic will make this worse.

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Will cause congestion at the junction with A4304

Adverse effect on road safety within village of North Kilworth

Will add to traffic congestion on Lutterworth Road (A4304) and increase risk of accidents.

Heavy vehicles will use local road networks through and around surrounding villages, in particular through Kimcote/Walton, Lutterworth, Bitteswell, Broughton Astley and Welford.

Inability to control the numbers or routing of vehicles

Hydrology and hydrogeology

Impact on the water system in the area and the potential adverse effects on water resources

Affect on the local aquifer and impact on nearby wells, springs and ponds

Potential impact on 'the Millennium Green' in North Kilworth especially the wetland area known as 'the Bogs'

Concern at agreement between applicant and Severn Trent Water to close local water boreholes

Impact on neighbouring or nearby properties particularly in relation to localised flooding as a result of proposals to discharge of water into existing streams

Impact of use of water on site for washing purposes on pressure of mains water supply locally.

Landscape and visual impact

Impact on the character of the rural landscape.

Will result in destruction of a natural landscape.

Proposed screening will not adequately conceal plant site

Restoration

The restoration is not of a high enough quality.

Land will be restored at an unnaturally low level; may be unworkable for agricultural purposes following removal of all natural drainage

Restored surface likely to be below natural water table

Site could be used for future waste disposal

Noise

Impact of noise created by the proposed workings

Will prevent peaceful enjoyment of the countryside even at the weekend.

Dust

Dust and airborne pollution created by the extraction process; from processing plant and dump truck movements; and from heavy lorries.

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### Ecology

Impact on local wildlife due to the removal of habitats.  
Loss of hedgerows and trees  
Potential impact on local ecology due to effect on local water table.  
Impact on woodland adjacent to site

### Other

Increased demands on services such as electricity and water  
Lighting will cause localised light pollution in this otherwise rural area.  
Will lead to further extensions, compounding environmental impacts  
Effect on property values  
Impact on developing local tourism/leisure industry

### **Assessment of Proposals**

80. This proposal, like any other application, must be determined on its own merits taking account of current relevant Government guidance and advice, the Development Plan, relevant statutory or non-statutory policies and any other material considerations. It is necessary to make a careful assessment of all the issues involved to determine whether the development proposed would cause demonstrable harm to interests of acknowledged importance, and if so, would that harm be offset by other relevant considerations. In the light of the above, it is appropriate to consider the following issues:

- a) Policy Background
  - Government Guidance
  - Development Plan
- b) Need
- c) Environmental Effects
  - Noise
  - Dust
  - Traffic
  - Landscape and visual impact
  - Effect on Wildlife
  - Archaeology
  - Agriculture
  - Water Resources
  - Restoration

### Government Guidance

81. With respect to national policy, Minerals Planning Guidance (MPG) Notes 1 and 6 are of particular relevance.

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82. MPG1 points out that minerals can be worked only where they occur and that MPAs should make an appropriate contribution to meeting local, regional and national needs which reflects the nature and extent of minerals in its area and other relevant planning considerations. MPG1 also identifies objectives for sustainable development for minerals planning. These objectives include the following:
- To conserve minerals as far as possible, whilst ensuring an adequate supply to meet needs;
  - To ensure that the environmental impacts caused by mineral operations and the transport of minerals are kept, as far as possible, to an acceptable minimum;
  - To encourage sensitive working, restoration and aftercare practices so as to preserve or enhance the overall quality of the environment;
  - To protect areas of designated landscape or nature conservation value from development, other than in exceptional circumstances and where it has been demonstrated that development is in the public interest.
83. MPG 6 indicates that it is important that an adequate and steady supply of aggregates is available for the construction industry. It recognises however that aggregates extraction can have a significant environmental impact. It states that it may be generally preferable, as a means of minimising environmental disturbance, to adopt a policy of allowing extensions to existing mineral workings rather than allowing mineral workings at new greenfield sites, although this will not always be the case.

#### Development Plan

84. Section 54A of the Town and Country Planning Act 1990 requires that the Development Plan should be the starting point for the consideration of all development proposals. Specifically it states: “Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”
85. The Planning and Compulsory Purchase Act 2004 defines the development plan as (a) the regional spatial strategy for the region in which the area is situated, and (b) the development plan documents (taken as a whole) which have been adopted or approved in relation to that area. Adopted structure and local plans retain development plan status and automatically became ‘saved’ policies for a period of three years from commencement of the Act. For plans in preparation the three-year period will commence from the adoption or approval of the draft plan.
86. The current Development Plan for the application site therefore comprises RPG8 and the following ‘saved’ plans: the Leicestershire Structure Plan (1994) (LSP), Leicestershire Minerals Local Plan (1995) (MLP) and the Harborough District Local Plan (2001) (HLP). The principal policy considerations relevant to the current planning application as contained in these plans are set out below.

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87. LSP Minerals and Waste Policy 1 states that:

*“When allocating land and considering planning applications for the extraction of minerals, the County Council will consider the need to release sufficient land to maintain, wherever possible, a landbank of permitted reserves of construction aggregates equivalent to at least ten years production taking into account guidelines for aggregate provision in England and Wales and the findings of the East Midlands Aggregates Aggregates Working Party;... ”.*

88. LSP Minerals and Waste Disposal Policy 2 states that: “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.”

89. The key policies in the Minerals Local Plan are Policies 3 and 16. MLP Policy 3 sets out a number of circumstances under which planning permission would not be granted unless there was an overriding need or the impact could be alleviated by appropriate measures. Of the various circumstances, the following are the most applicable in relation to current proposal:

- the development would result in the irreversible loss of significant amounts of the best and most versatile agricultural land (grades 1, 2 and 3a);
- the development would adversely affect the effectiveness of local land drainage systems and floodplains, derogate groundwater sources and resources and provide inadequate protection for water quality;
- where insufficient capacity is available on the local or wider road system for the traffic that is expected to be generated unless satisfactory improvements can be implemented;
- the development including its associated traffic movements would have an unacceptable impact on local residential amenity;

90. Policy 16 of the Plan proposes the release of land for the establishment of 3 new sand and gravel extractive operations to be released during the Plan Period (until 2006). One of the sites identified is at North Kilworth. The application site forms part of the area proposed for release. Policy 16 goes on to state that proposals for sand and gravel extraction from these sites will normally only be permitted:

(i) as replacement for a worked out pit unless it can be demonstrated that there is a sufficient need to release additional resources, the demand for which cannot otherwise be reasonably met.

(ii) where a full supporting statement has been submitted containing satisfactory details regarding the proposed development particularly related to the amelioration of impact on residential amenity, the transportation of material to the plant site, and working and restoration proposals.

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91. Policy 16 also states that the County Council will give particular consideration to the following factors in respect of the site at North Kilworth: highways improvements to the B5414 (Pincet Lane) and its junction with the A50; a routing agreement to prevent vehicles travelling to the south along Pincet Lane.
92. Finally, Policy 16 indicates that, prior to the grant of any planning permission, the County Council will encourage advanced planting both on and off the site in order to ameliorate the impact of the eventual operations.

#### Emerging Plans

93. It is anticipated that the Leicestershire, Leicester & Rutland Structure Plan (LLRSP) will be adopted in Spring 2005. The LLRSP Written Statement (as proposed to be adopted December 2004) is therefore also an important consideration.
94. LLRSP Resource Management Policy 7 states that:
  - a) *“When allocating land and considering planning applications for the extraction of minerals, consideration will be given to the need to release sufficient land to:*
  - b) *maintain an adequate supply of minerals to contribute to local, regional and national needs, while minimising the effect on the environment and agriculture;*
  - c) *maintain an appropriate land bank of permitted reserves of construction aggregates in accordance with guidelines for aggregate provision in England and Wales and the findings of the East Midlands Regional Aggregates Working Party;”*
  - d) LLRSP Resource Management Policy 9 is similar to LSP Minerals and Waste Policy 2.

#### Need

95. New National and Regional Guidelines for Aggregates Provision in England were published in June 2003. The new guidelines are, at national level, 19% below the previous ones as contained in MPG6, published in 1994. This reflects an overall fall in national demand for aggregates and a substantial increase in use of alternatives to primary aggregates, notably construction and demolition waste. The guidelines are based on the assumption that recycled and other alternative materials will meet nationally 23% of total demand for aggregates. ODPM state that this reduction in the national guidelines for primary aggregates should, in most cases, lead to less additional land being allocated for aggregates extraction in local authorities' minerals development plans. The new guidelines indicate that the East Midlands Region should provide 165 million tonnes of land-won sand and gravel for the period 2001 - 2016.

