NON TECHNICAL SUMMARY 09/00739/OUT

1 BACKGROUND

1.1 The proposal for redevelopment of the brick pit site is the subject of an outline planning application. Part of the site benefits from an existing residential permission under application 05/00684/OUT granted at appeal 30th January 2007.

1.2 Under the proposal put forward, the site would be developed for approximately 70-80 dwellings.

1.3 The site east of Ashby Road would offer a central and desirable location for high quality housing. Sustainable design and energy efficiencies would be mandated as an integral part of the built environment,

1.4 This site is located off Ashby Road to the north of Hinckley Town Centre. It is situated approximately 1.5 km from Hinckley town centre, a 15 to 20 minute walk.

1.5 Under the proposal the existing redundant brick pit to the east of Ashby Road would be filled to a level suitable for residential housing

1.6 Access to the proposed residential area would be from Ashby Road through a new residential road taken through 42 Ashby Road.

1.7 A screening opinion was requested under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 19993 for the Ashby Road housing development, during August 2009.

1.8 Key input to the scoping process was provided by representatives of various departments within the Borough Council and external organisations and consultees including:

Leicester County Council, Department of Highways
Leicester County Council, Planning Ecology
Leicester County Council, Archaeology
Hinckley & Bosworth Borough Council, Environment
Severn Trent
Environment Agency

1.9 The purpose of the assessment is to make judgements concerning the significance of changes that are identified under the topics considered, and to identify the need for additional mitigation measures if changes are predicted to be of sufficient significance. Impacts for each topic are assessed within their own context. Impacts may be adverse or beneficial, direct, indirect, short term, and long term.

1.10 Short term impacts associated with construction are assessed within the relevant individual subsections. These include impacts and mitigation measures relating to noise, road traffic and dust. Because the detailed design and some aspects of site access will be determined later as a reserved matter, specific mitigation strategies are anticipated in association with this step.

1.11 The source of the inert fill material is not yet known and therefore the full impacts in terms of traffic and noise and their mitigation cannot be fully assessed at this stage but will be determined later as a reserved matter.

1.12 Seasonal restrictions apply to work close to hedges and dense vegetation to protect nesting birds from disturbance.

1.13 The Archaeological section of Leicestershire County Council do not consider the site to be of high archaeological potential and no report or investigation is required.

2 Geotechnical

Background and Desktop Study

2.1 This section summarises the results of a ground conditions study with the objective of providing information on past uses of the site and identifying any potential for contamination or associated risks or restrictions either on site or adjacent property. The results of the study are presented in a Ground Conditions Report.

2.2 Initial assessment was carried out by a desk study followed by a site inspection.

2.3 The only known past usage of the site is as a brick pit for the extraction of clay for brick making. No evidence of any other activity was uncovered.

2.4 The deskstudy information on the site and the site inspection has not raised any specific concerns.

2.5 Laboratory contamination testing was carried out on a general suite of possible contaminants. Olfacory and visual senses were also used to identify other possible contaminants.

2.6 The results indicated slightly elevated contaminants around the pit although none in the area under consideration to the south of the pit. No contamination with Asbestos, Total Petroleum Hydrocarbons or Polychlorinated Biphenyls (PCBs) were uncovered. Of metal contaminants, only copper, zinc and nickel were locally slightly elevated. These metals are considered phytotoxic, i.e. harmful to plants, but although the levels are slightly elevated, they are well below the recommended intervention levels.

2.7 A risk evaluation was carried out to establish whether there is a need for remediation (risk management action). The testing indicated minor "total" metal contamination. No other contamination was indicated and the metal testing does not indicate prolematic conditions.

2.8 No remedial measures are considered necessary at the site other than removal of localised mounds of construction material.

3.0 Traffic and Transport

3.1 A previous application for residential development on this site was supported by a Traffic and Access Design Report (now known as a Transport Statement) prepared by Peter Brett Associates in October 2004.

3.2 Leicestershire County Council accepted this statement and no highway based objections were made against the granting of planning permission.

3.3 It is now proposed to increase the size of the development and construct an indicative scheme of between 70-80 dwellings on the site after filling of the pit and an addendum updates the traffic figures previously accepted.

3.4 The vehicular trips generated by the proposed development were assessed from figures obtained from a national trip generation database (TRICS).

3.5 The proposed junction from Ashby Road was modelled using the existing traffic flows on Ashby Road and the estimated traffic generation, to show that the proposed junction works well within its theoretical capacity. Projecting traffic flow growth to 2014, the estimated year of completion, and recalculating the effect on the junction, showed that the junction would still operate well within its theoretical capacity.

3.6 Inert material would need to be imported to fill the existing pit. Calculations show that the required fill quantity is approximately 75,000 m^3. This volume would generate approximately 8,000 movements by 9m^3 lorry loads. With an average of 31 loads per day it would take up to a year to complete the fill importation. Lorry loads can vary up to 12.5m^3 which would reduce the movements to 6,000 and the duration correspondingly.

