Agenda Item 11

Leicestershire County Council

DEVELOPMENT CONTROL AND REGULATORY BOARD

23RD MAY 2019

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

APP.NO. & DATE:	2018/0917/06 (2018/CM/0123/LCC) – 11th July 2018.
PROPOSAL:	Southern extension of sand and gravel working and restoration using site derived and imported inert material returning the land to a combination of agriculture, open water and nature conservation.
LOCATION:	Brooksby Quarry, Melton Road, Brooksby, Leicestershire LE14 2LN.
APPLICANT:	Tarmac Trading Ltd.
MAIN ISSUES:	Need and sand and gravel reserves; archaeology; ecology; water resources; restoration and after-uses.
RECOMMENDATION:	Permit subject to the conditions included in Appendix A, and planning obligations.

Circulation under Sensitive Issues Procedures

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PART B – MAIN REPORT

Planning History

1. Planning permission was granted in September 2003 (Ref. 2000/0443/06) subject to a legal agreement, for the extraction and processing of sand and gravel with restoration to agriculture, woodland and water at Brooksby Quarry.

2. A variation of Permission 2000/0443/06 was approved in November 2008 (Ref. 2008/0443/06) to alter the layout of the plant site and revise the permitted phasing of working.

3. A variation of Permission 2008/0443/06 was approved in January 2012 (Ref. 2012/0062/06) to allow the importation of 25,000 tonnes of mineral per annum from Mountsorrel to the site for processing.

4. A variation of Permission 2008/0443/06 was approved in February 2015 (Ref. 2014/0191/06) to revise the sequence of working, provide an alternative restoration plan and extend the timeframe for mineral extraction and restoration to 31/12/2026.

5. Planning permission was granted in February 2015 (Ref. 2014/0190/06) for the importation of inert fill for restoration purposes. This permission was implemented in February 2017 and covers the current infill operation.

6. Planning permission was granted in August 2016 (Ref. 2016/0453/06) for an alternative internal haul road to serve the inert waste landfill site, including weighbridge, wheel wash, cabin and car parking.

7. A variation of Permission 2014/0191/06 was approved in September 2016 (Ref. 2016/0428/06) to revise the sequence of working and provide an alternative restoration plan.

8. A variation of Permission 2016/0428/06 was approved in May 2018 (Ref. 2018/0399/06) to extend the extraction boundary in Phase 13 with restoration to a combination of grassland, woodland and a waterbody. This is the extant planning permission covering extraction at the site.

Location and Setting of Proposed Development

9. Brooksby Quarry lies to the south of the A607, from where it is accessed, between Brooksby Grange to the south west, and the former Brooksby College plant nursery site to the north east. Public Bridleway H58 (Midshires Way) passes along and through the eastern part of the site, from the A607 to the countryside to the south.

10. The planning application area extends to approximately 93 hectares and includes some 39 hectares of the existing site (covering phases 2 and 11 to 14, the access and haul road, and processing plant site). The extension area covers approximately 54 hectares of farmland in the ownership of Brooksby College to the south of the plant site and the Rearsby Brook, in a strip extending approximately 1.9km east to west and 200 – 300m north to south.

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11. The site lies within a section of the gently sloping valley associated with the Rearsby Brook, which flows in a north east to south west direction through the site. The topography slopes down from the A607 at 76m Above Ordnance Datum (AOD) to the Brook at around 64mAOD near to Brooksby Grange Barns, from where there is a gradual rise to the south into the proposed extension area. Levels here rise to approximately 80 to 83mAOD at the proposed site boundary and continue upslope to the ridgeline at around 100mAOD.

12. The proposed extension area and surrounding land to the south of the A607 consists of sloping agricultural land supporting mixed farming with regular field patterns formed by hedgerow boundaries, and the remnants of Brooksby Spinney border the site to the south east. There are small settlements in the wider landscape and a few dwellings at farmsteads and associated properties in the immediate vicinity of the site. The nearest dwellings to the application site are: Brooksby Grange and Brooksby Grange Barns adjacent to the western site boundary; Brookfield 170m; Topfield Farm 727m; Messenger's Lodge Farm 453m; Rotherby Lodge 455m; The Lodge 398m; Brickyard Cottages 555m; Spinney Farm Cottages 150m; The Cottage 425m; Hall Farm Cottages 232m; and Hives Farm 261m.

13. The Grade II* listed buildings of the Church of St. Michael, and Brooksby Hall, together with the main Brooksby College campus lie to the north of the A607, approximately 520 to 550m away.

Description of Proposed Development

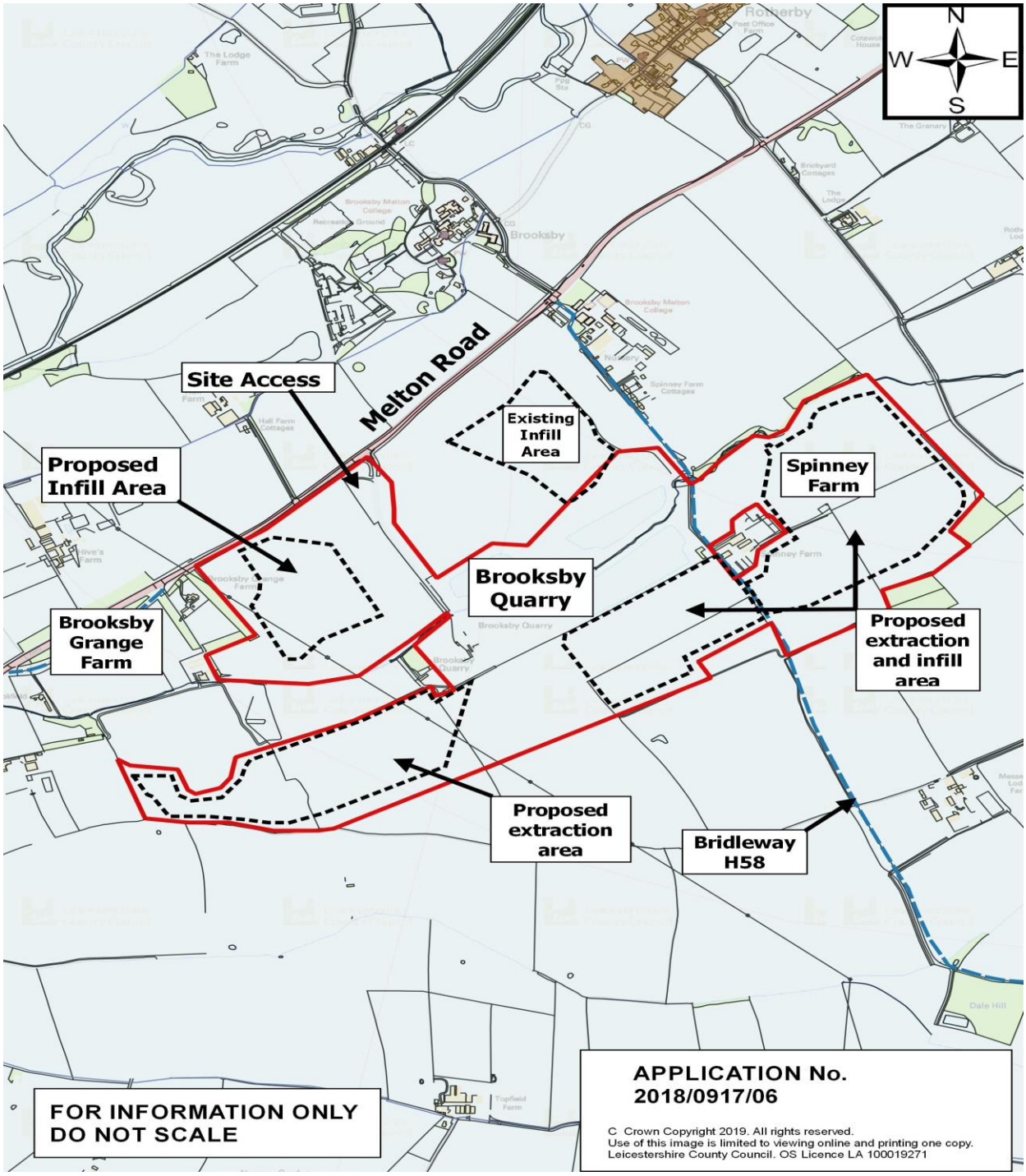
Current Quarry Operations

14. The remaining permitted sand and gravel reserves at the site will be fully exhausted by mid-2019. The main operational areas of the existing quarry are located north of Rearsby Brook and to the east and west of the site access road. The plant area and silt lagoon are located south of the Rearsby Brook. There are several top-soil and overburden stores located around the periphery of the working areas.

15. Once extracted, mineral is conveyed by dump truck to a main feed hopper located within the plant site. The hopper feeds a conveyor belt which supplies a static mineral processing plant on the south side of the Rearsby Brook. The plant washes and grades the sand and gravels which are then stockpiled for sale. The plant site also includes a site cabin, meeting room, office and weighbridge.

16. Mineral extraction is due to commence imminently in Phase 2, the last remaining area of the existing quarry to be worked. Restoration has been completed for Phases 3 - 6, with partial completion in Phases 7 and 11. The completion of restoration in Phase 7 and Phases 8 to 10 will incorporate the use of imported inert fill material in line with planning permission 2014/0190/06.

17. Current quarry production rates are approximately 250,000 tonnes per annum. Importation of inert material for infilling (phases 7 to 10) will commence at the site upon receipt of a permit from the Environment Agency. The inert infill planning permission allows for the importation of up to 250,000 tonnes per annum and has an end date of 16th February 2023.



Mineral Reserves and Geology

18. The site is overlain by superficial glacial drift deposits, consisting of brown (silty) clays of varying thickness. The Bytham Sand & gravel Formation is the main economic deposit at the site, forming a continuous unit with a relatively flat upper surface at an elevation of 65-66m AOD. The top 1- 2m of the deposit is comprised of fine to medium soft sands, which grade down into gravely sands and sands and gravels. The sand and gravel deposit ranges from 0.5 to 11.6m, with the thickness of the economic mineral increasing within an identified palaeochannel, which runs northwest to southeast through the site. The base of the deposit is highly variable because of the undulating eroded topography of the bedrock surface (Mercia Mudstone and Lias Clay).

Proposed Development

19. Tarmac Trading Limited seeks planning permission to enable a southern extension of sand and gravel extraction at Brooksby Quarry. The proposed development would provide for the extraction of approximately 1.4 million tonnes of mineral, to be worked at a rate of up to 250,000 tonnes per annum, in accordance with established rates of working at the quarry.

20. The extraction of mineral would take place over a six-year period. Subject to the grant of planning permission, it is anticipated that working of the proposed extension areas would commence by mid-2019. The restoration scheme provides for a return of the land to a largely agricultural after-use. This would be achieved using a combination of clay overburden from quarry operations as well as imported inert material. Inert material would be used to assist in the restoration of defined areas of the site. These areas include Phases 12, 13a, 13c (within the existing site) and Phases 17, 18 and 19 (each forming part of the southern extension site). It is estimated that approximately 1.5 million m^3 of inert fill would be required to assist in the restoration of these phases. It is anticipated that the site would be restored by approximately 2030-31.

21. It is proposed that the mineral would be worked dry, in the same manner to the workings in the existing quarry. Groundwater would be pumped from each phase into the existing clean water lagoon. This water would then be used to supply the mineral washing plant, and silt water from the washing plant piped to a silt settling lagoon, with clean, settled water piped back to the clean water lagoon. Groundwater and surface water would continue to be efficiently recycled within the site, and any surplus clean water would be discharged from the lagoon into the Rearsby Brook under the extant discharge permit.

22. Additional silt and clean water lagoons would be formed on the north side of the Rearsby Brook by utilising an existing extraction void. The current and proposed silt lagoons would be allowed to develop as natural wet scrub woodland, and gradually dry and consolidate from the point when they become full and stop receiving silt water. The silt lagoon is maintained at a level of at least 1 metre below original ground level adjoining the Rearsby Brook.

Originally Proposed Scheme of Working

23. Extraction was to commence under the originally proposed scheme of working to the south west of the plant site in Phase 15a following the completion of extraction in the current site. Access would be gained to the extension area via a new haul road south of the plant site. Extraction would then follow in Phase 15b the most westerly phase before continuing in an easterly direction through phases 16a, 16b, and 17 before reaching the Spinney Farm complex, comprising Phase 2 (of the existing site) and Phases 18a, 18b, 19a and 19b.

24. Topsoil from the working areas would be stored in perimeter bunds around the extraction phases, and in the dedicated storage area together with the stripped subsoils. Overburden materials would be stored in the dedicated storage area or directly placed into worked out areas of the excavation void for restoration. Mineral extraction would continue to be undertaken with the use of an excavator, with dump trucks moving the mineral to the plant site feed hopper.