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96. The East Midlands Regional Assembly subsequently approved figures for future aggregate provision within the Region for the period to 2016. This requires Leicestershire to make provision for 1.25 million tonnes of sand and gravel per annum. ( This compares with an apportionment figure of 1.484 million tonnes per annum for Leicestershire based on MPG6, upon which provision in the current Leicestershire Minerals Local Plan is based.)
97. In relation to countywide production, figures in the Aggregate Monitoring (AM) survey reports indicate that sand and gravel sales fell in Leicestershire by approximately 25% in 2000, compared to 1995. Figures for the 3 years up to 2000 were generally lower than those previously experienced, with 1999 being particularly low. Sales since 2000 have however risen again to around 1.5mt p.a.
98. The County Council needs to be satisfied that a steady supply of mineral can be produced throughout the plan period, and that its contribution to regional/national aggregates provision can be met. MPG6 advises MPAs to maintain a landbank of permitted reserves sufficient for at least 7 years extraction in the case of sand and gravel, unless exceptional circumstances prevail.
99. The latest figure for permitted reserves within the County (as at January 2004) is 10.06 million tonnes. Based on the latest sub-regional apportionment figure, this gives a landbank of 8 years. Further reserves have been permitted this year at Husbands Bosworth (270,000 tonnes) and Slip Inn Quarry (756,000 tonnes).
100. MPG6 states that it may be generally preferable, as a means of minimising environmental disturbance, to adopt a policy of allowing extensions to existing mineral workings rather than allowing mineral workings at new greenfield sites. However, this will not always be the case as some existing mineral workings may be unsuitably located and it may do less environmental harm to open a new mineral working than to grant a permission for an extension.
101. The MLP stated that the 9 active sites (as at 1992) were more than capable of meeting the requirement to produce approximately 1.5Mt per annum, and that fewer larger sites could easily achieve the required output. On that basis, it was not viewed necessary to maintain the same number of operating units. The MLP identified 6 sites which were expected to be still in operation at the end of the Plan period (2006).
102. In accordance with the advice in MPG6, the initial preference in the Plan was to consider possible extensions. However, where suitable extensions did not exist, replacement sites capable of serving similar market areas were considered. As a result, three new sites were identified for inclusion as replacement sites for those expected to become exhausted during the plan period.
103. The MLP Inspector took the view that the Plan should principally seek to ensure that sufficient land with planning permission is available to meet the production forecasts in the (then) MPG6 guidelines. He found the sites proposed in the

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plan to be generally in very pleasant if not always strikingly attractive open countryside. In his view, complete avoidance of adverse impact from mineral working on those sites would not be possible, and there had therefore to be a balance of impact against need for the mineral. He considered that in the clear interests of the protection of the countryside it is undesirable that sites should be released earlier than is necessary to meet demand. The premature release of sites would probably result in more sites serving the same level of demand. Consequences of this would be longer duration of working and delayed restoration.

104. Sites at Syston, Cossington, Hemington, and Rothley were all worked out by the end of 2002. Allocated extensions at Hemington, Ashby Parva and Husbands Bosworth have all received planning permission. The new site identified in the MLP at Lockington has been permitted (as a replacement for Hemington) and commenced working in 2001. Planning permission was issued in 2003 for the new site allocated at Brooksby, but development has yet to commence.
105. There are currently 6 active sand and gravel sites within the County. Based on average sales (1998-2003), these sites would be capable of producing in the region of 1.4Mt per annum - well in excess of the new 1.25Mt regional requirement. In addition to this, it is anticipated that the Brooksby site will produce 300,000 tonnes p.a. At this output, Brooksby has the capability (and is well located) to replace operations at Cossington, Syston and Rothley, combined sales from which did not historically exceed this level.
106. Although the distribution of the reserves would not be equally split between these sites, a reasonable spread is likely. If future extraction is concentrated at these main sand and gravel sites, then all of Leicestershire's sand and gravel needs in the immediate future could be met without releasing any additional land for the establishment of a new sand and gravel operation.
107. Aggregate Industries have proposed that a planning condition be imposed (or clause included in a legal agreement) restricting development until (say) 1<sup>st</sup> January 2010, by which date other permitted sand and gravel reserves in the County would have become depleted thus reducing the landbank. However, this is not considered acceptable. The appropriate approach is to consider the need and appropriate location for the release of further sites for sand and gravel extraction in the period up to 2016 as part of the new Minerals Development Framework, documents related to which are anticipated being placed on deposit later this year.
108. Aggregate Industries consider that the reserve at North Kilworth will help satisfy the need for the release of sand and gravel in Leicestershire during the Plan Period 1991-2006 and beyond. It is anticipated however that 85-90% of mineral from North Kilworth will go to 5 ready mixed concrete plants operated by the Company. These plants currently source their aggregate supply from other company quarries and competitor operators. Often the mineral is coming from further afield to satisfy demand.

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109. Leicestershire's sand and gravel quarries largely serve local markets within the County, although small quantities are transported to other areas from sites located close to the county boundary. Sales from the quarry at North Kilworth to the general market would be within a 30 kilometre radius of the site, taking in Market Harborough, Lutterworth and the M1 corridor. As far as the concrete plants are concerned, however, Aggregate Industries propose that less than a third of the quarry's output would go to sources within Leicestershire i.e. to plants at Croft and Ellistown; a quarter would go to other sources in the East Midlands i.e. Wellingborough (Northamptonshire); and almost half would go outside East Midlands i.e. to Bicester (Oxfordshire) and Milton Keynes. The Company is also considering expanding into areas where it does not currently have a presence and where the market can support further competition. South Northamptonshire is potentially one such market.
110. The Company's 5 concrete plants are currently supplied with sand from Little Paxton Quarry (Cambridgeshire), Newbold Quarry (Staffordshire) and Rugby; and with gravel/chippings from Croft and Newbold. In terms of future availability of mineral from these 4 quarries, Little Paxton Quarry currently has a permitted life of 18 months. An application has been submitted to extend its life, but is as yet undetermined. Newbold Quarry currently has permitted reserves until 2011 and Croft Quarry until 2020. Rugby is a competitor operation.
111. The Company have stated their clear preference to source its own quality aggregate rather than use lesser materials, material that has a distance to travel or material purchased from competitor operators. However, there is nothing within national policy guidance that suggests that the reserve requirements of a particular company require individual consideration. It is not therefore considered that the particular requirements of the applicant company are a weighty material consideration in relation to this application.
112. In conclusion, key points to consider in respect of the assessment of need are:
- revised national / regional guidance since the adoption of the MLP and a consequent reduction in requirements for sand and gravel production within Leicestershire;
  - the landbank situation which is in excess of the required minimum of 7 years;
  - existing and permitted sites are able to produce well in excess of county's annual requirement;
  - the benefits of a controlled programme of release of new sites;
  - the concentration of production at fewer sand and gravel sites should mean less overall environmental impact;
  - future sand and gravel provision within the County for the period up to 2016 will be considered later this year when the new Minerals Development Framework is prepared;
  - the site is not proposed as a direct replacement for any worked out operations within Leicestershire;
  - most of the material would supply concrete plants outside of the County.

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### Quality of material

113. The processed product at North Kilworth compares favourably with other glacial sand and gravel deposits in the vicinity. The mineral at North Kilworth would be very similar in most respects to the deposit currently being worked at Husbands Bosworth Quarry.
114. The Company considers that the deposit at North Kilworth has superior concrete making properties compared to some sources of aggregate which currently supply their RMC plants. The sand meets the required specifications for concreting sand and is perfectly adequate for this purpose. The gravel meets the required strength levels for most concrete purposes except high strength uses. It recorded a 10% fines value of 170 Kilonewtons (KN) in laboratory tests which compares with an average of 150KN for Nene Valley gravels generally.

### **Environmental Effects**

115. Any case of need has to be considered against any environmental and amenity objections that the proposed development raises. The issue is whether or not the applicant has demonstrated a case of need that would justify the grant of planning permission and whether the case of need outweighs any environmental and other effects of the proposal. The environmental and other effects of the proposal are examined below.
116. Policy 3 of the Leicestershire Minerals Local Plan states: *'Unless there is an overriding need or the impact can be alleviated by appropriate measures, proposals for mineral workings will not normally be permitted... [where] the development including its associated traffic movements would have an unacceptable impact on local residential amenity ...*
117. The MLP Inspector was satisfied that appropriate conditions could be attached to the grant of planning permission which could satisfactorily protect the surroundings of the site at North Kilworth from any adverse impact from dust, noise and disturbance. He felt that the site, and particularly the proposed location of the processing plant, was not close to a concentration of houses or other sensitive buildings.

### Noise

118. Concern has been expressed about the potential levels of noise that will be generated by the proposed development. The normal practice in accordance with MPG 11 is to set a day time limit of 55 dBLAeq. MPG 11 does, however, say that in particularly quiet rural areas, where a limit of 55 dB LAeq would allow existing background levels to be exceeded by more than 10dB(A), a lower limit may be appropriate. This is on the basis that noise levels which are more than 10dB above background are known from research to be likely to cause annoyance/disturbance that may be construed to amount to nuisance. MPG11 states that the setting of a daytime limit below 45 dB LAeq would not normally be appropriate as such a limit should prove tolerable to most people in rural locations.