3.7 Importing inert fill to a site such as this is a commercial venture and very much market driven. In addition for sustainability and environmental impact reasons it is important to make use of materials arising from other civil engineering projects in the locality (e.g Earl Shilton by-pass or Urban Extension) and the use of primary aggregates is positively discouraged. The global downturn in work has had a

dramatic impact on the field of civil engineering and in the current financial market we would expect the site to take up to one year to fill.

3.8 Over a 12 hour working day, excluding peak traffic hours, this would average 3.5 lorries per hour or 7 movements per hour. Even at a peak rate of 50 loads per day this would still only equate to 5 loads per hour. With Ashby Road experiencing a peak hour flow of approximately 2000 vehicles per hour, this would equate to an increase of less than half of 1% and have no material effect on capacity or traffic flow on Ashby Road. The effect on the Strategic Road Network will be negligible.

3.9 Whilst other sections of the Environmental Statement address the filling operation on site, as the source of the inert fill will depend on other suitable engineering projects been undertaken in the future, the effect of delivery vehicles on the road network cannot be addressed at this stage but will be determined later as a reserved matter. Specific mitigation strategies are anticipated in association with this step including a routing agreement with the Highway Authority and Highway Agency.

4.0 Flood Risk Assessment

4.1 The proposed residential development at the former brick-pit, behind Ashby Rd, Hinckley has been assessed for the risk to development on the site from fluvial flooding in accordance with the guidelines of PPS25. Assessment has also been made as directed by the guidance of the impact of the proposed development on the existing floodplain storage at this location, and of the risk of storm water contribution from the development exacerbating downstream flooding.

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4.2 The site has been found to lie within Zone I and is not therefore considered to be at risk from fluvial (river) flooding.

4.3 The site has also been assessed for the possible flood risk from the ditch which runs into the site from the south-eastern corner and exits via an existing 150mm diameter pipe in the north east corner. A robust assessment of the risk has been made, and proposals for mitigation calculated.

4.4 It is considered from the flood assessment that the level of risk of flooding to and from the proposed development has been reduced to a level acceptable to the Environment Agency.

4.5 The site is largely taken up by a former clay working, now left as a pit of around 9m in depth, which is currently filled with water. The pit is fed with water by a ditch which runs into it on its eastern edge and the resulting pond currently overtops back into the culverted watercourse on the northern edge. The culverted watercourse in turn runs on to Barwell Lane through the Asda car park. The proposal is to drain and

fill the pit prior to development and reinstate the ditch as an open feature within the site.

4.6 Detailed discussions will continue with the Environment Agency during the determination of the application and the Environment Agency website and flood mapping were consulted during the pre-application phase of the assessment.

5 Flora and Fauna, Biodiversity

5.1 Site surveys and assessments were carried out on the site and the following findings made.

5.2 Areas of scrub provide potential habitat for invertebrates and birds, serving as song-posts or nest sites for birds and providing sheltered spots for flying insects.

5.3 The site is used by bats for foraging and feeding, but there is no habitat suitable for potential roost sites.

5.4 There were no indications of any other protected species on the site.

5.5 The site is used by breeding birds, so any work should be carried out outside the bird breeding season (breeding season normally considered to be March-August, although this can be extended with certain species and due to climate change factors).

5.6 A site survey and assessment of the existing pond and surroundings indicates that the site provides a sub-optimal habitat for Greater Crested Newts. No Greater Crested Newts were found during the survey and it is concluded that there is unlikely to be a presence on the site.

5.7 A full tree survey was carried out across the site to identify any important species and were categorised and plotted on a survey map.

5.8 Trees were assessed by their age and condition.

5.9 The following tree species were recorded on the site:

Common/Midland Hawthorn	Crataegus sp.
Elder	Sambucus nigra
Holly	Ilex aquifolium
Ash	Fraxinus excelsior
Sycamore	Acer pseudoplatanus
Goat Willow	Salix caprea
Norway Maple	Acer platanoides
Silver Birch	Betula pendula
Blackthorn	Prunus spinosa

Weeping Willow	Salix x sepulcralis
Damson	Prunus domestica
Elm	Ulmus sp.
London Plane	Platanus x hispanica
Yew	Taxus baccata
Apple	Malus sp.
Leyland Cypress	Cupressocyparis x leylandii

5.10 A belt of Elm trees (Ulmus sp) extends southwards from the vicinity of Tree 3 to approximately 10 metres Tree 8. These trees are infected with Dutch Elm Disease and are in the cycle of death and regeneration typical of the disease. They are, therefore, unsuitable for retention in any development and have not been included in the results

6 Air Quality

6.1 An Air Quality Impact Assessment has been carried out and the sources of pollution and mitigation measures identified.