25. Restoration works in the existing site would be ongoing, and it is anticipated that the Phase 7 – 10a existing infilling area would be restored during Phase 16 extraction, and the new Phase 13 infilling area would be restored during Phase 17 extraction. Restoration of the extension Phases are to be undertaken with on-site overburden materials and imported inert materials in respect of Phases 17, 18 and 19. The site would be restored to a predominantly agricultural after-use, mixed with areas of open water, wetland habitat, grassland and woodland. Several accesses and crossing points are to be retained across the site to facilitate agricultural access. Former silt and fresh water lagoons are to be fenced and hedgerows reinstated adjacent to the former site haul route.

Environmental Statement

26. The planning application is accompanied by an Environmental Statement (ES), which provides technical appendices and an assessment of the following predicted potential environmental impacts, in accordance with the Scoping Opinion: hydrology, hydrogeology and flood risk; ecology; landscape and visual impact; noise; dust and air quality; archaeology; soil resource and agricultural land classification; and alternatives and cumulative impact. A summary of the impacts of the proposed development identified in the ES, together with proposed mitigation and any compensation measures is set out below.

Hydrology, Hydrogeology and Flood Risk

27. Brooksby Quarry lies adjacent to the Rearsby Brook, a tributary of the River Wreake. The Bytham Sand and Gravel Formation, which forms the economic mineral at the site, forms a locally important aquifer classed by the Environment Agency as a Secondary Aquifer. The quarry does not lie within a source protection zone, and there are no licensed groundwater abstractions within 2 km of the site boundary. Within 2km of the site there is one licensed surface water abstraction, which utilises a spring discharge, and several private wells, one of which is confirmed as being used as a drinking water supply.

28. Prior to quarrying, which commenced in 2006, groundwater flow was westwards, with discharge to Rearsby Brook. The sand and gravel deposit is partially below the water table and the working areas must be dewatered to enable safe and efficient operation. This has modified the groundwater flow pattern to the south of the quarry and there is currently flow towards the quarry void with a groundwater high centred on the plant site. Groundwater levels to the west of the site have remained generally stable since the quarry commenced working with no impact apparent at the closest private water supply borehole.

29. An assessment of impacts from the proposed extension has been made with consideration of groundwater and surface water flows and quality, proximity of local ecological interests and water abstractions. Impacts of the proposed operation have been assessed against the current conditions around the site, while impacts following restoration have been assessed against the pre-development situation.

30. During mineral extraction, impacts to identified receptors would have a significance of minor, or none. The exception is the archaeological remains beneath the plant site, which have already been impacted by the current quarry workings. The existing mitigation measures are being implemented in response to this and no additional measures are proposed. Groundwater monitoring is already in place at the closest private water supply and if derogation of the supply is observed arrangements for an alternative supply can be made.

31. The only long-term impacts identified post-restoration are from potentially lowered groundwater levels immediately down-gradient of the site and discharge from the sand and gravel aquifer to the Rearsby Brook. This may affect a number of private water supplies. Ongoing monitoring would be used to assess any impacts and if these cause derogation of the supplies, then investigation of alternative water supplies would be undertaken.

32. The Flood Risk Assessment (FRA) identifies that the whole site is located within Flood Zone 1, except for Phase 18B, where approximately 2% of the phase is located within Flood Zone 2 and 2% within Flood Zone 3.

33. The risk of flooding to and from the site from fluvial, groundwater, surface water and sewage/water mains sources has been considered during mineral extraction and post-restoration. Mitigation measures are required for both internal and external receptors during mineral extraction, and for external receptors post-restoration.

34. Incidental rainfall into the working voids would be attenuated in sumps and settlement lagoons, prior to discharging into Rearsby Brook. Discharge from the lagoons would be controlled via the existing discharge permit at a rate of 106 l/s. Safe egress routes from quarry void for personnel and plant would be maintained during all stages of working. The lowest parts of the quarry void would not contain any buildings and if surface water was to accumulate to a depth where working became unsafe then operations in the affected area would cease temporarily until water levels decreased.

35. Surface water run-off rates from the restored agricultural land would reflect those of the pre-development site, hence run-off rates and volumes would not be altered. Surface water run-off from the post-development site, would largely be attenuated via the proposed restoration waterbodies. The restoration waterbodies would have an outfall back into the Rearsby Brook, which would be controlled at ‘greenfield’ rates. The controlled surface water discharge would attenuate potential flood risk to external receptors, such that any residual flood risk is negligible.

Ecology

36. An Extended Phase 1 Habitat Survey has been undertaken in August 2015 and updated in November 2017. The report outlines the findings of the surveys and makes appropriate recommendations. A data search has been undertaken with Leicestershire and Rutland Environmental Records Centre to identify records of protected species and sites within 2km of the site.

37. There are no records of designated sites within the survey area. There are several Parish, District and County Sites within 2km of the site but there are none within or adjacent to the survey area.

38. There are a number of records of badgers but most of these records are the badger setts identified within the quarry site.

39. There are historic records of grass snakes and barn owl in the area around the site, and more recent records for barn owl, Great Crested Newts, bats and bat roosts within the vicinity of the site, and water vole records in and upstream of the site.

40. The main area of the site is large arable and grazing fields which are low ecological value. The areas of tall ruderal are of moderate ecological value due to the number of flowering species present. Hedgerow removal would be limited to the boundary between Phases 15b and 16.

41. Two of the identified badger setts are adjacent to the workings and would have a minimum of a 30m stand-off in place for protection purposes. Badger foraging areas would be lost but sufficient areas exist nearby unaffected by the workings.

42. As the works would affect very low value terrestrial habitat for great crested newts and the records of the species are 500m from the survey area, there are no recommendations for further great crested newt surveys. However, during any works on site, should a great crested newt be found, works must stop, and advice must be sought.

43. If any of the large trees within the hedgerows, the tree containing the knot-hole, or further sections of hedgerow are to be removed a further assessment and inspection for bats should be undertaken, including bat activity surveys. It is recommended that details of which hedgerows and trees to be removed are provided so an assessment can be made of what further surveys are required. Any vegetation clearance should be carried out outside the nesting bird season.

Landscape and Visual Impact Assessment

44. A Landscape and Visual Impact Assessment (LVIA) has been prepared and comprises a desk study to review the status of the site in relation to relevant national and local policy, a description of the existing baseline landscape situation and an assessment of predicted landscape and visual effects.

45. The proposed extension lies within the 'High Leicestershire' Landscape Character Area (LCA), which is an area of gently undulating landscape with mixed arable and pasture and a rural character. The extension reflects some of the character of the LCA but due to its position directly adjacent to the consented quarry and near the busy A607 corridor, it has a relatively low level of tranquillity.

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46. The consented quarry and proposed extension occupy the lower slopes either side of the Rearsby Brook and are relatively well-contained visually. Both areas are screened north of the A607 by the ridge of higher ground along the A607 after which land slopes down to the valley of the River Wreake. The ridge of higher ground to the south of the extension also serves to contain views from the south in the direction of Gaddesby.

47. The site is not located within or adjacent to a statutory designated landscape, and there are no designated receptors of high natural or cultural heritage value within the immediate vicinity. The land has been assessed to have a **low** landscape value, and a comparatively **high** capacity to accommodate the proposals due to its location directly adjacent to the consented quarry in a visually well-contained position.

48. The landscape effects of the proposal would see a temporary loss of agricultural land and its conversion to mineral extraction through soil stripping, storage of overburden and extraction of aggregate. The treed hedgerows forming the external site boundaries would be retained during the extraction operations.

49. Following restoration, the extraction land would be restored to approximate original ground levels and agricultural use. The silt and water lagoons would be allowed to revert to shallow waterbodies with fringing woodland/scrub and grassland habitats. Any landscape impacts would therefore be temporary in nature and there would be no permanent adverse effects.

50. The southern extension would not noticeably expand the area from which the consented quarry is currently visible, due to its position on the lower slopes above the Rearsby Brook. The higher ground to the north along the A607 ridgeline, and the valley side immediately south of the extension would limit the visual effects, with quarrying activity relatively well-contained from views from the surrounding landscape.

51. Significant visual effects would be confined to users of the public bridleway ('Midshires Way') that passes through the site between Spinney Farm Cottages and Messenger's Lodge Farm. The bridleway would have views of the extension to the west and east, as it separates Phases 15 - 16 from 18 - 19.

52. Effects on other receptors are not predicted to exceed moderate levels of significance. Filtered glimpses would be available from the A607 between Gaddesby Lane and the Rearsby junction, and the stretch of Gaddesby Lane between the A607 and east of Messenger's Farm Lodge.

53. There are several individual residential properties amongst the scattered farmsteads from which there are potential views of the proposed operations, with Brookfield and Brooksby Grange Farm and Barns being the closest. None of the properties would experience significant adverse visual effects, due to their location and the screening/filtering from intervening buildings and vegetation which would reduce any visual effects to moderate levels.

54. For most locations, the proposed extension would be seen directly alongside the consented quarry which would reduce the underlying sensitivity to change of the site. All visual effects would be temporary in nature and reversible following restoration.

Noise

55. A Noise Assessment has been prepared which reviews the existing site noise limits for locations close to the proposed extension area. This has been informed by the results of compliance noise monitoring conducted during 2016 and 2017, and additional baseline noise surveys from November 2017 to obtain up to date baseline noise data.

56. The Noise Assessment includes calculated noise levels arising from the workings (extraction and infilling), which are compared to the existing and suggested site noise limits at the nearest dwellings to the proposed extension area.

57. Observations during routine compliance noise monitoring and the baseline noise surveys indicate that current site activity is sometimes audible or just audible at five of the monitoring locations. Site noise noted during the surveys was generally extraction activity and associated vehicle movements, and some processing plant noise, at around the background (LA90) noise level, i.e. some 10 dB below the site noise limit.

58. Following the review of the noise monitoring data, it is proposed that the existing site noise limits, including those for temporary operations, and the new dwelling at Brooksby Grange Barns, remain in place for the proposed southern extension. The noise limits are based on current advice from the government contained in the Planning Practice Guidance. For routine extraction and infilling operations this is based on the average background noise level plus 10 dB(A) and not to exceed 55 dB LAeq, 1-hour, free field at the nearest noise sensitive premises during routine daytime operations on site. For temporary operations a site noise limit of 70 dB LAeq, 1-hour, free field at dwellings, which should not exceed a total of eight weeks duration at any noise sensitive properties in any twelve-month period. For out of hour's operations when the site would require the use of a dewatering pump overnight, a site noise limit of 42 dB LAeq, 1-hour, free field is proposed.

Dust and Air Quality

59. A dust and air quality assessment has been prepared with reference to relevant documents and best practice guidance.

60. The assessment finds that the development would not result in any impact on Air Quality objectives for Nitrogen Dioxide due to HGV movements remaining at existing levels. In respect of Fine Particulate Matter (PM^{10}), the predicted background concentration for 2018 is below 17 $\mu g/m^3$ and in accordance with Institute of Air Quality Management (IAQM), with a low risk that the process contribution from the proposed extension would lead to an exceedance of the annual-mean objective.

61. Potential sources and site activities that may give rise to dust because of the extension development have been assessed, along with the estimated residual source emissions for each activity. The potential impacts of the proposed development have been determined in accordance with IAQM guidance, and the results of the assessment demonstrate that no off-site receptors would experience more than a Slight Adverse Effect as a result of the proposed extension.

62. Based on the result of the assessment and provided that existing dust control measures at Brooksby Quarry are also applied to the southern extension, it is anticipated that there would be no more than a negligible impact at existing receptors.

Archaeology

63. An archaeological assessment has been prepared to identify the archaeological potential of the site and its immediate environs and assess the significance of any heritage assets which might be affected by the proposed development.

64. The assessment has been informed by field walking, consultation with the Sites and Monuments Records at LCC and a geophysical survey. Past investigation of the site is also detailed and known archaeology included. Aerial photography also provides many other entries for the area around the consented and proposed working area, consisting largely of single or groups of enclosures of probable late Iron Age or Roman date. Evidence of Roman and Saxon occupation is also evident in the surrounds of the quarry, and later medieval settlement and occupation is located to the north of Melton Road. The assessment provides a detailed review of known and potential archaeology, relating specifically to subsurface and Palaeolithic archaeology.

65. There are no heritage assets within or adjacent to the site, two Grade II* Listed Buildings are situated within the settlement of Brooksby to the north of the A607. Due to the topography between the village and the quarry, there is no inter-visibility between the Listed Buildings and the extension site.

66. The assessment indicates that the extension site has the potential for burnt mounds, Bronze Age, Iron Age, Roman and/or Saxon settlements. The application site may also contain the ploughed-out remains of medieval field systems. It is likely that palaeochannels of prehistoric to modern date are also in the vicinity of the Rearsby Brook. If correct, it is considered these non-designated assets would be of regional importance.