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119. The Company's noise assessment indicates that existing background noise levels at residential properties around the site range from 37dB(LA90) at Tophouse Farm to 44dB (LA90) at Walton Holt and Sparrow Lodge.
120. The combined effects of all extraction and processing operations have been calculated at the closest dwellings with and without any proposed screening taken into account. All calculations have assumed adverse wind conditions. For most of the time, lower site generated noise levels would be experienced than such 'worst case' calculations. Without mitigation, noise levels at Tophouse Farm and The Bungalow would exceed 10dB above background. With mitigation, noise levels at all residential properties would not exceed 10dB above background, except for extraction operations within 100 metres of The Bungalow.
121. The company has indicated that it is willing to adjust the extraction boundary to a distance of 100m from The Bungalow and to erect a screen bund 30m from The Bungalow to act as an acoustic and visual barrier from the workings. Provided that this barrier is 5 metres above existing ground level, the calculated site noise level would not exceed 10dBA above background (51dBA). It would be possible to create a 5m barrier either by placing a 2m acoustic fence on top of a 3m high topsoil bund or by constructing a 5m high mound using subsoil.
122. It is predicted that the normal noise limit of 55 dBLAeq will be exceeded for certain operations related to soil stripping, bund construction, and restoration works. MPG11 provides for the raising of noise limits temporarily to allow for short-term noisy phases in mineral extraction operations. It suggests that a noise level of 70 dB LAeq should be considered for periods of up to 8 weeks in a year to facilitate such temporary operations. It is not anticipated that the proposed operations will give rise to noise levels that exceed the noise criterion for temporary operations at any inhabited property, although predicted level at The Bungalow would be 70 dBLAeq. Annex 2 of the revised consultation draft Minerals Policy Statement (MPS) 2 'Controlling and mitigating the environmental effects of mineral working' (February 2003) suggests that temporary day-time noise limits should be no more than to 67dB(A) LAeq1h (free field).
123. Guidance from the Government on highway design advises that changes of less than 1dB(A) are not significant and that only changes of greater than 3 dB are of significance. An assessment of the impact of traffic noise from the proposed development has concluded that levels on the B5414 Pincet Lane south of the site access would increase by 1.3dB(A).
124. Concern has been expressed about the proposal to work on Saturdays. Government guidance, as set out in MPG11, however, suggests that the working week should generally be regarded as Monday to Friday, and Saturday morning, while Saturday afternoons, Sundays and Public/Bank Holidays would normally be regarded as periods of rest.

Dust

125. Local residents have raised concerns about dust. The applicants have specified measures that will be taken in order to minimise dust emissions from the site. Control will be exercised essentially through the use of good working practices and, as necessary, wet suppression. It is considered that dust emissions can be kept to acceptable levels with the imposition of appropriate planning conditions. If standards of management drop, however, there could be incidents of dust particularly during dry weather. Whilst good practices have been put forward, there is no guarantee of a nuisance free site.

Traffic

126. LLRSP Resource Management Policy 12 states that, when considering planning applications for the extraction of minerals, account will be taken of the transportation implications of the proposed development; and that, where road borne transportation is involved, associated heavy lorry movements will be restricted from using unsuitable roads.
127. LLRSP Accessibility and Transport Policy 1 (Development and the Transport System) states that if the traffic generated by the development, together with that from existing and committed development, would impair road safety; have an unacceptable effect on the environment; or exceed the capacity available in the local highway system, further adequate and environmentally acceptable road improvements should be undertaken, at the developer's expense, to mitigate the impact of the development.
128. MLP Policy 3 indicates that proposals for mineral workings will not normally be permitted where insufficient capacity is available on the local or wider road system for the traffic that is expected to be generated unless satisfactory improvements can be implemented; or the development including its associated traffic movements would have an unacceptable impact on local residential amenity. Policies TR/3 and EV/5 of the Harborough Local Plan seek to protect roads from excessive increases in traffic as a result of new development.
129. The proposal will require 275,000 tonnes of material to be exported annually by road. The resulting lorry movements will total 130 daily or an average of 8 in and 8 out every hour. It is proposed that approximately 90% of these lorry movements will pass through North Kilworth in the direction of the M1, with the remaining 10% delivered locally.
130. A new site access is proposed onto Pincet Lane. There are no highway objections to the construction of this access although the Director of Highways, Transportation and Waste Management has recommended that the access be moved 15m southwards from that originally proposed to provide increased forward visibility for vehicles approaching the access from the north. The applicant has no objection to this. The provision of wheel washes should help to reduce the risk of mud being travelled onto the public highway. Regular road sweeping and cleaning would also help to remove any mud that might get onto the highway.

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131. The B5414 Pincet Lane generally has a 6 metre wide carriageway with verges on both sides. The MLP Inspector considered Pincet Lane to be generally fairly narrow and winding with no footways. It has 3 bends at which passing heavy goods vehicles have to drive with care adjacent to Pincet Lodge, Sparrow Lodge and Valley Farm House. An area of land in the bend at Pincet Lodge has been dedicated as highway, and buildings close to the carriageway edge within this area are to be demolished. Pincet Lane is signed as a route to Bruntingthorpe Industrial Estate for heavy goods vehicles and is part of the County's approved Lorry Control Routes. Pincet Lane is subject to a speed limit of 60 miles per hour, the national speed restriction for unlit rural single carriageway roads. It is essentially a rural road from which access is gained to some 13 residential properties, 5 of which are located near its junction with the A4034.
132. The survey carried out by Aggregate Industries in April 2004 showed an average daily traffic flow (0700-1900) of 1772 vehicles of which 128 (7.2%) were hgv's. Based on their survey undertaken in October 2002, total vehicles flows were 1421, with 186 hgv's (13.1%). Daily traffic flow on Pincet Lane in September 1992 was recorded as 998 vehicles with 186 HGVs (18.6%). These figures suggest that whilst total vehicle numbers have increased, the number and percentage of hgv's has fallen.
133. Based on an average of 130 movements per day as a result of the proposed development, the total number of vehicle movements on Pincet Lane would be increased by between 7% (based on 2004 survey) and 9% (based on 2002 survey). HGV movements would increase by between 70% (based on 2002 survey) and 101% (based on 2004 survey). Traffic from the proposed development would represent between 6.8-8.4% of all traffic on Pincet Lane and 41-50% of hgv traffic.
134. The Director of Highways, Transportation and Waste Management has raised a concern with the proposal in respect of the impact of HGVs, particularly on Pincet Lane. As a result, he has sought to negotiate a package of works to Pincet Lane to help offset the impacts of additional HGVs, in line with LLRSP Accessibility and Transport Policy 1. The applicant has agreed to fund a package of improvements which would be carried out by them under a Section 278 agreement in the event that the proposed development proceeds. The package of highway improvements proposed includes:
- carriageway widening at A4304/Pincet Lane junction
  - widening of stretches of Pincet Lane
  - provision of additional lining and signing on approaches to bends by Sparrow Lodge
  - visibility improvements at crossroads north of Sparrow Lodge
  - widening of bend by Pincet Lodge
135. The A4304 (A427 as was) is still a Class I Road, available to all traffic. Comparing survey data before and after the opening of the A14, traffic flows are still well below pre-A14 levels. For example, total traffic flows in the Husbands Bosworth area are 46% less, with 70% fewer HGVs. At Misterton the figures are 28% and 65% less, respectively.

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136. The survey carried out by Aggregate Industries in April 2004 showed an average daily traffic flow (0700-1900) of 9090 vehicles on the A4304 of which 625 (6.9%) were hgv's. A survey undertaken in April 2003 indicated total vehicles flows of 8424, with 722 hgv's (8.6%). Based on an average of 130 movements per day as a result of the proposed development, the total number of vehicle movements on the A4304 would be increased by around 1.5%. HGV movements would increase by around 20%. Traffic from the proposed development would represent around 1.5% of all traffic on the A4304 and 15% of hgv traffic.
137. The Institute of Highways and Transportation's 'Guidelines for Traffic Impact Assessment' notes that marginal changes in traffic on the perceptible environment are less sensitive than changes in traffic flow at junctions. In general, increases of less than 30% (in total traffic or the hgv element) are unlikely to significantly change environmental conditions and even for areas deemed to be sensitive, this threshold should be at least 10%. The predicted increase in total flows on the A4034 would be 1.5% with the level of hgv's increasing by around 20%. Pincet Lane will be subject to a larger percentage increases (about 9% for all traffic and over 70% for hgv traffic).
138. The new access point onto Pincet Lane and associated highway improvements necessary to bring Pincet Lane up to the necessary highway standard together with the introduction of lorry movements averaging out at around 8 per hour would also have an effect on the character of the road.
139. The lorry routeing proposed in the current application differs from that anticipated in the Minerals Local Plan when it was proposed that all hgv traffic be routed north along Pincet Lane. The MLP Inspector considered that the proposed routeing agreement to prevent lorries travelling southwards along Pincet Lane would be desirable since it would make more use of an A class road. Given that the site was proposed as a replacement for a site in central Leicestershire, he expected that the majority of vehicles would travel northwards along the [then] A50 towards Leicester to serve markets in that area.
140. The MLP Inspector noted that, although Pincet Lane is the waymarked route for large vehicles from the M1 junction at Lutterworth to the Bruntingthorpe Industrial Estate, the sand and gravel extraction would still almost double the heavy goods vehicle traffic. He considered that the proposed routeing agreement would restrict that increase to the northernmost 900m of the road where it passes through open countryside with no flanking houses or other buildings.
141. It is considered that the amenity of those in surrounding villages would be protected by the applicant entering into an agreement that restricts the use of local minor roads for the purposes of haulage and only for direct delivery to specific customers in that locality. The proposed routeing arrangements would limit impact on Welford Village. If a routeing agreement were in place, vehicles would not be permitted to travel through Welford unless there is a delivery in Welford itself, in which case vehicles would use the A5199. The object would be to avoid using the A5199 as a rat run between the A14 and the quarry.