6.2 The following activities were identified as having possible effects on air quality and mitigation measures as detailed are proposed.

6.3 Site Planning

- Erect solid barriers to the site boundary.
- No bonfires to be permitted on site.
- Plan the layout of site operations to ensure machinery and dust causing activities are located away from sensitive receptors.
- Identify a responsible person in charge.
- Hard surface major haul routes.

Construction traffic

- All vehicles to switch off engines – no idling vehicles.
- Effective vehicle cleaning and specific wheel-washing on leaving site.
- All loads entering and leaving site to be covered.
- No site runoff of water or mud.
- All non road machinery (NRMM) to use ultra low sulphur tax-exempt diesel (ULSD) where available.
- Hard surfacing and effective cleaning of haul routes and appropriate speed limit around site.

Site Activities

- Minimise dust generating activities.
- Use water as dust suppressant where applicable.
- Enclose stockpiles or keep them securely sheeted.

6.4 A method statement covering the earthworks filling operation will be produced by the developer and submitted to the LPA which will incorporate details of the site evaluation and mitigation as above. A more detailed method statement may be required by planning condition.

7 Noise Assessment

7.1 The potential impact of noise has been assessed for the proposed residential development. An additional report will assess the noise impact from the infill engineering operation.

7.2 Ambient noise levels at the site are generally low, although the northern and north eastern areas of the site are exposed by some building services equipment noise from the Asda supermarket and, to a lesser extent, some noise from the Asda service yard.

7.3 The noise assessment has included measurements of daytime and early morning noise levels at the site and assessment of the potential noise impact of existing noise levels on the proposed dwellings. The potential noise impact of road traffic on the proposed access road on adjacent existing dwellings has also been assessed.

7.4 Some noise mitigation measures, including provision of acoustic fencing and acoustic ventilation for some dwellings, have been recommended in order to adequately control noise impact.

7.5 The requirement to implement a scheme of noise mitigation measures can be controlled by a suitably worded planning condition.

8.0 CONCLUSION

8.1 The environmental impacts of the proposal have been identified in the reports and studies. Mitigation measures, where considered necessary have been proposed and will be carried out as part of the development. Where considered necessary, these can be reinforced by condition.

8.2 No impacts were identified that cannot be mitigated or prevent the planning permission being granted.

8.3 Whilst some areas of the development, such as the pit filling, cannot be fully assessed as the sources of the inert material are not yet known, this can be controlled by condition requiring detailed assessment at the appropriate time. To meet with the statutory requirements for an engineering operation, the landfill phase will accord with the WRAP Quality Protocol (for the production of inert aggregates) and benefit from an Exemption Certificate from the Environment

Agency. The type of fill material is to be clean inert fill material complying with Class 1 or Class 2 of Table 6/1 of the Specification of Highway Works.

8.4 By adhering to the WRAP Quality Protocol and operating under an Exemption Certificate from the Environment Agency the landfill phase accords with rulings by the European Court of Justice. On this basis the development would be undertaken without the utilisation of waste material and therefore the proposal does not fall within the definition of a "County matter" and is for the LPA to determine.

8.5 The site exists in its current physical form because after it was developed for mineral extraction no provision for restoration has been made through development control procedures. The pit is a man made feature and is not considered to be part of the natural surroundings. As a brownfield site, the scheme represents an efficient use of previously developed land for the purposes of applying relevant national guidance and therefore restoration and remediation is acceptable in principle.

8.6 The restoration of the site through the scheme will bring some key environmental benefits to the locality. For many years the pit has functioned as an accidental and informal flood attenuation basin for the surrounding area. However, the rear gardens of some of the properties on Ashby Road continue to experience flooding during times of heavy rainfall as the pit was never intentionally designed to cope with such events.

8.7 The proposed engineering operation will reinstate the original water course that flows through the site and the drainage will incorporate modern sustainable drainage principles and improvements to the existing drainage network. These improvements will be made in agreement with and supported by the Environment Agency. This will have positive short, medium and long term effects when taking into account the potential challenges posed by climate change and extreme weather events in relation to flood prevention.

8.8 The restoration of the pit and the reinstatement of the original water course will create a new balancing pond and open ditch. They are designed to provide a sustainable landscape and drainage feature but also provide a key biodiversity and cooling function. The green open space and extensive use of street trees reinforces this function and will maintain a green link to the land to the south and east. The cumulative effect of the scheme represents a significant contribution to the biodiversity and cooling measures as recommended in the Green Infrastructure Strategy for Hinckley and Bosworth published in October 2008.

8.9 The engineering operation to restore the site will bring long term and sustainable environmental benefits for the development itself and the surrounding area. The scheme can be built in accordance to all current policy requirements and any short

term impacts can be mitigated. The scheme represents a comprehensive and environmentally sound remediation solution.