67. In terms of Pleistocene deposits, two arms of the Bytham Channel appear to intrude into the extension site. If in-situ artefacts were located within the deposit (which is considered unlikely), the archaeology would be of international importance. While planning policy advises against permitting development within sites of international importance, the deposits are deeply buried, and quarrying is the only way that these potential deposits can be investigated.

68. To establish the nature and extent of any archaeological remains more securely and enable a considered mitigation strategy, it is proposed to carry out a staged programme of field investigation. With regard to subsurface archaeology, field-walking and the geophysical survey have already been undertaken. Trial trenching would provide further detail on the presence, date and condition of any buried archaeological deposits. In the alluvial belt, a programme of auguring is proposed.

69. With regard to the Palaeolithic archaeology, while the geomorphological modelling of the base of the Lias has been shown to be successful, further modelling work within the extension site is proposed in accordance with requests from LCC.

70. During operational development, it may be possible to preserve parts of the site in-situ, particularly if areas of archaeological interest do not contain well preserved organic deposits. Where preservation in-situ is not possible, mitigation consisting of excavation, recording and publication of archaeological assets would follow.

Soil Resource and Agricultural Land Classification

71. A Soil Resource and Agricultural Land Quality survey has been undertaken. The report provides information on the soils, agricultural quality and use of land within the southern extension site. The report is based on a soil and agricultural desk study and a survey of the land initially carried out in 1997 but reviewed in 2018.

72. Two main soils types have been identified across the extension area. These are comprised of heavy clay loams over clay and medium loamy topsoil and upper subsoil over clay.

73. With regard to agricultural quality, the survey demonstrates that it is mainly limited by surface soil wetness over slowly permeable subsoil. As a result, Grade 3 land dominates the extension area (Grade 3a 27%; Grade 3b 72%; Grade 2 <1%).

74. To minimise damage to soil resources, all stripping, handling and movement of soils should be undertaken in accordance with the MAFF Good Practice Guide for Handling Soils. This covers stripping, handling and movement methodology, bund construction and management, which should be undertaken when the soils are in a dry, friable condition.

Cumulative Impacts

75. The assessment has had regard to the potential successive, simultaneous and combined cumulative effects on the environment, of the proposed southern extension to Brooksby Quarry, in terms of any existing, completed or on-going projects, or future developments. It is concluded that the proposal would not give rise to any significant adverse effects, arising from simultaneous developments, and would not add a significant combined environmental impact to the ongoing operations.

Need and Alternatives

76. The Environmental Impact Assessment Regulations 2017 require that the Environmental Statement outlines the alternatives that have been considered. Potential alternatives may also arise as the proposal is refined, and subject to appropriate approvals, as the development proceeds. The proposed site is located adjoining the existing quarry and would be worked as a follow-on extension. The operations at the proposed site would use the established site access and mineral processing infrastructure at Brooksby Quarry. In addition, mineral extraction is dependent on the location of workable reserves of mineral; the potential for siting mineral development in alternative locations is, therefore, more restricted than other forms of development. It is considered, therefore, that an alternative location is not practical in this instance.

77. The proposed extraction areas are identified as an allocation site for future sand and gravel extraction in the Leicestershire County Council Mineral and Waste Local Plan Pre-Submission Draft, published in August 2016.

Planning Policy

Development Plan Policies

78. The development plan for the application site comprises the Leicestershire Minerals Core Strategy and Development Control Policies (2009), the Leicestershire and Leicester Waste Core Strategy and Development Control Policies (2009), the saved policies of the Minerals Local Plan (1995) and Waste Local Plan (2002), and the Melton Local Plan (2018). The new Minerals and Waste Local Plan for Leicestershire was subject to examination in October 2018, and Modifications were advertised in January 2019. The principal policy considerations relevant to the current application are set out below.

79. *Leicestershire Minerals Core Strategy & Development Control Policies (2009).* Strategy Polices: Policy MCS1 (Supply of Minerals) aims to ensure an adequate and steady supply of minerals in a sustainable manner. Policy MCS2 (Aggregate Minerals) seeks to meet the sub-regional apportionment; maintain a landbank of reserves in line with national policy; give priority to proposals for sand and gravel extraction to be worked as extensions to existing sites; to allow proposals for aggregate extraction only where they would not cause unacceptable harm to the environment or communities. Policy MCS11 (Environmental Protection) seeks to protect and enhance the natural and built environment. Policy MCS16 (Transportation of Minerals) seeks to locate new mineral working close to markets and the County's lorry route network. Policy MCS17 (Reclamation and Future Use of Mineral Sites) seeks to ensure that land is reclaimed at the earliest opportunity with high quality restoration and aftercare to an appropriate after-use.

80. Development Control Policies: Policy MDC1 (Sustainable Mineral Development) requires that government's sustainable minerals development objectives are met. Policy MDC4 (Sites of Regional and Local Importance) requires the protection of relevant ecological, geological or amenity sites. Policy MDC5 (Countryside) provides protection for the general appearance and character of the landscape and countryside. Policy MDC6 (Landscaping and Woodland)

requires landscaping and new woodland planting where appropriate. Policy MDC7 (Archaeology) provides protection for important archaeological remains. Policy MDC10 (Agricultural Land) seeks to protect the best and most versatile agricultural land from significant loss. Policy MDC11 (The Water Environment) seeks to protect the quality and flow of groundwater and surface water and from any increase in flood risk. Policy MDC12 (Health and Amenity) provides protection from the unacceptable effects of minerals development including noise, dust, illumination, visual intrusion or traffic. Policy MDC13 (Cumulative Impact) seeks to protect the environment of an area or the amenity of a local community from cumulative effects of mineral working. Policy MDC14 (Transportation of Minerals) seeks to limit the transportation of minerals by road borne transport. Policy MDC15 (Public Rights of Way) seeks to protect and enhance the rights of way network. Policy MDC18 (Planning Conditions) provides details of matters which may be controlled to limit the effects of the development. Policy MDC 19 (Planning Obligations) provides details of matters that may be covered by obligations. Policy MDC20 (Reclamation and Aftercare) makes provision to ensure the satisfactory reclamation and aftercare of sites to enable appropriate after-use of the land. Policy MDC21 (After-use) provides requirements for the after-use proposals for sites.

81. *Leicestershire and Leicester Waste Core Strategy & Development Control Policies (2009).* Strategy Policies: Policy WCS1 (Waste Management Capacity) aims to provide sufficient waste management capacity for local waste arisings and achieve relevant recycling and diversion targets. Policy WCS3 (Non-Strategic Waste Sites) provides the strategy for establishing non-strategic sites in accordance with locational criteria, and the principles of WCS4. Policy WCS4 (Locating Waste Sites) provides a sequential approach for the location of waste sites. Policy WCS8 (Inert Waste Landfill) seeks to resist new or extended inert waste landfill sites unless certain sustainability and environmental criteria are met. Policy WCS10 (Environmental Protection) seeks to protect and enhance the natural and built environment. Policy WCS14 seeks to locate new waste management sites close to arisings and the County's lorry route network to minimise transportation effects.

82. Development Control Policies: Policy WDC3 (Sites of Regional and Local Importance) requires the protection of relevant ecological, geological or amenity sites. Policy WDC4 (Archaeology) provides protection for important archaeological remains. Policy WDC5 (Countryside) restricts waste management development in the countryside unless certain criteria are met. Policy WDC6 (Agricultural Land) seeks to protect the best and most versatile agricultural land from significant loss. Policy WDC7 (Landscaping and Woodland) requires landscaping and new woodland planting where appropriate. Policy WDC8 (Health and Amenity) provides protection from the unacceptable effects of waste management development including noise, dust, illumination, visual intrusion or traffic. Policy WDC9 (Cumulative Impact) seeks to protect the environment of an area or the amenity of a local community from cumulative effects of waste management development. Policy WDC10 (Transportation of Waste) seeks to limit the transportation of waste by road borne transport. Policy WDC11 (Public Rights of Way) seeks to protect and enhance the rights of way network. Policy WDC12 (The Water Environment) seeks to protect the quality and flow of groundwater and surface water and from any increase in

flood risk. Policy WDC15 (Reclamation and Aftercare) makes provision to ensure the satisfactory reclamation and aftercare of sites to enable appropriate after-use of the land. Policy WDC16 (After-use) provides requirements for the after-use proposals for sites. Policy WDC17 (Planning Conditions) provides details of matters which may be controlled to limit the effects of the development. Policy WDC 18 (Planning Obligations) provides details of matters that may be covered by obligations.

83. *Leicestershire Minerals and Waste Local Plan (Submission Version 2018).* The emerging Leicestershire Minerals and Waste Local Plan provides an updated forecast for sand and gravel provision up to 2031, based on average sales over the period 2005 – 2014. This identifies a shortfall of some 9.53Mt, around 8.5 years' requirement, in addition to the recommended landbank for sand and gravel which is seven years. Policy M2 makes provision for the supply of sand and gravel from extensions to existing sites and includes land at Spinney Farm and south of the existing plant site as an allocated site at Brooksby Quarry. The allocation recognises the need for imported inert waste to help achieve site restoration; identifies potential operational requirements relating to heritage and environmental assets and provides restoration objectives. Policy W8 makes provision for additional inert landfilling within the Brooksby Quarry allocation.

National Policy & Guidance

84. *The National Planning Policy Framework 2019* (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions. The NPPF advocates a presumption in favour of sustainable development at paragraph 11, and for decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or,
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusal; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies.

85. Section 17 of the NPPF covers "Facilitating the sustainable use of minerals" and paragraph 203 recognises that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. It is also acknowledged that minerals are a finite resource and can only be worked where they are found.

86. Paragraph 205 advises that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. MPA's should: as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside designated areas; ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account any cumulative effects; ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive

properties; restoration and aftercare are achieved at the earliest opportunity to high environmental standards, through the application of appropriate conditions.

87. Paragraph 207 relates to Maintaining supply of aggregates through measures including: preparation of a Local Aggregate Assessment based on a rolling average of 10 years' sales data; maintaining a landbank of at least 7 years for sand and gravel and using it as an indicator of mineral supply.

88. Section 8 of the NPPF covers promoting healthy and safe communities. Paragraph 98 states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users by adding links to existing rights of way networks.

89. Section 14 of the NPPF covers flooding and climate change. Paragraphs 163 and 165 relate to flood risk and seek to ensure that this is not increased elsewhere from the effects of development. Major developments should incorporate sustainable drainage systems where appropriate.

90. Section 15 of the NPPF covers conserving and enhancing the natural environment. Paragraph 170 advises that planning decisions should: contribute to and enhance the natural and local environment; recognise the intrinsic character and beauty of the countryside, and the benefits of the best and most versatile agricultural land, trees and woodland; minimise impacts on and provide net gains for biodiversity by establishing coherent ecological networks; and prevent unacceptable levels of pollution.

91. Section 16 of the NPPF covers conserving and enhancing the historic environment. Paragraph 189 relates to proposals affecting heritage assets, and requires that in determining applications, the applicant should be required to describe the significance of any heritage assets affected, and where this involves heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, a field evaluation is required. Paragraph 193 requires that when considering the potential impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

92. The National Planning Policy for Waste published in October 2014 and the Waste Management Plan for England published December 2013 set out the Government's ambition to work towards a more sustainable and efficient use of waste and the desire to move the management of waste up the waste hierarchy.

93. Planning Policy Guidance (PPG) provides additional guidance to ensure the effective implementation of the national policy set out in the NPPF in relation to mineral extraction. It identifies the principal issues to be addressed including the following relevant matters: noise, dust, air quality, lighting, landscape and visual impact, heritage features, flood risk, ecology, restoration and aftercare.

94. The PPG advises that a programme of work should be agreed which takes account of potential impacts, including the positioning of any plant, having regard to the proximity of occupied properties, as well as legitimate operational

considerations. It advises on the control and mitigation of dust and noise emissions and establishes the use of noise limits. Maximum limits at noise sensitive properties during normal working hours, evening and night-time periods are given, together with higher limits for certain short-term activities.

95. The PPG seeks to implement the NPPF requirements to provide for the restoration and aftercare of mineral sites at the earliest opportunity, carried out to high environmental standards. It advises on the use of a landscape strategy, reclamation conditions and aftercare schemes to achieve the desired after-use of the site following working.

Consultations

Melton Borough Council - Planning

96. No objections subject to careful consideration of key issues included in the Environmental Statement.

Melton Borough Council – Environmental Health

97. No separate observations received, (included in planning response).

Hoby with Rotherby Parish Council

98. No observations received.

Environment Agency

99. No objection subject to conditions in respect of: carrying out the development in accordance with the submitted Flood Risk Assessment; the submission of a scheme for the monitoring of groundwater levels; the provision of a buffer zone alongside the Rearsby Brook; and, a settlement facility for surface waters.