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142. Aggregate Industries have indicated that approximately 24,000 tonnes of sand and gravel would be taken to their Ready Mixed Concrete Plant at Croft. The Company have confirmed that the proposed route to Croft would be through Lutterworth although this would not involve any net increase of vehicle numbers as the vehicles travelling from North Kilworth to Croft would be replacing those already travelling to Croft from Rugby. The number of vehicle movements would be in the order of 10 per day.
143. In the event that planning permission is granted for the proposed sand and gravel quarry, controls can be imposed in respect of hours of operation and vehicle movements, and improvements required to Pincet Lane. Conditions and/or agreements could be imposed to ensure that vehicles do not use less suitable rural routes and that the quoted lorry numbers are not exceeded.
144. Bruntingthorpe Lane gives access to Tophouse Farm. The Lane has a 3 metres wide carriageway and is adopted between Pincet Lane and the western boundary of the site. The survey carried out by Aggregate Industries in April 2004 indicates that the lane is very lightly trafficked, with an average of 17 vehicle movements per 12-hour day.
145. It is proposed to cross Bruntingthorpe Lane in order to gain access to the northern soil/overburden storage area. Assuming that 3 dump trucks are used this would involve 26 movements per hour for 6-7 months during the initial development period. This would then be repeated at the end of the quarry life in approximately 10 years time.
146. Measures to ensure the safety of users of the Tophouse Farm Road can be required by condition. A traffic light system can be installed with a man in a kiosk or an automatic system controlling rights of way with priority being given to residents of Top House Farm. A concrete pad will be installed to protect the integrity of the lane and road-sweepers will be used regularly to remove mud. It is not proposed to install a tunnel or overbridge in order to cross the Lane.

#### Landscape and Visual Impact

147. The overall strategy of the Leicestershire Structure Plan (LSP) states that measures will be taken so that '*the environment is conserved and where possible enhanced*'. The overall strategy for the Replacement Structure Plan (LLRSP) also has as one of its aims: '*protecting and enhancing irreplaceable and essential features and assets of the natural environment*'.
148. Strategy Policy 4 of the LSP states that '*Development having a significant adverse effect on the appearance or character of the landscape will not normally be appropriate.*' Strategy Policy 8 of the LLRSP states that '*The Countryside will be protected for its own sake. Development in the Countryside will only be acceptable if it has no adverse effect on the appearance and character of the landscape*'. An exception to this policy is allowed in the case of mineral extraction when there is an overriding need and appropriate mitigation can be undertaken.

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149. In his report on the MLP, the Inquiry Inspector stated that the site comprises a fairly flat area of pleasant open countryside in agricultural use. Owing to its flat, open nature and proximity to roads, he considered that sand and gravel extraction would undoubtedly be noticeable to passers-by and also from the few houses and farmsteads close by in Pincet Lane and on the higher ground to the east of the site. Although sand and gravel operations would affect the countryside scene, he considered that measures could be taken to alleviate the adverse visual effect to an acceptable level. Having regard to the fact that minerals can only be worked where they occur, he concluded that the proposed allocation was acceptable, in principle, from the standpoint of effect on the countryside landscape, subject to the alleviation measures identified by the County Council.
150. The existing site landscape does not have any particular designated development plan protection other than that afforded to open countryside in general. It nonetheless forms part of rural landscape characterised by attractive undulating farmland which is enjoyed as an amenity by people who use the roads and public rights of way in the vicinity of the site and by those local residents who can see the site from their properties.
151. The proposed development will inevitably affect this rural landscape, by introducing unnatural features, particularly storage bunds and the plant. The northern storage area will not block any significant views and hedges in this area will mostly be retained. It is proposed to construct 3 metre high bunds to screen operations along the boundary of the site to Pincet Lane and Bosworth Road and to retain perimeter field boundaries.
152. It is proposed to site the plant in the north of the extraction area at a location where the applicant considers that it will have the least visual impact due to the retention of existing vegetation on its northern and western edge. In order to reduce the visual impact of the processing plant further, the plant site will be located 9 metres below ground level. The processing plant will have a maximum height of 13.2 metres. The applicant has assessed various locations for the plant, but considers that the proposed location to be the best in terms of noise levels, proximity to residential properties, surrounding vegetation, and the general layout including the positioning of the proposed new access point. The Company's visual assessment, however, concludes that Highcroft Lodge Farm would have open views into the processing plant from an upstairs elevation.
153. The openness of the views into the plant site and working areas from the east would result in some adverse visual impact during the operational life of the site and for a period afterwards while restoration planting matures. Whilst the erection of a screen bund near to The Bungalow would act as an acoustic and visual barrier, the bund itself will have an impact on the visual amenity of the residents of the property.
154. The Minerals Local Plan encourages advanced planting both on and off site in order to ameliorate the impact of eventual operations. The applicant is willing to carry out additional tree and hedgerow planting along the eastern and southern boundaries (Pincet Lane and Bosworth Road) during this planting season. If

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the commencement date of development were delayed (see paragraph 119 above), the Company consider that this would allow sufficient time for this advance planting to mature.

### Effect on Wildlife

155. The EU Habitats Directive requires Member States to endeavour to encourage the management of features of the landscape which are of major importance for wild flora and fauna. Such features are essential for migration, dispersal and genetic exchange because of their linear and continuous structure or their function as 'stepping stones'.
156. PPG9 recognises that important nature conservation issues relate to areas outside statutory sites, and that development can contribute to biodiversity. Non-statutory sites of nature conservation interest, landscape features of major importance to wildlife, and the full range of wild species and their habitats should therefore be conserved and, where possible, enhanced by development proposals.
157. LLRSP Environment Policy 3A (Protection of Important Species and Habitats) states:
- 'Development will only be acceptable where it would not adversely affect...*
- *priority habitats identified in the Leicester, Leicestershire and Rutland Biodiversity Action Plan that do not benefit from statutory protection; or,*
  - *landscape features of importance to wild flora and fauna by reason of their function as a wildlife corridor, link or stepping stone between habitats,*
- unless an overriding need can be shown to outweigh the ecological interest and there are no alternative solutions.'
158. Whilst much of the site is of limited nature conservation value, there are a number of species and features within and around the site which are of local importance. The most significant impact will be the loss of existing hedgerows and associated mature trees within the site. Internal hedgerows will be progressively lost from the site as the phasing of works progresses. Provision has however been made for the replacement of hedgerows within the restoration proposals.
159. Ancient and/or species-rich hedgerows habitat is a priority habitat listed under the Leicester, Leicestershire and Rutland Local Biodiversity Action Plan. The Biodiversity Action Plan objectives and targets specifically state that ancient and species-rich hedges need to be maintained and that 50% of these hedges need to be enhanced by management. The network of hedgerows within the site offer opportunities for a range of wildlife species to feed, shelter and nest, and also act as wildlife corridors.
160. The Environmental Assessment identifies a number of important, species-rich hedgerows, most of which are around the perimeter of the site and would not be removed. There are however 5 stretches of species-rich hedgerow within the

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site, totalling around 1240 metres, that would need to be removed. Short sections of species-rich hedgerow would also be affected by the crossing point to the northern storage area and the construction of the site access onto Pincet Lane.

161. North Kilworth Parish Council have submitted an Ecological Field Survey commissioned by them. This survey identifies a number of habitats that are considered significantly important for nature conservation. These include 2 ponds, 2 woodland areas (Walton Holt Gorse together with a narrow strip along Tophouse Lane) and 9 stretches of hedgerow. One of the ponds, together with Walton Holt Gorse itself, lies outside the application area. All the remaining features lie around the perimeter of the proposed operational areas with the exception of one stretch of hedgerow. It is proposed to retain all the peripheral vegetation other than that which may need to be removed to create the proposed Bruntingthorpe Lane crossing. The one hedgerow of ecological significance within the operational area is 300 metres in length, but it is proposed to retain the first 100 metre stretch of this hedgerow immediately to the east of Walton Holt Gorse.
162. A survey of the water-body located in the north-western corner of the application area was carried out in May/June 2004 to check for the presence of amphibians, with particular reference to great crested newts. No great crested newts were found either in the water-body or on the surrounding terrestrial habitats. As far as bats and badgers are concerned, it is considered that mitigation and compensation measures can be required by the imposition of appropriate planning conditions.