100. The Agency also advises that the proposed development should be used as an opportunity to restore the watercourse to a natural channel that would be suitable for water vole along its entire length creating a significant environmental gain for the character of the area and nature conservation.

Lead Local Flood Authority

101. The Lead Local Flood Authority (LLFA) advises that the application documents as submitted are insufficient to provide a detailed response, and the following information is required: the performance of the attenuation ponds should be demonstrated for a range of return periods and storm durations up to the 1 in 100 year plus climate change storm event; and, confirmation of the agreed discharge rates and locations of the outfalls along the Rearsby Brook.

Natural England

102. Soils, Land Quality and Reclamation - the proposed development would extend to approximately 45.8ha including some 12.8ha of ‘best and most versatile’ (BMV) agricultural land. Natural England are satisfied that the site working, and reclamation proposals provided in support of the application meet the requirements for sustainable minerals development set out in Guidance, particularly on restoration and aftercare of minerals sites.

2018/0917/06 (2018/CM/0123/LCC) - continued

103. It is noted that the supporting information demonstrates that an equivalent area of the BMV land disturbed as a result of the development, would be reinstated to a similar quality, suited to a productive agricultural after-use.

LCC Public Rights of Way Advice

104. The supporting statement includes measures to address the issues raised at the scoping stage regarding: warning notices on the haul road and bridleway; provision of sight lines; closure of previous crossing point; and provision of a concrete pad for the crossing point.

105. Enhancement of the rights of way network within the restoration proposals should also be explored and a suggested plan has been prepared in this respect.

LCC Landscape Advice

106. A comprehensive landscape and visual impact assessment has been submitted, and following a site visit it is considered that the quarry extension is proposed within a visually well-contained position and would not have unacceptable visual or landscape character impacts following restoration. The existing field boundary hedgerows and trees should be retained as far as possible and adequately protected during construction works in accordance with BS 5837, 2012: 'Trees in Relation to Design, Demolition and Construction - Recommendations'.

LCC Archaeology Advice

107. Sub-surface deposits - The site possesses a high potential for the presence of significant sub-surface archaeological remains, providing evidence of the use and exploitation of the area from the early prehistoric era. This potential is detailed in the submitted desk-based assessment, incorporating the results of a geophysical survey of the extension area. However, to substantiate the archaeological implications of the proposals, and assess the diversity, character and significance of the archaeological resource, it is necessary to undertake a trial trenching evaluation of the application site. It is confirmed that the applicant has submitted a suitable Written Scheme of Investigation for this element of the archaeological evaluation.

108. Bytham River channel deposits - The current site has worked the sand and gravel deposits deposited by the Anglian glaciation, in the former channel of the pre-Anglian Bytham River. Geoarchaeological modelling of borehole data prepared for the current workings, mapped in detail the extent and character of the former channel. The current application lacks a similar level of detail, with borehole data sparse along the southern and eastern edges of the proposed extraction area and projected course of the river channel. It is recommended that the applicant prepares an updated geoarchaeological model of the Bytham channel, to include additional boreholes along the south and easterly edges of the proposed extraction area.

2018/0917/06 (2018/CM/0123/LCC) - continued

LCC Ecological Advice

109. The ecology report contains several inaccuracies, assumptions and omissions, which need to be rectified. There is a holding objection pending resolution of these issues, and it is recommended that an adequate data-search from the Environmental Records Centre is commissioned, so that the report and survey programme is based on the best possible information on existing conditions.
- Habitats – It is agreed that the habitats on site are largely of low ecological value. However, to ensure that all impacts on habitats can be avoided or mitigated, a number of potentially important ecology features need checking.
- Great Crested Newts - the impacts on protected species are likely to be low and mitigatable. Further work is needed on the assessment of impacts on great crested newts, which are known to have been in this area in the past, to determine any mitigation requirements.
- Badgers - the badger surveys undertaken are satisfactory. None of the setts should be impacted significantly by the extraction or restoration, although there will be inevitable and unavoidable disturbance. Although foraging to the south will be lost, there is adequate foraging still available to the north. Due to changing activity the status of setts can change, increasing or decreasing their size and use, and it is recommended that a planning condition requiring an update survey prior to each phase of extraction and restoration is in place.
- Restoration - The entire area of new extraction is to be returned to agricultural use, of minimal wildlife value, due to a proposal to import a large amount of fill material from off-site. There appears to be no net gain to biodiversity from the proposal. The new restoration plans are a backwards step; there is less open water, less of a corridor along the Rearsby Brook, and less creation of priority biodiversity habitats such as open water, wetland, marsh, stream corridor and species-rich grassland. The restoration plan is considered unacceptable and should be replaced with a plan that a) reflects the previously agreed plans; and b) provides biodiversity benefits on restoration of the new phases.

LCC Highways Advice

110. Substantive Response - The residual cumulative impacts of development can be mitigated and are not considered severe in accordance with the National Planning Policy Framework 2018 (NPPF), subject to the Conditions as outlined below.

111. Background - The extension of Brooksby Quarry would provide for the extraction of approximately 1.4 million tonnes of mineral to be worked at a rate of up to 250,000 tonnes per annum. This is in accordance with established rates of working at the quarry. Current permissions also allow for the importation of inert material at the rate of up to 250,000 tonnes per annum.

112. Site Access - The site would continue to be accessed off the A607 Melton Road via the existing site access. No alterations or amendments to the access are proposed. Upon final restoration of the site, the access would remain in place as a farm/pond access. This is considered acceptable by the LHA.

2018/0917/06 (2018/CM/0123/LCC) - continued

113. Trip Generation - Overall, the LHA accept the proposals would not generate an increase in trips to or from the site. The site is currently permitted to operate at the capacity proposed and these proposals, if permitted would continue this arrangement for an additional seven years until the end of 2026, at which point mineral extraction would cease. A lower volume of traffic would continue until 2031 when importation of inert material would be complete.

114. HGV Routeing - The site accesses onto the A607 with direct links to the A46 and beyond. Surrounding villages and side roads are also weight restricted, therefore the LHA considers there is not a requirement for the Applicant to submit details of HGV routing to/from the site as it is well placed to avoid the need for HGVs to use minor and more unsuitable roads.

115. Highway safety - There have not been any Personal Injury Collisions on the road network in the vicinity of the site access during the last five years plus the current year to date and thus the continued use of the site under the established traffic levels would not lead to road safety concerns.

116. Conditions – 1. No commercial vehicles shall enter the public highway unless they are sheeted. The wheels and, where necessary, chassis of all commercial and private vehicles exiting the development shall be cleaned. 2. No mud, debris, or other deleterious material shall be deposited on the public highway, and any accidental deposition of such materials shall be removed immediately.

Regulation 25 Request for Further Information – October 2018

117. As a result of issues raised during the consultation process, the Company has provided further information in response to a request under Regulation 25 of the Environmental Impact Assessment Regulations 2017, regarding the following matters.

Water Environment

- Clarification of surface water drainage matters in connection with attenuation pond performance; discharge rates and outfall locations affecting Rearsby Brook.
- A groundwater monitoring scheme.

Ecology

- Additional information pertaining to data-search boundaries; clarification of site designations, habitats, Great Crested Newts and bats presence.
- Enhancement of biodiversity through site restoration.

Archaeology

- Additional information in connection with Bytham River channel deposits; and hydrological effects on the plant site buried archaeological assets.

Noise

- Noise impacts relating to a residential property known as Brookfield;

2018/0917/06 (2018/CM/0123/LCC) - continued

Revised Scheme of Working & Restoration

118. In addition to the above, and alongside the Regulation 25 response, details of a revised scheme of working and restoration are included.

119. Under the original proposals, working was to commence within Phase 15a and progress in an easterly direction, finishing in Phases 18 and 19. The revised scheme seeks a general reversal of this as follows: after working Phase 2 (the last remaining phase within the current site), mineral extraction would progress into the adjoining Phases 18 and 19, working in a clockwise direction around Spinney Farm before reaching Bridleway H58 and then continuing in a westerly direction through Phases 16 and 15 before returning to Phase 17 (a designated soil/overburden storage area), the last phase to be extracted; topsoil would be stored in bunds around the edge of the working areas, subsoil and overburden would be stored in the dedicated storage areas and where possible directly placed for restoration; as the working of the site continues, restoration of the inert infill areas progresses and it is expected that prior to the extraction of minerals within Phase 16, the infill areas in the current site comprising Phases 7 to 10, and 12/13, would be restored; following the working of Phase 17 the processing plant is removed and the plant site restored together with Phase 17.

120. The revision to the scheme does not alter the method of working the southern extension or the extent of land to be impacted by proposed operations. The volume of mineral yield, inert fill requirements and overall restoration levels remain as per the description within the submitted Environmental Statement. Overall the site is to be restored to a predominantly agricultural after-use with areas of open water, wetland habitat, grassland and woodland.

121. Combined with revisions to the direction of working, the restoration scheme has also been amended. The reasons for the restoration amendments are two-fold. Firstly, the restoration of the consented Phase 2 has been altered to account for the handling of large quantities of overburden at the outset of working, although the principle of a linear water feature is retained. Secondly, and the principle reason for the revision to the restoration scheme, is in response to the County Ecologist's request to maintain and enhance biodiversity gain. The revisions to the restoration scheme include: a 10m ecological enhancement margin, incorporating ephemeral scrapes, adjacent to Rearsby Brook in the area above the plant site and continuing through the northern extents of Phase 18; an area of grazing land between ponds in Phase 1 and 1a to improve habitat diversity; an area in Phase 13 to encourage natural regenerating grassland with ephemeral scrapes along a field edge ecological corridor.

Consultation Responses to Regulation 25 Further Information Request

Environment Agency

122. No objection to the proposed development subject to conditions in respect of flood risk, monitoring of groundwater levels, and silt control measures.

Natural England

123. The proposed amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.

2018/0917/06 (2018/CM/0123/LCC) - continued

Lead Local Flood Authority

124. The proposals are considered acceptable subject to conditions in respect of a surface water drainage scheme, management of surface water, and the long-term maintenance of the surface water drainage system.

LCC Ecology

125. The revised ecology survey is now acceptable and has addressed all the points made in the previous consultation response. The habitat survey results have been amended, an acceptable ecological data search has been undertaken and ponds within 500m have been assessed for Great Crested Newt (GCN) suitability. Several of these, close to the site boundary, and with reasonable habitat connectivity to the site have been assed as having 'average' suitability and will therefore require further GCN survey pre-determination. Mitigation will be needed for pond 17, unless surveys can demonstrate this no longer holds GCNs. The final restoration plan has also been revised, and it is much more satisfactory, with improved protection and enhancement of the Rearsby Brook corridor.

126. Following the further GCN survey which found GCN's in pond 11, more surveys and a specific mitigation plan will be needed prior to the start of Phase 17. This should involve habitat creation to compensate for disturbance in this area. The remaining risk is for Phase 15b which is close to pond 17 where GCN's were present previously. A specific mitigation plan, surveys and management plan/habitat creation will also be needed prior to phase 15b. A condition is therefore recommended to cover these matters.

LCC Archaeology

127. Following consideration of the information provided and monitoring of on-site investigation, we now recommend that the archaeological and historic environment interest of the application area can be dealt with by appropriate planning conditions.

Publicity

128. The planning application and accompanying Environmental Statement has been publicised by press notice in the Melton Times 26/07/2018, by site notices on 20/07/2018, and neighbour notification letters sent to nearby residential properties on 23/07/2018. One representation has been received raising objections to the proposal due to adverse effects on a private water supply.

129. The Regulation 25 Further Information has been publicised by press notice in the Melton Times 07/02/2019, by site notices on 08/02/2019, and neighbour notification letters sent to nearby residential properties on 8th February 2019.

130. The Company undertook their own publicity, circulating leaflets and meeting neighbours prior to the submission of the application.

Assessment of Proposal

131. This proposal, like any other application, must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, it is appropriate to consider the following key matters: Leicestershire Minerals and Waste Development Core Strategies; the emerging Leicestershire Minerals & Waste Local Plan (which now should be given moderate weight); national policy and guidance; the nature of and need for the development; environmental impacts and other effects; restoration and after-use of the site.

Principle of and Need for the Development

132. In relation to the proposed extension to the mineral working at Brooksby Quarry, the Leicestershire Minerals Core Strategy 2009 (LMCS) identified a shortfall of some 6Mt over the plan period up to 2021, equivalent at the time to 4.8 years supply. The LMCS states that the shortfall could be met through the addition of extensions to existing sites identified by the minerals industry, rather than by the release of new sites.