Archaeological investigation

163. The applicant carried out a geophysical survey of the development area in May 2004. The geophysical survey report was largely negative, although it identified some areas of medieval ridge and furrow farming earthworks. In order to determine whether this negative result was correct, the County Council's Senior Planning Archaeologist recommended that archaeological trial trenching be carried out.
164. The applicant subsequently carried out an additional phase of trial trenching in October 2004. 21 trial trenches were excavated, specifically targeting the areas of apparent archaeological potential suggested by the initial assessment. Two field boundary ditches and some evidence of medieval cultivation were identified, however, no significant buried archaeological remains came to light. Due to the limited archaeological potential of the site, no further archaeological investigation and recording is required. The results of the field project should however be appropriately reported and the project archive deposited: this could be secured by condition.

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### Agriculture

165. MLP Policy 3 indicates that *'proposals for mineral workings will not normally be permitted...[where] the development would result in the irreversible loss of significant amounts of the best and most versatile agricultural land (grades 1, 2 and 3a)'*. Policy 12 states that *'the best and most versatile agricultural land will normally be restored to an agricultural use.'*
166. The proposed new quarry will affect 11.7 ha of subgrade 3a agricultural land, the majority of which is within the southern (mineral extraction) block. This land is considered to be "best and most versatile" agricultural land in accordance with PPG7, which states that within the principles of sustainable development, such land should be protected as a national resource for future generations.
167. It is proposed to restore the southern block in a manner that will produce an area of Subgrade 3a agricultural land equivalent to the existing area. The creation of the small lake will be at the expense of existing Subgrade 3b agricultural land. Having considered the proposals in the light of advice contained in PPG7, DEFRA has not objected to the proposals.
168. Plans showing the proposed movement and storage of soils and overburden during each phase of working have been provided. These plans show that subsoil as well as topsoil will be stripped and that the different soil types will be stored separately. Aggregate Industries have confirmed that DEFRA guidelines will be adhered to in respect of soil handling and the treatment and management of soil bunds. DEFRA have indicated that the proposals for moving soils are satisfactory.

### Water Resources

169. MLP Policy 3 indicates that *'proposals for mineral workings will not normally be permitted...where the development would adversely affect the effectiveness of local land drainage systems and floodplains, derogate groundwater sources and resources and provide inadequate protection for water quality.'*
170. The MLP Inspector considered that, on the basis of the information available to him, the proposed allocation was acceptable in principle from the standpoint of effect on water resources. Several policies in the plan refer to and seek to protect important water resources and he felt that the issue of possible effect on water boreholes would be considered again at planning application stage when much greater detail of the works will be known.
171. The applicant has submitted surveys and analysis of local groundwater patterns and flows which suggest that groundwater and the local aquifer that partly flows through the sand and gravel will not be unduly harmed by the quarry's need to pump water away from the extraction area. The intervention in the aquifer is considered acceptable by the applicant on the basis that the groundwater is largely re-supplied from the underlying Lias Bedrock and that Severn Trent Water are to cease local extraction, resulting in greater volumes of local groundwater.

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172. The applicant proposes to construct lagoons adjacent to the processing plant and charge them initially with water from the mains. Thereafter they anticipate that sufficient water will be generated within the site (from rainfall and, later, from groundwater inflow) to provide the requisite top-up water.
173. Concerns have been raised regarding the impact of mineral extraction on the aquifer and on water resources generally. North Kilworth Parish Council commissioned a hydrological/hydrogeological report that contests some of the findings made in the hydrological component of the applicant's EIA.
174. The statutory consultee for expert advice on such matters is the Environment Agency, the statutory authority charged with the protection and management of the water resources. A copy of the Parish Council's report was sent to the Environment Agency for its consideration.
175. The Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted certain planning conditions be imposed. The Agency are satisfied that Aggregate Industries have considered all likely groundwater quality issues during the quarrying operations and have the necessary pollution prevention measures in place. Following the receipt of additional information from the applicant's hydrologist, the Agency's Groundwater and Contaminated Land Team is satisfied that outstanding issues relating to the groundwater have been resolved. Groundwater level monitoring proposals have been agreed with the applicant.
176. A legal agreement has been completed between Severn Trent Water (STW), Aggregate Industries and the landowners. This agreement relates to STW's concerns that mineral extraction might pose a risk to the continued viability of some or all of the Company's boreholes. The risk is recognised as being small, but operating on the precautionary principle STW have negotiated a contribution towards a major scheme to reinforce the water supplies in this area. This scheme will ensure that the North Kilworth area is no longer reliant on the boreholes and provide better services to STW customers. The scheme will provide an enhanced security of supply, by linking the mains in this area to the strategic grid.
177. Severn Trent Water has not objected to the planning application as the only reason for an objection – risk of derogation to the boreholes and impact on the public water supply – will be overcome by the scheme to reinforce supplies from elsewhere. STW have stated that proposals to reinforce water supplies to the area will take into account any long term growth in demand.
178. Severn Trent Water is free to choose an alternative source of mains water to supply properties in the Area should they wish to do so. The Environment Agency licences all STW abstractions at their source but the company is free to distribute this water as they wish. All Water Companies have to submit Water Resource Plans to the EA to ensure they make adequate plans to provide sufficient water to their customers taking into account the needs of the environment.

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### Restoration

179. LSP Minerals and Waste Disposal Policy 3 states:

*‘When granting planning permission for mineral working or the use of land for the disposal of waste materials or related development, the County Council will require restoration to an acceptable use at the earliest opportunity. After restoration has been completed, the County Council will require a programme of aftercare for an appropriate period. The best and most versatile agricultural land will normally be restored to an agricultural use. On other land, priority will normally be given to water recreation, forestry or nature conservation uses.’*

180. MLP Policy 12 sets out the policy for after uses. It seeks the restoration of the best and most versatile agricultural land to an agricultural use, an increase in woodland cover, the creation of new wildlife habitats and a revised network of rights of way. It proposes that land at North Kilworth be restored to a landform to facilitate agriculture and/or forestry.

181. It is proposed to restore the site progressively to agricultural use, at a lower level, with new woodland and a small lake. These proposals accord with the intentions of LSP Minerals and Waste Disposal Policy 3 and MLP Policy 12.

182. Government guidance, as set out in MPG 7, "The Reclamation of Mineral Workings", suggests that properly worded and relevant planning conditions which are complied with and, where necessary, enforced, should be able to secure the restoration, aftercare and after-use of mineral sites.

183. The current application does not propose that any waste material be imported into the site for restoration purposes. It should therefore be determined on that basis. Any importation of waste will require the submission of a separate planning application.

184. The only material to be used for restoration is 'overburden' arising from the working of the quarry phases, i.e. material overlying the sand and gravel comprising soils and Boulder Clay. Since this waste arises from mining and quarrying operations it is not currently considered to be controlled waste and a waste management licence or PPC permit is not currently required to authorise the redeposit.

### Other Matters

185. The current application does not propose the retention of plant in order to process material from any other land. Indeed, during the final working phase, it is proposed that the processing plant is removed and the remaining mineral is processed using mobile plant.

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186. The Directive on Strategic Environmental Assessment applies to 'plans and programmes'. It does not apply in respect of the determination of specific planning applications made by private companies. The current planning application is accompanied by an Environmental Assessment.
187. Lighting would only be on when the plant was operating. Down-shining lamps can be installed to limit light pollution, which also employ the use of timers. It is unlikely that security lighting will be used at night. On site vehicles would have their own lights but would generally be operating below ground level.
188. Aggregate Industries have indicated that power supply would most likely be provided by mains supply and electric generators.
189. Concerns have been expressed that once permitted the site may be extended and such extensions, although increasing the duration and impact of the development, may be difficult to resist. In considering this planning application, account should only be taken of the proposal as submitted rather than speculate about what might happen in future. Any proposals to work further areas would be subject to a separate planning application and the same detailed consultation process that has been carried out for this application.

#### Departure from the Development Plan

190. Under the Town and Country Planning (General Development Procedure) Order 1995, local planning authorities are required to give publicity to planning applications which are a departure from the development plan. It might be argued that this application is a departure from the Leicestershire Minerals Local Plan because the site boundary does not accord exactly with the allocated area contained in the Plan. Normally, departures from the development plan are referred to the Secretary of State if a local planning authority is minded to approve such departures and if such departures would significantly prejudice the implementation of the development plan's policies and proposals.
191. As already stated, an area at North Kilworth is allocated in the Leicestershire Minerals Local Plan. The current application has been submitted based upon this allocation. The application area includes most of the allocated area together with additional land to the north (for the storage of soils/overburden). It does not include allocated land to the north west (north of Walton Holt Gorse). The MLP states that workings will be restricted within the identified areas and the permitted extraction area will not extend to the limits shown. The proposed extraction area lies entirely within allocated area. Despite covering slightly different areas, the allocated area and the application area would be similar in size in terms of extraction areas, residual areas and total application areas. Potential reserves are also similar (2.8MT in the application compared to 2.95MT in the Plan).