133. The National Planning Policy Framework (NPPF) requires an annual Local Aggregate Assessment (LAA) to be produced by Mineral Planning Authorities to plan for a steady and adequate supply of aggregates, as part of the development plan monitoring procedures, including a landbank of 7 years for sand and gravel. The LAA includes forecasts based on the average rate of production over the last 10 years data. The Draft 2017 LAA estimates permitted reserves of sand and gravel in Leicestershire at the end of 2016 at around 4Mt. This level is significantly less than previously, due to a significant reassessment of available reserves and a lack of suitable replenishing sites coming forward. The reserves will provide sufficient permitted material to last about 3.2 years based on the annual provision identified in the LMCS, and 3.5 years based on the 10 years average data.

134. The LMCS and emerging Leicestershire Minerals & Waste Local Plan (LMWLP) recognise the need for additional sand and gravel resources, as evidenced through the LAA process detailed above. The preferred option to meet the requirements of the strategy for the supply of minerals as set out in Policy MCS1 of the LMCS is that this should primarily be derived from acceptable extensions to existing sites. This is supported in Policy MCS2 of the LMCS which covers the strategy for aggregate minerals and includes detail in respect of supply provision and the maintenance of landbanks. The LMWLP builds on this approach and covers an updated supply scenario in Policy M1 by making provision for some 19Mt of sand and gravel up to 2031, and in Policy M2 by allocating extensions to 4 existing sites. These include land at Spinney Farm and south of the existing plant site, i.e. an extension to Brooksby Quarry.

135. In terms of meeting the requirements of Policies MCS1 and MCS2, it is considered that the demonstrated need for additional reserves to improve the landbank deficiency identified in the LAA and maintain production capacity has been established sufficiently in this case to satisfy these policy requirements. The additional sand and gravel resources available in the proposed Brooksby Quarry extension area would assist in meeting local needs and would comply with the intended way forward identified in the emerging LMWLP. It is

considered that significant weight should be given to this factor in relation to Policies MCS1 and MCS2, and moderate weight to emerging Policies M1 and M2, given the stage the LMWLP is at.

136. With regard to the proposed extension to the inert waste infill operations at Brooksby Quarry, the Leicestershire & Leicester Waste Core Strategy 2009 (LLWCS) identified a shortfall of landfill capacity for inert waste throughout the plan period, amounting to some 130,000 tonnes in 2020, and assessed the potential number of new sites needed to meet the shortfall.

137. The 2015/16 LLWCS Annual Monitoring Report and the 2017 Waste Needs Assessment provide updated figures for both inert waste arisings and landfill capacity, indicating that a deficit of operational inert landfill still exists. The forecasted shortfall is reduced from previous levels to some 85,000 tonnes in 2020, with a potential rise over the next decade to around 440,000 tonnes.

138. The LLWCS and emerging LMWLP recognise the need for additional inert landfill capacity, as evidenced through the above monitoring process. The preferred option to meet the requirements of the strategy for waste management capacity as set out in Policy WCS1 of the LLWCS is to provide sufficient capacity to manage waste arisings from within the plan area having regard to waste reduction targets. This is supported by Policy WCS3 of the LLWCS, which covers the strategy for non-strategic waste sites, and includes locational scenarios for the siting of waste operations. The proposed inert infilling operations at Brooksby Quarry would fall within scenario *(iv) within or adjacent to an existing waste facility where it can be demonstrated that transport, operational and environmental benefits arise from co-location*. From this, Policy WCS4 of the LLWCS provides the strategy for locating waste sites through a sequential approach. The proposed additional inert infilling operations at Brooksby Quarry would fall within scenarios *(i) and (ii e), covering land within an existing waste management use, where transport, operational and environmental benefits can be demonstrated as a consequence of the co-location of waste management facilities; and existing mineral workings*.

139. Policy WCS8 of the LLWCS provides a strategy for inert waste landfill, and includes sustainability and environmental criteria, and requirements for the protection of existing sites, the environment and communities. The proposed Brooksby infilling operation seeks to deal with inert waste arisings from the local area, mainly development projects where excess materials arise on site. The proposed infilling would allow areas of the site to be restored back, or close to, original contours, and utilise the best and most versatile soil resources on appropriate gradients, to facilitate an agricultural after-use. The proposed Brooksby infilling operation is not within affecting distance of any other inert infilling operations to cause any detriment to input rates, and the operation would be subject to planning and environmental permit controls.

140. The LMWLP supports the above approach to addressing the shortfall in inert waste landfill capacity and Policy W1 seeks to make provision for a sufficient range of facilities to manage the equivalent of the County's arisings up to 2031. Policy W8 makes provision for additional inert landfilling within the allocated Brooksby Quarry extension site.

141. In terms of meeting the requirements of Policies WCS1, WCS3, WCS4 and WCS8, it is considered that the demonstrated need for additional inert landfill capacity in this location, to meet the shortfall identified in the LLWCS and 2017 Waste Needs Assessment, has been established. The requirements of the locational objectives of the above policies would also be met by the proposal. The additional inert infill capacity proposed would assist in meeting local needs and would comply with the intended way forward identified in the emerging LMWLP. It is considered that significant weight should be given to this factor in relation to Policies WCS1, WCS3, WCS4 and WCS8, and that moderate weight be apportioned to emerging Policies W1 and W8.

Environmental and Other Effects

Heritage Assets

142. The heritage assets likely to be affected by the development relate to buried archaeological deposits. There are no listed buildings or conservation areas within the development site or its immediate vicinity. The nearest Listed Buildings (two Grade II*) are situated within the settlement of Brooksby to the north of the A607, over 800m to 1km from the extension area. Due largely to the local topography there is no inter-visibility between the Listed Buildings and the extension site, and their settings are not affected.

143. An Archaeological Assessment (AA) has been undertaken and forms part of the Environmental Statement accompanying the planning application. The AA identifies the archaeological potential of the site and its immediate environs and assesses the significance of any heritage assets likely to be affected by the proposed development. This has been supplemented by Further Information under the Regulation 25 request in respect of: the impact upon buried deposits retained in situ within the Plant Site area; and the impact upon the Bytham River channel deposits. The assessment of the archaeological assets within the site concentrates on the following three key areas detailed below.

144. Sub-surface deposits: the site possesses a high potential for the presence of significant sub-surface archaeological remains (important at a regional level), providing evidence of the use and exploitation of the area from the early prehistoric era. This potential is detailed in the submitted desk-based assessment, incorporating the results of a geophysical survey of the extension area, which have now been supplemented by targeted trial trenching.

145. Bytham River channel deposits: the current site has worked sand and gravels deposited by the Anglian glaciation, in the former channel of the pre-Anglian Bytham River. Modelling of borehole data prepared for the current workings, mapped in detail the extent and character of the former channel, although no organic remains were identified (these would be potentially important at an international level). The current application initially lacked a similar level of detail to support the working of this resource within the extension area. An updated model of the Bytham Channel with additional borehole information has since been undertaken.

146. Plant Site retained in situ deposits: The decision to preserve in situ the significant later prehistoric and Anglo-Saxon archaeological remains in the

current site was subject to a programme of maintenance and monitoring of groundwater levels and quality, to provide the best conditions for the retained deposits preservation. Whilst groundwater quality has remained stable, the levels have seen a fluctuating fall off, whereby prescribed trigger levels have been met. This resulted in the approved contingency provisions being initiated last year, and a targeted archaeological investigation of the previously recorded preserved organic remains was undertaken. Given the favourable results from the recently taken samples, a revised programme of monitoring is seen as the most appropriate way forward for the continued in situ preservation of these buried remains, although excavation of the deposits may also be a potential option.

147. Having regard to the archaeological advice, it is considered that the AA, as supplemented by the (Regulation 25) Further Information, provides an objective assessment of the application site's heritage assets, and that its findings in relation to the potential impacts of th**e** proposed development are acceptable. Subject to the control of these matters by planning condition, it is considered that the issues relating to the buried heritage assets are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11 and MDC7 of the LMCS.

Ecology

148. The ecology section of the Environmental Statement was originally informed by inadequate ecological surveys, which contained a number of inaccuracies, assumptions and omissions, resulting in concerns being raised in connection with habitat impacts, Great Crested Newts' (GCN) presence in nearby ponds, and the lack of suitable habitat creation along the restored Rearsby Brook corridor. These matters were addressed through a revised survey, which formed the basis for the Regulation 25 Further Information ecological submission. GCN surveys have also been undertaken of two nearby ponds.

149. The ecological advice confirms that the revised ecological report of survey is now acceptable and has been informed by adequate and acceptable data search parameters. The habitats across the site are considered to be largely of low ecological value given the current agricultural use of the land, notwithstanding the Rearsby Brook corridor which runs through the site. This area is proposed to be enhanced through additional compensatory measures incorporated in a 10m wide strip adjacent to the watercourse, which are included within the restoration proposals. Further biodiversity enhancements to the restoration scheme (including hedgerow and woodland planting) are considered below in the restoration section.

150. In relation to protected species, presently there is a requirement for a 5m stand-off along the eastern section of the watercourse to protect water vole habitat during working and reclamation operations and it is considered that this should continue. Further GCN surveys have been undertaken in the ponds highlighted in the revised ecological report and appropriate mitigation measures put in place in respect of future working (Phases 17 and 15b). The annual surveys which currently take place at the site in respect of badgers and water voles should also continue for the duration of the working and reclamation operations

within the extension area, and where practicable, to coincide with the opening of new phases in respect of the badger surveys. The existing measures for the protection of nesting birds where either vegetation removal is proposed, or in the case of ground nesting species where soil stripping is to take place, should also be carried forward to the working of the extension area. Bat surveys would also be required in circumstances where any identified large tree with roosting potential is to be removed, or in the case of hedgerow removal, where bat foraging activities may be affected.

151. It is considered that the proposed mitigation and compensation measures highlighted above in respect of protected species, and as included within the recommendations of the revised ecological report and GCN survey, in combination with the ecological enhancements to the restoration proposals, would be acceptable. Appropriate controls to ensure the development is undertaken in accordance with the submitted ecological surveys and restoration proposals could be secured by condition.

152. Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to ecological interests are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11 and MDC4 of the LMCS, policies WCS10 and WDC3 of the LLWCS, and Box SA1 of the emerging LMWLP.

Water Environment

153. The Environmental Statement identified that the only potential for long term effects would be the lowering of groundwater levels near the site, and a potential reduction in discharge from the sand and gravel aquifer to the Rearsby Brook. These effects would be largely downstream, to the west of the workings, and are considered to be of a low magnitude impact of minor significance. Upstream to the north east, the groundwater is considered to be of low sensitivity due to its depth below the surface and the overlying deposits which comprise largely of clays.

154. A water monitoring scheme has been undertaken in and around the site since before the date of the original application. This has been added to over the years, and additional monitoring boreholes are proposed around the extension area as part of the current proposal. Some of the existing boreholes, especially those closer to the workings identified a lowering of levels following the commencement of operations in 2006, whilst others have shown less of an effect, and are all subject to seasonal variations, and the lack of a significant recharge period over recent years.

155. Existing water supplies and watercourses near the site should be protected from the effects of the proposed extension during the working period and beyond. It is considered, having regard to the Environment Agency's advice that a further groundwater monitoring scheme should be in place for the proposed extension area workings. This should fully consider the effects on the Rearsby Brook and all groundwater wells adjacent to the proposed extension area and include appropriate trigger levels and mitigation measures.

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156. In particular the private water supply at Brookfield (1883 Melton Road), which is monitored and presently protected under the terms of a legal agreement associated with the original planning permission, should continue to have a similar level of protection in relation to water supply and quality. An alternative supply is required to be put in place in the event of derogation of supply or quality of the current well supply. The Company has included this provision in a new section 106 agreement which has been submitted in draft form.

157. In relation to surface waters, Brooksby Quarry and the proposed extension area are located adjacent to the Rearsby Brook within the Wreake to Soar catchment. Since becoming operational in 2006 there have been no recorded adverse impacts on the quantitative status of Rearsby Brook, and this is not expected to change with the working of the extension area. In terms of qualitative status, the existing pollution control measures employed at the existing site have proved effective, and these would be carried forward to prevent potential pollution impacts on the watercourse from sources such as fuel, oils and silt.

158. The Flood Risk implications of the proposed development are considered to be acceptable subject to compliance with the submitted Flood Risk Assessment. With the appropriate surface water management systems in place, the proposed development would remain operational and safe during times of flood; would result in no net loss of floodplain storage and would not increase the risk of flooding along the Rearsby Brook. Subject to the management of surface water drainage matters including controlling run-off and the long-term maintenance of the surface water drainage system, there are no further requirements in respect of surface water matters.

159. It is recommended that conditions in respect of groundwater monitoring, run-off pollution control, flood risk, surface water drainage provision and maintenance are imposed, and subject to the control of these matters by planning condition (and legal agreement), it is considered that the issues relating to the water environment are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11 and MDC11 of the LMCS, and policies WCS10 and WDC12 of the LLWCS.