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192. There would, however, be some differences between the current planning application and the proposal contained in the MLP. These differences are set out below:

Plant Site: The MLP states that the area identified would enable processing plant to be located (to the north of Walton Holt Gorse) so as to be screened by existing woodland. The MLP Inspector considered that the location preferred by the County Council for the plant site was particularly well screened from viewpoints to the east, particularly Pincet Lane, and south. Bunding around the plant area would screen views of all ground activity and the retention of a strong line of hedgerow trees would break views of those parts of plant visible above the height of the bunds. The upper parts of the plant would however be visible on the skyline. The current application proposes that the plant be located within the NW corner of the extraction area. The impact of the proposed plant site is assessed above.

Site Access: The MLP envisaged access along Bruntingthorpe Lane with improvements at its junction with Pincet Lane. The current application proposes a new access onto Pincet Lane.

HGV routing: The MLP states that a routing agreement would be desirable to prevent vehicles travelling to the south along Pincet Lane. The current application proposes that most of the hgv's would travel south along Pincet Lane.

Markets: The MLP proposed that the site would only be permitted as a replacement for a worked out pit. As such, it was envisaged that the site would serve Central Leicestershire as a replacement (together with the new site at Brooksby) for the Syston and Cossington operations. Aggregate Industries now propose that 90% of material would go to 5 of Company's RMC plants (3 of which are outside County).

193. The principle of allocating land in the North Kilworth area for sand and gravel extraction was identified during the local plan process and the two sites cover largely the same area. Matters related to the plant site location, traffic movements and proposed markets have however been addressed in a different manner such that the planning application could be argued as a departure from the Leicestershire Minerals Local Plan.

### **Conclusions**

194. Government advice stresses the importance of combining economic growth with care for the environment in order to support sustainable development. Any decision must be a matter of balancing the relative merits of the proposal in the context of the various considerations that have been identified. The principal issue in this instance is the balance between the need for the reserves and the environmental effect of the development.
195. The key Development Plan policy is MLP Policy 16. This proposes the release of land for the establishment of a new sand and gravel extractive operation at North Kilworth, subject to certain provisos.

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196. MLP Policy 16 states that proposals for sand and gravel extraction from the site will normally only be permitted:
- (i) as a replacement for a worked out pit unless it can be demonstrated that there is a sufficient need to release additional resources, the demand for which cannot otherwise be reasonably met.
  - (ii) where a full supporting statement has been submitted containing satisfactory details regarding the proposed development particularly related to the amelioration of impact on residential amenity, the transportation of material to the plant site, and working and restoration proposals.
197. The proposed development has not been put forward as a replacement for a worked out pit, but rather as a means of supply for the Company's concrete plants. It is considered that the establishment of a further new site is not warranted as demand can reasonably be met by existing and permitted sites within Leicestershire. To that extent, the proposal does not accord with MLP Policy 16.
198. There is no doubt that proposals for mineral extraction have the potential to bring about some form of adverse impact. The assessment of levels of environmental impact, whilst containing reference to technical matters and acknowledged thresholds, is ultimately a matter of planning judgement which has to weigh all relevant factors in the balance.
199. As far as the environmental effects of the proposed development are concerned:
- noise levels will not exceed those advised by government provided that the extraction area is restricted and a 5 metre high barrier is erected in the vicinity of The Bungalow.
  - dust emissions can be kept to acceptable levels with the imposition of appropriate planning conditions.
  - traffic: routing arrangements will mean that most hgv traffic will be directed to the south towards the M1 resulting in a significant increase in traffic flows on Pincet Lane and, to a lesser extent, the A4304; Aggregate Industries are prepared to fund improvement works to Pincet Lane to cater for the additional traffic involved.
  - landscape and visual impact: there would be some adverse visual impact during the operational life of the site and for a period afterwards while restoration planting matures; this would affect local residents, particularly those to the east of the site, and users of local roads; the intrusion caused by quarrying in the open countryside would not be completely mitigated by the proposed screening measures.
  - effect on wildlife: much of the site is of limited nature conservation value, but there would be a significant loss of species-rich hedgerow; the landscaping and restoration proposals would make a contribution to enhancing local biodiversity.
  - agriculture: 11.7 hectares of high quality agricultural land will be affected; it is proposed to restore most of the land to agricultural use using the better quality soils.
  - historic environment: geophysical survey and trial trenching has indicated that the site is of low archaeological potential;
  - water resources: the Environment Agency is satisfied that the proposed development would not have an adverse effect on water resources.

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200. Consequently, there are particular concerns in respect of the effects of the proposed development, namely
- on the appearance and character of the local landscape;
  - on Pincet Lane as a result of the additional traffic movements;
  - on individual properties close to the proposed quarry area due to potential visual intrusion and additional traffic; and
  - as a result of the direct loss of significant wildlife habitat.
201. A number of the environmental impacts, such as noise and dust, could be satisfactorily controlled by the use of conditions and other statutory controls, but it is not considered that the imposition of planning conditions or obligations could satisfactorily address the adverse effects of the proposal.
202. Policy 16 states that the County Council will give particular consideration to the following factors in respect of the site at North Kilworth: highways improvements to the B5414 (Pincet Lane) and its junction with the A50; a routing agreement to prevent vehicles travelling to the south along Pincet Lane.
203. The current application proposes that most of the hgvs would travel south along Pincet Lane. To that extent, the proposal does not accord with MLP Policy 16.
204. Minerals and Waste Disposal Policy 2 of the Leicestershire Structure Plan states that, '*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.*' Having taken into account those matters of need, restoration and employment put forward by the applicant in support of their proposals, it is not considered that they are sufficient to justify the environmental disturbance that would be caused. The environmental impacts associated with the development would, consequently, be unacceptable.
205. It is therefore concluded that permission for the proposed development should be refused for the reasons set out in the recommendation below.

**Recommendation**

**Refuse**, for the following reasons:

1. The proposal does not meet the requirements of policy 16 of the Minerals Local Plan and does not accord with the strategy for future sand and gravel working in the Minerals Local Plan in that it is not a replacement for a worked out pit. There is an adequate landbank for sand and gravel suitable for aggregate use within Leicestershire, and therefore no requirement for additional reserves to be released. The need for the mineral resource to be worked has not been demonstrated to the satisfaction of the Mineral Planning Authority.

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2. The proposed development would have an adverse environmental impact by virtue of
  - a. the disturbance to the local landscape;
  - b. the potential visual disturbance to occupiers of adjacent land;
  - c. the additional traffic movements generated by the proposed development; and
  - d. the loss of ecologically valuable habitats.

It is not considered that the need for the development is sufficient to justify the impacts that would arise as a result of the proposed mineral working operations or that the impacts can be alleviated by appropriate measures. The proposed development would therefore be contrary to Minerals and Waste Disposal Policy 2 and Strategy Policy 4 of the Leicestershire Structure Plan; Resource Management Policy 9, Environment Policy 3A and Strategy Policy 8 of the emerging Leicestershire, Leicester and Rutland Structure Plan; Policies 3 and 16 of the Minerals Local Plan; and Policies IN/1, RM/9 and EV/5 of the Harborough District Local Plan.

### **Background Papers**

Planning Application No. 2004/0263/3 and all associated correspondence held on file 2004/0137/7.

### **Circulation Under Sensitive Issues Procedure**

Mr. I.M. Morris C.C.  
Mr. P.D. Boulton C.C.  
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### **Officer to Contact**

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**APPENDIX**

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**LETTER FROM NORTH KILWORTH PARISH COUNCIL**

Dear Sirs,

This letter represents the views of the Parish Council. It also reflects the views and concerns of many parishioners, who over the past few weeks have attended in large numbers several public meetings- three Parish Council meetings, the Open Meeting held by LCC, and the public exhibition held by Aggregate Industries UK Ltd. Our comments, objections, and requests for information are listed below:

NEED for the product

1. We wish to enter a challenge on the basis of need in accordance with the principles laid out in the Leicestershire Minerals Local Plan Review of 1995. Specifically, in Policy 2 section 1 (a) the applicant has failed in our view to provide demonstrated need for the mineral to be worked. In the submission for this application the applicant fails to support the East Midlands Regional Assembly Plan on the basis that the majority of material is being exported outside the County. We believe you should be pressing for additional information from the applicant on this point.
2. The latest figure for permitted reserves within the County at January 2003 (of 9.29 million tonnes) fails to take account of the recent substantial shift away from virgin input materials toward recycled/recovered material from the construction and house-building sector. Nationally, around 20-25 million tonnes of this material is now recovered compared with the period prior to the introduction of the Landfill Tax and these account for around 25-30% of current national usage of aggregates.
3. It is our belief that the material available from the Pincet Lane site is of very low-grade quality, being high in soft calcareous shales, as well as being iron rich. That profile is wholly inadequate for the applications in concrete manufacture cited by the applicant, and it is our belief that much of this low grade aggregate will end up in low quality applications such as "hogging", and the like. As such, the claims of need should be strongly challenged. Clearly the applicant has little intention of returning these materials to Leicestershire, and the claims of need for their own plants in Oxfordshire should also be challenged. It is our belief that those sites are already being serviced by higher grade gravel and granites sourced internally and externally to Leicestershire from sites with extant long term proven reserves, in an arc from Huntingdon through Oxfordshire.
4. Policy 2.1(i) (d) – Your data on available reserves is for virgin material only. Much of the case for demand of these aggregates hinges around their suitability as good quality virgin aggregates, or lower quality substitutes competing against recycled aggregates. We believe there is sufficient availability of demolition material from Leicestershire to meet this demand by recycling, rather than new extraction.

5. Policy 16.2 – Release of sites. We believe the applicant has failed to demonstrate there is a sufficient need to release additional resources which could not otherwise be reasonably met – given the quality of the material we believe that this requirement could be reasonably met through recycling and recovery from the Leicestershire construction and demolition market.
6. Policy 16.3 – specific site factors The applicant has flagrantly disregarded the routing agreement achieved in 1998 requiring improvements to the A50 junction and the routing of vehicles northwards.
7. Policy 31 – removal and mineral working deposits
  - a) We believe the applicant has not established the need for and importance of the mineral to be removed, or its appropriate quality.
  - b) We believe the nature of the resultant declivity after extraction will offer no potential for reclamation after the deposits have been reworked, due to the high proportion of unusable “fines” which will make the site wholly unsuitable for grazing or useful agricultural purposes.

## AQUIFER

1. Events applicable to the site application have now accelerated given the serving of notice by Severn Trent Water that they will be capping their abstraction wells over the ground and supplying clean water needs to the area from a newly constructed ring main. In consequence we believe that the combined impact of that cessation, coupled to a decision to grant the applicant consent will produce unpredictable and unquantifiable impacts on the surrounding hydrogeology system to the point where there could either be severe water shortages or severe water surpluses. Either way it is the fear of residents in North Kilworth and householders in the immediate vicinity that this could impact adversely on the value of their properties and create substantial risks of flooding/subsidence due to the unpredictable nature of the way in which the aquifer may react.
2. The applicant will require huge quantities of water for their log washer scrubber, which is the most vigorous and water consuming technology appropriate to cleaning gravels. On our estimate the applicant will require around 2,500 tonnes of water for every 1000 tonnes of product – equivalent to around 200-240million gallons per annum. Abstraction on this scale – topped up by supplementary supplies from Severn Trent’s mains supply – will create wholly unpredictable shifts and impacts in the area.
3. Many householders in the immediate area and in North Kilworth use wells on their property for a variety of domestic and garden applications on a small scale. Our fear is that disturbance to water courses as a result of this activity will result in much higher risks of turbidity and cross-contamination. It is particularly important that risks of diesel and fuel spillage are entirely managed out, and the applicant’s paper work on this point is vague. There has been a spillage in the brook that passes from the applicant’s site down through the village and into a nature reserve. That incident was approximately three years ago and was logged by the Environment Agency. It resulted in the diesel contamination passing into the headwaters of the River Avon.

4. We would point out that the application from Tarmac in respect of this land was refused planning permission in 1988. Grounds for refusal included – amongst other matters – adverse impact on public water supply wells within the valley adjoining the site.
5. There was no opportunity for this initial reason being reinforced on the re-application of May 1994 since it was withdrawn in October 1996, but it is our contention that this issues remains highly significant. Villagers were particularly alarmed by comments from your own solicitor which clearly indicated that if subsequent problems of flooding and/or subsidence occurred in the underlying clays, then it would be a matter for villagers to prove at their own expense, and that it would be necessary to prove not only the risk – but the pathway and consequences. We clearly recognise, looking forward, that this would amount to a lawyers' paradise and that the immense changes being proposed for water management in the Pincet Lane area would be taken as merely circumstantial.
6. Turning to the specific requirements of your own Minerals Plan, we believe that the application should be challenged on the basis that it does not meet Policy 2S1(ii)9G0). The effect on water resources, possible de-watering of the natural groundwater and the means of water supply and drainage are not quantifiable, and any reasonable person or court would interpret the proposed changes as being extremely substantial.
7. Policy 3 – Environmental Considerations. The development will adversely affect the efficiency of local land drainage systems and flood plains, possibly derogate ground water sources and resources and provide inadequate protection for water quality.
8. Policy 5 – Environmental Protection. There is no protection for watercourses, waterways, land drainage systems or guarantees for the effectiveness of the flood plain and underground water resources. We would point out that if you consult the appropriate Ordnance Survey Pathfinder maps in the box bounded by grid reference 650825 to 630825 to 630850 to 605850 there are around 20 identified spring sites, many of them sites around the 125-140 metre contour, representing the junction with the clays. The area clearly has significant historic association with and current linkage to a widespread spring network which could impact on the human settlement in the area if they reduce or accelerate significantly. We are arranging surveys of in excess of 30 wells on peoples' premises in the village, many of which are used for domestic abstraction purposes in preference to the mains supply.
9. Policy 13 – Disposal of waste materials S1(ii)
  - a) Returning the land to conventional agricultural purposes is highly suspect, given that the returned material is of negligible carbonaceous content and incapable of supporting plant growth given its high silicaceous content.
  - b) In addition, under current EA regulations, even though this material is produced in situ and returned to the site the latter activity has the effect of creating that material as a waste, and its backfill, even in situ, will thus require the creation of a waste disposal licence. Such a licence, unless appropriately limited, could create a dangerous precedent for the importation of third party material on to the site. – whether organic or inorganic in nature.

10. North Kilworth has been involved in substantial fundraising initiatives to reinstate the area known as “The Bogs”, which is acknowledged to be a site of exceptional interest and is in the process of being converted into formal Nature Reserve status. This area of common land in the centre of the village has been demonstrated to be extremely sensitive to interruptions to water supply and there is evidence of direct correlation with periods of dryness on the site and peaks in Severn Trent’s abstraction records which we have investigated in the public domain.
11. The Hydrology and Hydrogeology report submitted by the applicant is not considered to be accurate in its hypotheses and conclusions. North Kilworth Parish Council has commissioned its own independent report which will be complete within the next two to three weeks, and will be submitted to yourselves under separate cover. However to summarise the findings of our expert, and our concerns, we list the following points:
- a) The effect on the groundwater has been hugely underestimated, not only in the vicinity of the proposed quarry, but also further away, with the water table level lowering significantly.
  - b) The applicant’s report appears to contradict the Environment Agency’s findings published in the Source Evaluation Report (1993)
  - c) The proposed plans do not incorporate adequate measures to protect the groundwater. Nearby wells, ponds, streams will all lose water. The possible solution to this would be to line the proposed quarry walls with clay (as per the previous Tarmac application) or to construct a cut-off wall around the whole perimeter of the area.
  - d) We assume that the Environment Agency will be consulted in great detail. The aquifer, although not unique, is one of only a few of its kind in the country, and the effects of quarrying on such an area are unquantifiable.
  - e) The Parish Council is concerned that a financial arrangement has already been agreed between the applicant and Severn Trent Water. The effect of decommissioning the boreholes is also unquantifiable – these boreholes have been in use for over 100 years.
  - f) The Parish Council assumes that the Environment Agency will be consulted as an urgent priority, in order that the EA experts will have sufficient time to study the application in details.

## RESTORATION

1. The backfilling and restoration plans found in the application are inadequate to ensure that the restored surface will be above the natural water table. Consequentially there is probability of unplanned flooding in addition to the proposed lake. This is because:
  - a) There is a commitment in the Aggregates Industries application that no external materials will be imported for backfilling and restoration.
  - b) The restored ground level will be substantially lower than the surrounding ground due to shortage of backfill material.
  - c) The restored surface may not be above the natural water table (when recovered from the draw down)

2. The resulting flooding would be a potential hazard for contamination of the underlying aquifer. The following points support this:
  - a) The Aggregates Industries application seems to foresee this as marked fluctuations in the lake are described which would necessitate construction of outflow drainage
  - b) The application does not include a plan to restore natural groundwater flows within the reinstated site. (The original Tarmac application did)
  - c) There would be a permanent change in the groundwater flow system in the sand and gravel aquifer
  - d) The backfill will be clay and sand based materials. This silt, which according to the application will be approximately 17% by mass of total abstraction, might cause deposits of impermeable silty-based clay deposits which will impact significantly on the passage of water to the aquifer.
3. The effects of damage to the aquifer could be far reaching and might result in flooding as far away as the Avon at Stanford-upon-Avon.
4. The application states that the site will be restored to lower level but will the restored land ever be fit for agricultural use?