Highways

160. The proposed extension would not generate an increase in trips to or from the site, as the site is currently permitted to operate at the capacity proposed. The proposals would continue this arrangement for an additional six years until 2026, at which point mineral extraction would cease. A lower volume of traffic would then continue until 2031, to facilitate the importation of inert fill material in line with current permission rates.

161. The site would continue to be accessed off the A607 Melton Road via the existing site access. The A607 is an appropriate lorry route with direct links to the A46 and for local deliveries to Melton Mowbray, avoiding the surrounding villages and side roads which are weight restricted. No Personal Injury

Collisions have been recorded on the road network in the vicinity of the site access during the last five years, and the continued use of the site under the established traffic levels would not therefore lead to road safety concerns.

162. Two conditions are recommended in respect of the sheeting and cleaning of HGV's, and the maintenance of the highway in a clean condition. Subject to the control of these matters by planning condition, it is considered that the highway related issues are capable of being satisfactorily resolved in accordance with the requirements of policies MCS16 and MDC14 of the LMCS, and policies WCS14 and WDC10 of the LLWCS.

Rights of Way

163. The effects on Public Bridleway H58 and the users of the right of way, which passes between the current site and the proposed extension area, are included in the Environmental Statement. Generally, any impacts would be a continuation of the amenity disturbance previously experienced by users passing through the Spinney Farm complex area during the working and restoration of Phase 3, when a crossing point over the Bridleway was utilised by quarry traffic. This has since been downgraded to an agricultural/maintenance access.

164. A new crossing for quarry traffic over the Bridleway to the south of Spinney Farm has recently been constructed to access Phase 2, and this would form the access to the extension area Phases at Spinney Farm. The previous crossing point worked satisfactorily from a practical and safety point of view, and it is considered that a similar arrangement, including the maintenance of warning signs would be acceptable for the working and restoration of the eastern phases of the extension area.

165. With regard to the provision of an enhancement to the rights of way network, a potential route linking Bridleways H58 in the east and I117 to the west, has been identified. It is considered that this matter should be pursued and included in the comprehensive restoration scheme for the proposed extension area, based on the concept shown on Drawing No. B355-00071-11. Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to the protection and enhancement of rights of way are capable of being satisfactorily resolved in accordance with the requirements of policies MCS17, MDC15 of the LMCS and WDC11 of the LLWCS.

Landscape and Visual Impact

166. A Landscape and Visual Impact Assessment has been undertaken and forms part of the Environmental Statement accompanying the planning application. The proposed extension area falls within the 'High Leicestershire' Landscape Character Area, an area of gently undulating landscape with mixed arable and pasture and a rural character. The extension reflects some of this Character Area but is influenced by its position directly adjacent to the consented quarry and near the busy A607 corridor. The site is not located within or adjacent to a statutory designated landscape, and there are no designated receptors of high natural or cultural heritage value within the immediate vicinity.

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167. The consented quarry and proposed extension occupy the lower slopes either side of the Rearsby Brook and are relatively well-contained, being screened by higher ground to the north along the A607, and by the ridge of higher ground to the south towards Gaddesby.

168. The landscape effects of the proposal would see a temporary loss of agricultural land throughout its life as a mineral working and in part during the inert backfilling operation. The hedgerows forming the external site boundaries would be retained, and following restoration, the site would be restored to approximate original ground levels with a predominantly agricultural after-use. Any landscape impacts would therefore be temporary. Adjacent to the Rearsby Brook, the silt and water lagoons would be retained as shallow waterbodies with fringing woodland/scrub and grassland habitats.

169. The only location where visual effects would be significant is along a stretch of the public bridleway H58 ('Midshires Way') which passes through the site adjacent to Spinney Farm. Users would be able to see some of the proposed workings in addition to views into the existing site and the restored Phase 3 area as they pass by. Effects on other receptors, including individual residential properties and the scattered farmsteads around the site (most notably Brookfield and Brooksby Grange Farm and Barns) are not predicted to exceed moderate levels of significance due to the screening and filtering effects of intervening buildings and vegetation. Some glimpses of the site would be available from the surrounding highways.

170. In the light of the landscape advice it is considered that the LVIA's findings in relation to the potential impacts of the proposed development are acceptable, with no resulting significant visual or landscape impacts of a permanent nature. The retention and protection of the perimeter vegetation, and the inclusion of new internal field boundary hedgerows, (with gates, fencing etc.) should be required within a comprehensive restoration scheme for the proposed extension area, based on the concept shown on Drawing No. B355-00071-11. This should also include additional woodland planting in the south eastern corner of the site to link Brooksby Spinney with other existing woodland in accordance with the requirement in the emerging LMWLP. Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to landscape and visual amenity are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11, MCS17 and MDC6 of the LMCS, and policies WCS10, WDC3, and WDC7 of the LLWCS.

Soils and Agricultural Land

171. The Environmental Statement provides details relating to soils, informed by a Soil Resource and Agricultural Land Quality survey. The survey identifies two main soil types and clarifies that land quality is limited by surface soil wetness. This results in moderate quality Grade 3b over 72% of the site, and best and most versatile land over the remainder (Grade 3a 27% & Grade 2 <1%).

172. To minimise damage to soil resources, all stripping, handling and movement of soils should be required to be undertaken in accordance with the MAFF Good Practice Guide for Handling Soils. In addition, the supporting information demonstrates that an equivalent area of the best and most versatile land would be reinstated to a similar quality, suited to a productive agricultural after-use.

Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to soils and agricultural land are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11 and MDC10 of the LMCS, and WCS10 and WDC6 of the LLWCS.

Noise

173. The noise assessment has considered the noise implications of the proposed development by reviewing the existing site noise limits for locations close to the proposed extension area based on the noise monitoring conducted during 2016 and 2017. It includes calculated noise levels arising from the workings and compares those with the existing and suggested site noise limits at the nearest dwellings to the proposed extension area.

174. The study area for the noise assessment takes in the sensitive properties (farms and isolated properties) around the site, which currently form the compliance monitoring locations, and for which approved limits are set. This has been added to by the inclusion of Brookfield, a property to the west of the site, for which a separate technical note has been prepared. The seven nearest properties to the southern extension area are used for calculating the projected noise levels, based on the noise sources and sound power levels from typical plant and equipment operated within the site. The calculations assume that all plant on site for the extraction and infilling operations is operating simultaneously, in the closest likely working areas to each receiver location. Calculations cover the periods of routine site working, temporary operations and (night-time pumping operations) and include mitigation measures (consisting of the proposed topsoil bunds to the north of Phases 15 and 16.

175. The noise assessment examines the significance of the residual noise impacts in relation to the existing noise environment (including the extraneous noise from the A607). It concludes that the comparison of calculated worst case noise levels arising from the operation with the existing and suggested noise criteria indicates that it is possible to work the proposed southern extension fully whilst complying with the existing site noise limits and suggested limit for the new receptor property. The report assumes that there is no significant change in the noise levels from the processing plant site and HGV movements on the site access road. On this basis, the calculated site noise levels are considered acceptable and in line with the advice contained in the Planning Practice Guidance. These are: for daytime working, based on the average background noise level plus 10 dB(A) and not to exceed 55 dB LAeq, 1 hour, free field at the nearest noise sensitive premises; for temporary operations a site noise limit of 70 dB LAeq, 1 hour, free field at dwellings; and, for out of hours operations a site noise limit for night-time of 42 dB LAeq, 1hour free field.

176. Subject to the control of the noise limits outlined above by planning condition, it is considered that the issues relating to noise are capable of being satisfactorily resolved having regard to the requirements of policies MCS11 and MDC12 of the LMCS, and policies WCS10 and WDC8 of the LLWCS.

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Dust and Air Quality

177. The Environmental Statement provides an assessment of the potential for dust and air quality impacts resulting from the proposed development and appropriate mitigation measures. The assessment considers impacts to air in relation to the national Air Quality Objectives (AQO) for PM_{10} and oxides of nitrogen, and also considers impacts from 'nuisance' dust.

178. With regard to air quality, the assessment considers the potential impacts from the proposed development on the AQO in relation to nitrogen dioxide (NO2), which is usually associated with exhaust emissions from traffic, and fine particulate matter (PM_{10}), which can arise from many sources including traffic but also from industrial activities such as quarrying. Given that the proposed development is a continuation of existing operations with similar potential impacts, the assessment concludes that emissions from the proposed extension would not have any impact on the AQO for NO_2, and that the predicted PM_{10} background concentration near the Brooksby Quarry extension is well within the annual mean objective. The assessment also states, by referring to the Borough Council's 2017 Air Quality Annual Status Report, no Air Quality Management Areas have been declared for the borough.

179. In terms of 'nuisance' dust (essentially particles greater than PM_{10} material) the nature of the sand and gravel operation at Brooksby (a wet operation with dewatering) does not generally give rise to excessive dust emissions during processing. Notwithstanding this, potential sources that may give rise to dust because of site activities are: soil and overburden stripping, soil storage and reinstatement; infilling operations; mobile plant and on-site vehicle movements; and, wind scouring of exposed surfaces. These residual source emissions are considered in the assessment to comprise a small or medium emission risk to the sensitive receptors within 250m of the proposed southern extension area at Brooksby Quarry, and capable of being mitigated further through a continuation of the on-site dust suppression techniques currently employed at the site (there are no records of dust related complaints from the site over the last five years).

180. The dust and air quality assessment concludes that the significance of any residual impacts, taking account of the considered mitigation measures, would be no more than a slight adverse effect at existing receptors. Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to dust and air quality are capable of being satisfactorily resolved having regard to the requirements of policies MCS11 and MDC12 of the LMCS, and policies WCS10 and WDC8 of the LLWCS.

Illumination

181. The illumination of the site/operations would need to be controlled to ensure that there is no significant light spill beyond the site boundary that gives rise to nuisance at nearby residential properties or impacts on protected species. It is considered that this matter could be controlled to recognise best practice and ensure that a satisfactory lighting scheme is implemented. Subject to the control of the matters outlined above by planning condition, it is considered that issues relating to illumination are capable of being satisfactorily resolved having regard to the provisions of policies MCS11 and MDC12 of the LMCS, and policies WCS10 and WDC8 of the LLWCS.

Hours of Operation

182. Planning permission ref. 2018/0399/06 contains the current hours of working controls for the site. These have remained the same since the initial grant of planning permission for the site in 2003: 07.00 to 19.00 hours Monday to Friday; and 07.00 to 13.00 hours Saturday, with no operations (other than water pumping) on Sundays, Public or Bank Holidays. It is considered that the same hours of operation would be appropriate in respect of the proposed southern extension to the site. Subject to the control of this matter by planning condition, it is considered that the hours of operation are capable of being satisfactorily controlled in accordance with the requirements of policies MCS11 and MDC12 of the LMCS, and policies WCS10 and WDC8 of the LLWCS.

Reclamation, Aftercare and After-use

183. The current restoration proposals for the site were approved under the 2016 planning permission (Ref. 2016/0428/06) and are subject to control under the current 2018 planning permission for the site. The approved scheme provides for a primarily agricultural based after-use with a series of water areas through the site adjacent to the Rearsby Brook corridor. These are enhanced by marginal wetland habitat, wet grassland areas, scrub and new woodland.

184. The current proposals as amended under the Regulation 25 submission, seek to revise the approved scheme by: reducing significantly the size of the water area in Phases 12 and 13 at the western end of the site by accommodating an additional infill area to raise the site levels back to approximate original levels for an agricultural after-use; a minor change to restoration profile of Phase 2 area to take account of additional overburden materials, whilst retaining the principle of a linear water feature; offsetting some of the above biodiversity loss by providing a 10m ecological enhancement margin, incorporating ephemeral scrapes, adjacent to Rearsby Brook in the area above the plant site and continuing through the northern extents of Phase 18; an area of grazing land between ponds in Phase 1 and 1a to improve habitat diversity; an area in Phase 13 to encourage natural regeneration with field edge ephemeral scrapes.

185. There is a key balance to be struck between the restoration/return of the site to a predominantly agricultural after-use and the requirement for biodiversity gain and enhancement of the right of way network. In respect of the agricultural after-use: there is a recognised need for additional inert waste void space; a requirement for the retention and appropriate use of the best and most versatile soil resources within the site (approx. 28%); and, the unique situation pertaining to this site, where the landowners are also a practising agricultural college and the site forms an important part of their farm unit. On the other hand, it is considered that the proposed biodiversity enhancement detailed above, whilst containing some features of merit is insufficient to offset the loss compared to the currently approved scheme. To address this, it is considered that the following additional enhancement to the restoration proposals should form part of the reclamation programme: the reinstatement of internal field boundaries with treed hedgerows, to complement the retained perimeter hedgerows; any required gapping up of the perimeter hedgerows with new hedge and tree plants; new woodland planting near to Brooksby Spinney as identified in the emerging LMWLP; and, a new public bridleway ideally linking existing routes H58 and I117.

186. It is considered that the above detailed restoration proposals are acceptable, in striking an appropriate balance between the agricultural after-use of the restored site and enhancements providing an overall net gain to biodiversity and local access. Subject to the control of the matters outlined above by planning condition, it is considered that the issues relating to site reclamation, aftercare and after-use are capable of being satisfactorily resolved in accordance with the requirements of policies MCS11, MCS17, MDC6, MDC10, MDC15, MDC20 and MDC21 of the LMCS, policies WCS8, WCS10, WDC6, WDC7, WDC11, WDC15, WDC16, of the LLWCS, and policies M2 and W8 of the Leicestershire Minerals and Waste Local Plan (Submission Version 2018).

Cumulative Impact

187. The cumulative effects of previous minerals/waste development and new proposals on a locality are recognised as a material consideration in PPG and included within policy in the Minerals and Waste Core Strategies. Proposals for the simultaneous and/or successive working of several sites in an area of commercially viable deposits may affect communities and localities over an extended period. Individual mineral workings can also generate multiple environmental impacts throughout their life. Consideration has been given in the above assessment to the various potential environmental and amenity impacts associated with the proposed development and in consultation with specialist advisors, proposed controls are recommended that would reduce effects to recognised limits. These include protection of the site's important assets, natural features and amenity.

188. In terms of the impacts relating to simultaneous and/or successive working, key considerations are the need for the development and the timing of the release of additional reserves. The need for the development is considered earlier in the assessment, and it is concluded that there is a demonstrated need for the development, which would help to address the sand and gravel supply position. Socio-economic benefits from the proposal would ensure employment for the workforce and associated indirect and induced benefits to suppliers, the local economy and wider construction market.

189. In the light of the cumulative impact assessment, it is considered that the effects of the proposal would impact on the local environment and amenity but that these impacts can be satisfactorily mitigated by controls, and therefore the economic and supply benefits arising from the proposal can be seen as positive. The positive management of the cumulative effects is material to the determination of the application and should be given appropriate weight. It is considered that the cumulative effects are capable of being satisfactorily controlled in accordance with the requirements of policies MDC13 of the LMCS and WDC9 of the LLWCS.

Section 106 Legal Agreement Matters

190. The current legal agreement dated 29/09/2003 accompanied the original planning permission for the establishment of the sand and gravel quarry and predated the construction of the Rearsby Bypass. It includes provisions in respect of: the establishment of a liaison committee; a restriction on the use of the A607 through Rearsby Village by HGV's; the provision of CCTV cameras on

the new access road until the opening of the Rearsby Bypass; maintenance of a supply of drinking water for residents of 1883 Melton Road; and various highway works for the new site access.

191. The only remaining relevant provisions to be carried forward into a new agreement for the extension area are the continuation of the site liaison committee and maintenance of a supply of drinking water at 1883 Melton Road, which is presently served by a well. In this respect the Company has prepared a draft section 106 agreement covering these matters. It is considered that this is acceptable subject to the inclusion of details of the monitoring scheme for the well in terms of water level and quality, including appropriate trigger levels.

Conclusion

192. By reason of the above assessment it is considered that the proposal is in general accordance with the development plan. In particular, strategy policies MCS2, MCS11 and MCS17 of the LMCS, and policies WCS8 and WCS10 of the LLWCS, which cover the supply of aggregates, inert waste landfill, environmental protection and site reclamation. Together with the relevant development control policies of the Core Strategies, these provide the basis for the assessment of the proposal. The proposal has also been assessed against national planning policies and guidance contained in NPPF and PPG and relevant statutory requirements and is considered to reflect the principles of sustainable mineral and waste development.

193. It is considered that with the imposition of appropriate planning conditions and obligations, and operational controls provided by the environmental permitting regime, the proposed development would be acceptable. There have been no objections from statutory consultees.

194. Once fully operational the proposed development would facilitate the release of additional sand and gravel reserves and inert waste void space to assist in meeting the shortfall requirements, securing local employment and serving local development needs. In the longer term (the proposal would extend the overall timescales of permitted site operations by four years and three months) the restored site would continue to provide usable agricultural land, with enhanced bio-diversity and public access features.

Recommendation

A. PERMIT subject to the conditions as set out in the Appendix A, and planning obligations for: the continuation of the site liaison committee; and monitoring of the well water level and quality (including appropriate trigger levels) for the maintenance of a supply of drinking water at Brookfield, 1883 Melton Road.

B. To endorse, as required by The Town and Country Planning (Development Management Procedure) Order 2015 (as amended), a summary of

How Leicestershire County Council has worked with the applicant in a positive and proactive manner:

In dealing with the application and reaching a decision account has been taken of paragraph 38 of the National Planning Policy Framework, which

advises that planning authorities should approach decisions on proposed development in a positive and creative way, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, by seeking to approve applications for sustainable development where possible.

Officer to Contact

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APPENDIX A

2018/0917/06 (2018/CM/0123/LCC) - continued

Conditions

Scope of Development

1. This permission shall relate only to the southern extension of sand and gravel working and restoration using site derived and imported inert material returning the land to a combination of agriculture, open water and nature conservation at Brooksby Quarry.

Adherence to Approved Details

2. Unless otherwise required by the conditions attached to this permission the development shall be carried out in accordance with the following details:

   a) planning application reference 2018/0917/06 (2018/CM/0123/LCC) and accompanying environmental statement;
   b) the Regulation 25 Further Information submission including drawings referenced B355 – 00071 to B355 – 00071 – 11;
   c) the revised working scheme description;
   d) GCN Report dated 1st May 2019.

Commencement

3. The development hereby permitted shall be commenced within three years from the date of this permission.

Notification of Commencement

4. Written notification of the commencement of:

   a) soil stripping from within the extension area;
   b) mineral extraction from within the extension area;

   shall be provided to the Mineral Planning Authority within seven days from the date of such commencement.

Duration

5. This permission shall be for a limited period expiring on 31/03/2031 by which time the development hereby permitted shall have ceased including the removal of all buildings and structures and the land reinstated in accordance with the reclamation details approved under Condition No. 42.

Working and Phasing Details

6. The development hereby permitted shall be carried out in accordance with drawings referenced B355 – 00071 to B355 – 00071 – 11 and the revised working scheme description. Prior to the stripping of soils in Phase 16B, the landfill voids within Phases 7 to 10 and Phases 12 and 13 shall be restored and have topsoil replaced.

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Hours of Operation

7. No operations shall be carried out at the site except between the following times: 0700 hours and 1900 hours Monday to Friday; and 0700 hours and 1300 hours Saturday. There shall be no operations (other than water pumping) on Sundays or public or bank holidays.

Access

8. There shall be no vehicular access to or from the site for any purpose in connection with the development hereby permitted except by means of the existing access onto the A607 Melton Road.

9. The existing vehicular access onto the A607 Melton Road shall be retained and maintained to the following standards for the period of the development hereby permitted:

   a) visibility splays of 4.5 metres by 215 metres provided in both directions;
   b) an area 6 metres wide for 30 metres behind the highway boundary surfaced in a bound material; and,
   c) any gates provided on the site access road shall be set back 30 metres from the highway boundary and hung to open into the site.

10. The existing wheel cleaning facilities shall be retained and maintained in accordance with the approved details for the duration of the development hereby permitted to ensure that no mud or other detritus is carried onto the highway. Any accidental deposition of such materials shall be removed immediately. The surfacing of the access road shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare works.

11. No commercial vehicles carrying sand and gravel shall leave the site unsheeted.

Crossings Over Rearsby Brook

12. The crossing points over Rearsby Brook from Phase 1A to the Plant Site and from the access road to the Plant Site shall be retained and maintained in accordance with the approved details for the duration of the development hereby permitted.

Bridleway H58

13. The warning signs erected at the crossing point of Bridleway H58 for the Phase 2 operations shall be retained and maintained in accordance with the approved details for the duration of the working and restoration of Phases 18 and 19. Site haulage vehicles and machinery shall only cross the bridleway at these points and shall not travel along any length of the bridleway.

2018/0917/06 (2018/CM/0123/LCC) - continued

Protection of Existing Vegetation

14. The existing field boundary hedgerows and trees bounding the perimeter of the site shall be retained and adequately protected during the duration of the development in accordance with BS 5837, 2012: 'Trees in Relation to Design, Demolition and Construction - Recommendations'.

Dust

15. All operations shall be carried out in a manner which minimises the emission of dust from the site. Internal roads and dry exposed areas shall be watered as necessary in dry and windy conditions to prevent dust becoming airborne.

Noise

16. Except for temporary operations, the free-field Equivalent Continuous Noise Level $L_{Aeq,\ T}$, at the noise sensitive properties listed below shall not exceed the relevant criterion limit due to site operations. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

Location	**Criterion Limit (dB $L_{Aeq,\ 1\ hour}$; free field)**
The Lodge	51
Rotherby Lodge	47
Messengers Lodge Farm	45
Top Field Farm	45
Brooksby Grange	55
Hall Farm Cottages	52
The Old Rectory	51
The Cottage	55
Spinney Farm Cottages	53
Brooksby Grange Barns	50
Brookfield	55

Noise monitoring shall be carried out in accordance with the scheme approved on 29th November 2004 and shall be undertaken at six monthly intervals at the nearest 5 locations to the main site activities being undertaken at the time. All noise monitoring results shall be provided to the Mineral Planning Authority. The approved monitoring scheme shall be kept under regular review and may be varied or amended by agreement with the Mineral Planning Authority.

17. Noise levels arising from temporary operations such as site preparation, soil stripping, overburden removal, construction and removal of soil mounds and restoration activities shall be minimised as far as is reasonably practicable and, in any case, shall not exceed 70dB $L_{Aeq\ (1\ hour)}$, freefield at any noise sensitive property detailed under Condition 16. Such activities should not affect any noise sensitive property for more than 8 weeks in any year.

18. All pumps used in connection with the development hereby permitted shall be powered by electricity or acoustically insulated diesel-powered units. Any pumps shall be operated and sited to minimise impact on residents from noise. Noise levels from any pumping operations carried out outside normal working hours, as detailed under Condition 7 shall not exceed 42dB $L_{Aeq\ (1\ hour)}$ freefield at any noise sensitive property.

2018/0917/06 (2018/CM/0123/LCC) - continued

19. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification including the use of effective silencers at all times.

20. All audible warning devices fitted to all plant, vehicles and machinery operating within the site shall be of non-tonal design and operated to minimise disturbance to nearby residents.

21. In the event that noise monitoring indicates that the levels set out in Conditions 16, 17 and 18 are being exceeded, the source of the noise shall be identified, and measures undertaken to remedy the breach immediately. Should these measures prove unsuccessful, the operations generating the noise shall cease until additional measures agreed with the Mineral Planning Authority have been undertaken.

Surface Water Drainage

22. Prior to the commencement of mineral extraction or infilling operations hereby permitted a surface water drainage scheme shall be submitted to and approved by the Mineral Planning Authority.

23. Prior to the commencement of mineral extraction or infilling operations hereby permitted details of the management of surface water on site for the duration of the development shall be submitted to and approved by the Mineral Planning Authority.

24. Prior to the commencement of mineral extraction or infilling operations hereby permitted details of the long-term maintenance of the surface water drainage system within the development shall be submitted to and approved by the Mineral Planning Authority.

Flood Risk

25. The development hereby permitted shall be carried out in full accordance with the Flood Risk Assessment titled 'Flood Risk Assessment for an Extension to Brooksby Quarry, Leicestershire' reference 2479/FRA version F1 dated June 2018 by Hafren Water Ltd and the following mitigation measures:

    a) restored ground elevations across the site shall be the same as or lower than pre-development levels; and,
    b) the temporary storage of excavated materials shall be aligned parallel to flood flows.

Groundwater Resources

26. Prior to the commencement of mineral extraction or infilling operations hereby permitted a scheme to: monitor groundwater levels; provide response trigger levels; and, present mitigation proposals shall be submitted to and approved by the Mineral Planning Authority. The development shall be carried out in full accordance with the approved details.

2018/0917/06 (2018/CM/0123/LCC) - continued

Silt Control Measures

27. For the duration of the development hereby permitted up to the completion of restoration works all surface water runoff shall be passed through a settlement facility prior to being discharged into any watercourse, soakaway or surface water sewer. The facility shall be retained and maintained until such a time that mineral processing at the site is complete.