## TRAFFIC AND TRANSPORT

1. Conflict with the Leicestershire Minerals Local Plan Review 1995
  - a) This application conflicts with Policy 16, paragraph 3 which states: The County Council will give particular consideration to the following factors in respect of specific sites.....North Kilworth- highway improvements to the B5414 (Pincet Lane) and its junction with the A50 (now the A5199); routing agreement to prevent vehicles travelling south along Pincet Lane”
  - b) At the time of the Public Enquiry the inspector for the Department of the Environment insisted that the above condition was to be included if the North Kilworth site was to be included in the Local Minerals Plan.
  - c) However this application from Aggregates states that all traffic will travel south along Pincet Lane. Is L.C.C. able to ignore such a condition, without referring back to the Department of the Environment?
  - d) Furthermore, because this application conflicts with Policy 16, paragraph 3, by default, it also conflicts with Policy 3, Environmental Considerations, in particular paragraphs d), e) , h) and i).
2. Traffic- current and projected levels
  - a) The applicants have submitted two twelve hour surveys- one on Pincet Lane in October 2002, and one in April 2003 on the A4304. However, having taken professional advice, the Parish Council feels that the evidence provided is not adequate for considering a proposal of such scale. LCC has stated in an email to the Parish Council that in its opinion, the survey is adequate. On what basis is this opinion given? What guidelines are there for determining the scope of required traffic surveys?

- b) Despite LCC's statement that the traffic survey provided is adequate, under separate cover the Parish Council has written to request seven day/24 hour automatic counters to be arranged on Pincet Lane, Bruntingthorpe Lane (wrongly named Top House Lane by the applicant), and the A4304 in normal school term time.
- c) The applicant's Highway Traffic Assessment report appears to ignore other contributing factors which are summarised as follows:
- The proposed alteration to the A14/M1/M6 junction that will increase traffic flows to and from Junction 20 of the M1.
  - The new hotel and conference centre to be built at Kilworth Springs, adjacent to the Golf Club.
  - The proposed expansion plans at Kilworth House Hotel for a conference centre/theatre
  - Continual flouting of the authorised limits on car transporter movements – these vehicles use Pincet Lane to access Bruntingthorpe Industrial Units.
  - Safety of pedestrians using Pincet Lane, either to enter and leave the village, or to access public footpaths and bridleways. There is no pavement alongside the carriageway. School children have to cross at the busy junction of Pincet Lane and the A4304 to attend the village primary school, or to catch the school bus to Lutterworth. Safety of cyclists has also been ignored.
  - Traffic problems caused by accidents on the A14 and M1 are dealt with by police diversions along the A4304 through North Kilworth
  - Traffic levels are not as they were when the North Kilworth site was included in the Local Minerals Plan. Also the roads concerned have since been downgraded, and are therefore lower on the priority level for County funding for repairs etc.
- d) There have been several planning applications in previous years for either new residential property or for new accesses to property, and also for an increased from 1 vehicle to 2 vehicles on an Operator's licence exiting at Bruntingthorpe Lane. All these applications have been refused on grounds of highways safety on Pincet Lane. This application requires a new access to be created onto Pincet Lane, and traffic exiting the site to head south will be crossing the flow of traffic.
- e) Pincet Lane is not kerbed- any agreement made with the applicant for a contribution towards highways improvements would have to include guarantees of paying for all ongoing maintenance for the life of the proposed quarry. The alternative is not acceptable- i.e. that the taxpayer would foot the bill.
- f) The junction of Pincet Lane with the A4304 is not suitable for any increase in HGV traffic. Widening it is not an option. North Kilworth is a conservation village, and the Parish Plan clearly states the importance of the green verges, such as the rose bed areas adjacent to the junction.
- g) Top House Lane is wrongly named- Bruntingthorpe Lane is a county road, providing access to the homes and businesses of five families. It is important to note that Bruntingthorpe Lane bisects the proposed quarry site. The application proposes to move the overburden from the quarry across the lane. In practice,

large dumper trucks will be crossing back and forth, without any washing of wheels and road surfaces etc. This is totally unacceptable. Could LCC clarify whether or not an operator's licence would be required for the moving of the overburden? Also would the applicant require an operator's licence for vehicles left overnight and at weekends? If so, at what stage in the application process would this be dealt with?

- h) The application does not make it clear in which direction the HGV's would travel after reaching Junction 20 of the M1. If travelling to their site at Croft, they would inevitably travel through the centre of Lutterworth town- this town centre already suffers from heavy through traffic. Representatives from Lutterworth Town Council were present at the recent Open Meeting to voice their concerns.

## OTHER CONSIDERATIONS

### VISUAL IMPACT

The site is now characterised by open fields and hedges at high elevations (for Leicestershire) across open countryside. The application will result in destruction of a natural landscape with the creation of an unnatural landscape of slag heaps, bunds, industrial plant and holes in the ground. Even after restoration the land will be returned to agricultural use but at an unnaturally low level, creating false vistas.

### HERITAGE

- a) The application poses a threat to plants and animal habitats. The site is a natural habitat for a number of species including badgers, peewits, little owls, lapwings, golden plovers and green woodpeckers
- b) There will be a permanent loss of ancient hedgerows and mature trees within the boundaries of the site.
- c) All animals within or around the site will be subjected to disturbance. This will include breeding toads and frogs which have been sighted and recorded in adjacent spring fed ponds,
- d) The wells, which are to be decommissioned and backfilled are unusual and are well-known within hydrology circles. They were built c1890. A unique feature is an underground tunnel linking two of the wells.

### AIR POLLUTION

- a) Traffic accessing the site will create pollution not only in the immediate vicinity of the quarry but also in villages (North Kilworth, Walcote, Husband's Bosworth) and towns (Lutterworth) along routes used by heavy goods vehicles from the site.
- b) Quarrying will produce dust which will settle on vegetation, crops and residential areas
- c) Pollution both from the site and from vehicles using the site will have an adverse effect on the health of individuals suffering from chest conditions such as asthma and bronchitis.

### NOISE POLLUTION

The noise impact report included in the application makes no mention of noise from generators which will be used prior to the site having mains electricity.

## INCREASED DEMAND FOR WATER

- a) There has been an increase in the demand for water within North Kilworth due to gradual expansion of the village through infill and limited new developments
- b) The new hotel at Kilworth Springs will produce a substantial increase in the demand for water

## TIME CYCLE

There is debate as to the time-scale of the quarrying. The application is for ten years but there is a feeling that the application could be a Trojan horse with subsequent workings feeding the installation (as at Sibbertoft).

## LANDFILL

- a) The residents of North Kilworth need assurances that the site will not ultimately be used as a Landfill site, even though the economic viability for this may be in doubt.
- b) A recent European Commission Court has found that the transfer of material on a Finnish granite quarry site needs to be regarded as waste. This finding would therefore impact on this application and a waste management licence would be required from the Environment Agency

## EUROPEAN UNION REGULATIONS (Working-Time Directive)

Weekend relaxation is important to everyone with six day working unusual. Residents who live in close to the site are concerned that there will be very little abstraction-free time. The application indicates that quarrying will take place from 7am to 7pm and on Saturday morning this will be a major disruption to the residents who are used to a peaceful rural environment.

## LIGHTING

Special concern for parishioners. The village has been subjected to an increase in glare, albeit at restricted times, from the golf range and from Kilworth House Hotel. The new hotel complex at Kilworth Springs will increase light pollution further.

- a) Does the site conform with CPRE lighting standards
- b) Does the site conform to Institute of Lighting Engineers standard (E2)

The village needs assurance that there will be no further lighting pollution, especially given the rural setting and conservation status

## ELECTRICITY SUPPLY

This area already has a history of power supply failures. An operation on the proposed scale will increase the risk of further problems with the Grid.

## EFFECT ON TOURISM, VISITORS AND INVESTORS

- a) North Kilworth is being developed as a tourist area with two large new hotels. The quarry and associated heavy goods traffic will do nothing to attract visitors or encourage them to stay in luxury hotels. The reasons include:

- Increased traffic with around 120 movements of heavy goods vehicles, every day including Saturday
- The visual blot on the rural landscape.
- The noise, from the industrial plant and from lorries.

- b) There is a high risk of damage to the amenity and heritage value of the area
- c) North Kilworth has spent much time, effort and money improving the amenities of the Parish. This is particularly so with regard to the area known as the 'Bogs', a site which is unique and 'Nature Reserve' status is currently being sought. The area is also one that might well be affected should there be damage to the aquifer.

#### EFFECT ON LOCAL RESIDENTS

North Kilworth is a conservation village, surrounded by rolling Leicestershire countryside. It is a rural environment. The people who live in and around the village are proud to be living in such a setting and the noise, pollution, traffic and the visual impact of a large quarry on the edge of their village would be an anathema to them.

We trust that the comments included in this letter are taken into consideration and where necessary the points raised are investigated further.

Yours sincerely

On behalf of North Kilworth Parish Council