Archaeology

28. Prior to the commencement of any soil stripping within the application site a written scheme of investigation (WSI) shall be submitted to and approved by the Mineral Planning Authority. The WSI shall have regard to the archaeological advisor's letter dated 10th March 2019, include the statement of significance and research objectives and address the following:

    a) the near surface buried archaeological resource (including a programme of archaeological fieldwork based on the results of pre-determination investigation work);
    b) the Bytham River channel deposits (including a programme of monitoring and targeted archaeological investigation and recording during quarrying in Phases 2, 17, 18a, 18b, 19a and 19b);
    c) the hydrological implications upon the buried archaeological resource within the plant site (including an assessment of the need for future waterlogged ground conditions, associated groundwater level and quality monitoring, future trigger levels and excavation of the buried resource);
    d) the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and,
    e) the programme for post-investigation assessment and analysis, (including a scheduled programme of interim reporting) publication & dissemination and deposition of resulting material (within an agreed time scale).

    The development hereby permitted shall be carried out in full accordance with the approved WSI.

29. The operation of the processing plant, stockpiling and storage of sand and gravel shall not impede the required environmental monitoring of archaeological remains within the plant site as detailed in the Written Scheme of Investigation approved under Condition No. 28.

Ecology

30. The ecological interests of the application site during the working, restoration and aftercare phases of the development hereby permitted shall be managed and safeguarded in full accordance with the Recommendations set out in section 5 of the Ecological Habitat Survey Report Ref. No. 181034/1 dated 10th December 2018, the Mitigation Strategy detailed in section 5 of the GCN Report Ref. No. 190351 dated 1st May 2019, and the following GCN protection measures:

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a) resurveys of pond 11 prior to the any working in Phase 17 and surveys of ponds 14, 17 and 18 prior to any working in Phase 15b;
b) the submission of specific mitigation plans and habitat creation details for the approval of the Mineral Planning Authority prior to any working in Phase 17 and Phase 15b; and,
c) the submission of a general operating plan for the approval of the Mineral Planning Authority that covers ongoing precautionary working to minimise risk to GCN's and provides habitat enhancements.

31. No works that involve the removal of trees, shrubs, hedgerows, scrub and other vegetation including grassland habitats used by ground nesting birds shall be undertaken during the bird nesting season (March to August inclusive) unless the area has first been checked by a qualified ecologist and an action plan approved by the Mineral Planning Authority. All mitigation and compensation measures shall be implemented in accordance with the approved action plan.

32. No works affecting existing trees with potential for bat roosts or hedgerows that comprise bat foraging habitat shall be carried out until a detailed bat survey has been undertaken in the appropriate season and a scheme of measures to mitigate and compensate any impact on any bats found has been approved by the Mineral Planning Authority. All mitigation and compensation measures shall be implemented in accordance with the approved scheme.

33. The development hereby permitted shall be subject to an annual ecological re-survey during the appropriate season(s) in respect of water vole and badger presence within the site during the working and restoration phases of the development. The report of the ecological survey shall be submitted to the Mineral Planning Authority by 31st October each year and shall include appropriate mitigation measures. The timing of the badger survey shall where practicable be in advance of the working of any new phase.

34. The development hereby permitted shall be subject to a five-metre stand-off area measured from the top of the banks of the Rearsby Brook to protect water voles and their habitat. The stand-off area shall be demarked with fencing which shall be retained and maintained for the duration of the working and restoration phases of the site. The stand-off area shall cover the section of the Rearsby Brook extending from the existing site access road eastwards to the point where the Brook meets Bridleway H58. Vegetation within the stand-off area shall remain undisturbed.

Soil Handling & Ground Preparation Works

35. All soil handling operations (including soil stripping, storage and replacement) shall be undertaken in accordance with: Section 4 of the Soil Resources and Agricultural Use & Quality Report No. 369/4 dated 4th May 2018; the details shown on Drawings Referenced B355 – 00071 to B355 – 00071 – 11: and, the revised working scheme description.

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36. The Mineral Planning Authority shall be notified in writing at least 5 days before each of the following stages:

    a) before each phase of soil stripping is due to commence;
    b) when overburden has been prepared ready for soil replacement to allow inspection of the area before further restoration is carried out; and,
    c) completion of topsoil replacement to allow an opportunity to inspect the completed works and assess its suitability for entry into aftercare before the commencement of any cultivation and seeding operations.

37. Overburden shall be replaced and levelled so that:

    a) after replacement of topsoil and subsoil the contours conform with those shown on Drawing Reference B355 – 00071 – 11;
    b) there is satisfactory site and surface drainage, so that the land is free from ponding and capable of receiving an effective under-drainage system;
    c) agricultural machinery is not unduly restricted, erosion is minimised; and
    d) gradients do not exceed 7 degrees.

38. No soils shall be respread until the upper layers of the prepared surface have been ripped and stones, materials and objects which exceed 200mm in any dimension and occur on the surface of the ripped and loosened ground have been removed from the site or buried at a depth of not less than two metres below the final contours.

39. The respread topsoil shall be loose tipped to enable a single pass at a tine spacing of 500mm maximum to full depth of the topsoil plus 100mm. Any stones, materials and objects which exceed 100mm in any dimension and occur on the surface of the ripped and loosened soils shall be removed from the site or buried at a depth of not less than two metres below the final contours.

40. All undisturbed areas of the site and all topsoil, subsoil and overburden mounds shall be kept free from agricultural weeds such as thistle, dock and ragwort. Cutting, grazing or spraying shall be undertaken, as appropriate, to control plant growth and prevent the production of seed and the subsequent spread of weeds onto adjoining agricultural land.

    Restoration in the event of early cessation of working

41. In the event of a cessation of winning and working of minerals (or landfilling operations) prior to the achievement of the completion of the approved working scheme as defined in this permission, and which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 to the Town and Country Planning Act 1990, a revised scheme to include details of reclamation and aftercare shall be submitted to the Mineral Planning Authority for approval within six months of the cessation of winning and working. The approved scheme shall be fully implemented within 12 months of approval.

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Reclamation

42. Within six months of commencement of development, a detailed scheme of final landscaping and restoration of the site shall be submitted to the Mineral Planning Authority for approval. The submitted scheme shall be based on a phased approach and the restoration concept shown on Drawing Reference B355 – 00071 – 11. The scheme shall include details of the following:

a) plant species, sizes, quantities and locations, of all new tree, shrub and hedgerow planting, grass seed mixes;
b) the depths of all waterbodies, bank gradients and their margins;
c) the establishment of internal field boundaries with new trees and hedgerows on the restored agricultural land and associated fencing and gates;
d) enhancement to the rights of way network linking route(s) to Bridleway H58;
e) new woodland planting linking Brooksby Spinney with other existing woodland (as included in Box SA1 of the emerging LMWLP);
f) the enhancement of wetland habitat alongside the Rearsby Brook (as included in Box SA1 of the emerging LMWLP);
g) the timing of the removal of all plant, structures and buildings from the site; and,
h) the creation of GCN habitats.

Planting and seeding in accordance with the approved scheme shall be carried out, as far as is reasonably practicable, within the first available planting season following the restoration of any substantial part of the site, in accordance with working and phasing details required by Condition No. 6. All trees, shrubs and hedgerows planted in accordance with the approved scheme shall be maintained for a period of five years following planting and such maintenance shall include the replacement of any plants that may die or be seriously damaged or become seriously diseased.

Aftercare

43. Within six months of commencement of development, a detailed aftercare scheme shall be submitted to the Mineral Planning Authority for approval. The submitted scheme shall be in accordance with the reclamation details required by Condition No. 42, and shall provide an outline strategy for the 5 year aftercare period specifying the steps that are to be taken, and the period during which they are to be taken, in order to bring the newly restored land to the required standard for use as agriculture and nature conservation, including the subsequent management of the restored land and vegetation. The steps shall include planting, cultivating, fertilising, watering, draining, and otherwise treating and managing the land. The land shall be treated and managed over a period of 5 years in accordance with the approved scheme, commencing on the date that restoration is completed to the satisfaction of the Minerals Planning Authority.

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44. Before 1st February of every year during the aftercare period, the Mineral Planning Authority, owners and occupiers shall be provided with:

    a) proposals for managing the land including planting, cultivating, seeding, fertilising, draining, watering or otherwise treating the land for the forthcoming twelve months; and,
    b) a record of aftercare operations carried out on the land during the previous twelve months.

45. Before 31st May of every year during the aftercare period, a site meeting shall be arranged to discuss and agree the proposals and records prepared in accordance with Condition No. 44. This meeting shall be attended by the person(s) responsible for undertaking the aftercare requirements.

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Reasons

1 & 2. For the avoidance of doubt and to ensure that the development is carried out in a satisfactory manner.

3. To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. To enable the development to be monitored to ensure compliance with this permission.

5. To provide for the completion and restoration of the site within the approved timescale.

6. To ensure the working of the site and the follow-on restoration works are undertaken in a phased manner and large areas of the site are not unrestored.

7. To protect the amenities of local residents.

8 & 9. In the interests of highway safety and the amenities of the area.

10. In the interests of highway safety and to prevent mud and dirt getting onto the highway.

11. In the interests of highway safety and safeguarding the local environment.

12. To safeguard the local watercourse and facilitate safe passage of vehicles within the site.

13. In the interests of the safety of bridleway users and the amenities of the area.

14. To ensure that all hedgerows and trees to be retained on site are protected during the development.

15. To minimise the adverse impact of dust generated by the operations on the amenities of the locality.

16/17/18. To enable the noise related effects of the development to be adequately monitored during the operations, and to minimise the adverse impact of noise generated by the operations on the amenities of the locality.

19/20/21. To minimise the adverse impact of noise generated by the operations on the amenities of the locality.

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22. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site. There is an exceptional need here to secure control over impacts to the surface water drainage system by ensuring appropriate measures are in place prior to works commencing.

23. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase. There is an exceptional need here to secure control over impacts to the surface water drainage system by ensuring appropriate measures are in place prior to works commencing.

24. To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development. There is an exceptional need here to secure control over the maintenance of the surface water drainage system by ensuring appropriate measures are in place prior to works commencing.

25. To prevent flooding elsewhere by ensuring that storage of flood water capacity is maintained or increased; to not inhibit overland flood flow routes.

26. To ensure that the proposed dewatering does not impact on other water users in the area and does not harm groundwater resources. There is an exceptional need here to secure control over impacts to the surface water drainage system by ensuring appropriate measures are in place prior to works commencing.

27. To prevent silty water from entering the water environment and to protect water quality and biodiversity.

28 & 29. To ensure satisfactory archaeological investigation and recording, and protection of buried heritage assets.

30. To safeguard the ecological interests of the site, including the local population of GCN's..

31. To protect nesting birds and their habitats.

32. To protect bats and their habitats.

33. To protect water voles and badgers and their respective habitats and monitor their presence within the site.

34. To safeguard and enhance the ecological interests adjacent to the Rearsby Brook.

35. To safeguard the soil resources and prevent loss or damage of soil or mixing of soil types.

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36. To allow the MPA sufficient time to inspect the soil handling and restoration works.

37. To ensure adequate surface drainage, to enable an effective under drainage scheme to be installed, to reduce the risk of soil erosion and to allow the use of agricultural machinery following restoration.

38 & 39. To ensure the reclaimed land is in an acceptable condition for agricultural after-use, and potential obstacles are removed prior to the replacement of soils.

40. To prevent a build-up of harmful weed seeds in soils that are being, or will be used, for agriculture.

41. To ensure reclamation of the site in the event of cessation of mineral working or infilling operations.

42. To ensure the acceptable restoration and landscaping of the site.

43. To ensure that the restored agricultural and nature conservation landforms are brought to a condition suitable for long term beneficial use.

44 & 45. To allow the MPA to monitor the progression of the restored landforms in accordance with the approved aftercare scheme and ensure that the restored agricultural and nature conservation after-uses are achieved.

Informatives

A copy of this permission and the accompanying section 106 agreement, the plans and documents referred to in condition no. 2, including any other plans and documents subsequently approved in accordance with any condition of this permission, shall be kept on site and made available for the duration of the development.

An environmental permit, issued by the Environment Agency, will be required for the importing of any waste to restore the site. Similarly, any treatment of waste on site may also require an environmental permit, unless an exemption applies.

An abstraction licence, issued by the Environment Agency, is required for the proposed dewatering activities carried out at the site.

Pollution prevention measures must be carried out as stated in the *Hydrogeological and Hydrological assessment for a proposed extension to Brooksby Quarry* Report reference: 2479/hia Final (Hafren Water, June 2018).

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water, vehicle wash down, and detergents shall not pass through the interceptor.

Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter shall not be connected to the surface water drainage system.

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All cleaning and washing operations should be carried out in designated areas isolated from any surface water system and only draining to the foul drainage system or sealed system. The area should be clearly marked, and a kerb surround is recommended.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata or sewer. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

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