Planning Statement

Proposed Sand & Gravel Quarry with Progressive Restoration Using Site Derived & Imported Inert Material to Agricultural Parkland, Public Access & Nature Enhancement

Lea Castle Farm, Wolverley

December 2019

NRS Aggregates Ltd

KEDD Limited

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Appendices

1 Introduction

1.1 Background

1.1.1 This Planning Statement has been prepared on behalf of NRS Aggregates Ltd (hereafter referred to as the Applicant) with regard to a proposed sand and gravel quarry with progressive restoration using site derived ad imported inert material to agricultural parkland, public access and nature enhancement at land at Lea Castle Farm, Wolverley Road, Broadwaters, Kidderminster, Worcestershire.

1.1.2 This Statement provides details of the application site as it currently exists, the site's planning history and context, the proposed development, and how the proposals may impact the local environment and community. Consideration has been given to the proposed impact on the local environment and community during the proposed mineral extraction and progressive restoration phases, and the long-term impacts of the proposal upon final site restoration and beyond.

1.1.3 This Statement assesses the proposed development's compliance with the various planning policies that constitute the Development Plan for the area and with other material planning considerations that are relevant to the determination of the planning application.

1.1.4 For completeness, this Statement should be read in conjunction with the accompanying application forms and Environmental Statement (ES) which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. The ES has assessed the baseline and background environmental information and also sets out the details of the development having regard to the location scale and nature of the proposals.

1.1.5 An investigation of the site for potential mineral resource in 2015 identified a reserve area of approximately 3 million tonnes of sand and gravel. It is proposed to work through the proposed extraction area in a series of phases in order to minimise the total area of disturbed ground at any one point in time. Progressive restoration would follow each phase of development.

1.1.6 At the proposed output rate of approximately 300,000 tonnes of sand and gravel per annum, mineral extraction is proposed for a 10 year period, with an additional year required to complete restoration of the final working phase.

1.1.7 Access to the site is proposed directly off the B4189 Wolverley Road in the south eastern area of the site. This route would provide direct access to the A449 and on to Kidderminster and Stourbridge.

1.1.8 As dug sand and gravel is proposed to be transported via conveyor in Phases 1, 2, and 3 and hauled via dump truck in Phases 4 and 5 to be processed on-site prior to export from the site

to market. HGVs exporting material from the site would utilise the proposed new access for the sole use of quarry vehicles directly from Wolverley Road. The access would also be used for the purpose of back-hauling approximately 60,000m^3 per annum of imported inert material for use in the site's progressive restoration.

1.1.9 The restoration strategy for the site would be for the land to return to agricultural use, together with enhanced landscape planting and biodiversity gains. A section of Public Right of Way (Bridleway no. 62 4(B)) would require temporary diversion for approximately two weeks and would subsequently be restored back to its original alignment upon restoration.

1.1.10 The proposal involves the creation of 11 full time jobs with a further employment benefits provided in connection with transportation and the employment of local trades.

1.1.11 To assist Worcestershire County Council (hereinafter referred to as the MPA) in arriving at a considered view, details of the proposed development and a site description are outlined below along with a broad assessment of any potential environmental effects and their significance. Greater detail of the potential environmental impacts as a result of the proposed development are contained within the accompanying ES Volume 1. In addition to environmental matters, other considerations material to the preparation and consideration of the planning application are also set out below:

1.1.12 This Planning Statement should be read in conjunction with the following documents and plans:

- ES Volume 1 Environmental Statement;
- Environmental Statement Non Technical Summary; and
- ES Volume 2 Technical Appendices comprising:
    - Landscape and Visual Considerations (Technical Appendix A);
    - Nature Conservation and Ecology (Technical Appendix B);
    - Arboriculture (Technical Appendix C);
    - Noise (Technical Appendix D);
    - Air Quality and Dust (Technical Appendix E);
        - Air Quality Assessment (Technical Appendix E.1)
        - Dust Impact Assessment (Technical Appendix E.2)
    - Transport, Movement and Access (Technical Appendix F);
    - Agricultural Land Classification and Soils (Technical Appendix G);
    - Archaeology and Cultural Heritage (Technical Appendix H);

  - Archaeological Desk-based Assessment (Technical Appendix H.1)
  - Written Scheme of Investigation (Technical Appendix H.2)
- Hydrological and Hydrogeological Impact Assessment (Technical Appendix I);
- Leisure and Recreation (Technical Appendix J); and
- Health and Wellbeing (Technical Appendix K).

1.1.13 In addition to the above supporting documentation the following plans are also submitted as part of the application in ES Volume 3 Drawings and Forms:

- Planning Application Drawing No. 1 – Location Plan;
- Planning Application Drawing No. 2 – Land Under the Control of the Applicant
- Planning Application Drawing No. 3 – Current Situation;
- Planning Application Drawing No. 4 – Proposals Plan;
- Planning Application Drawing No. 5 – Disturbed Land;
- Planning Application Drawing No. 6 – Plant Site – Plan & Elevations;
- Planning Application Drawing No. 7 – Plant Site – Sections;
- Planning Application Drawing No. 8 – Initial Works;
- Planning Application Drawing No. 9 – Phase 1;
- Planning Application Drawing No. 10 – Phase 2;
- Planning Application Drawing No. 11 – Phase 3;
- Planning Application Drawing No. 12 – Phase 4;
- Planning Application Drawing No. 13 – Phase 5;
- Planning Application Drawing No. 14 – Final Works;
- Planning Application Drawing No. 15 – Concept Restoration; and
- Planning Application Drawing No. 16 – Restoration Sections.

1.2 The Applicant

1.2.1 NRS group of companies are one of the largest independent suppliers of aggregates and waste management operators within the Midlands.

1.2.2 Following the Applicant's formation in 2005, NRS now operate across the Midlands with over 70 people employed by the business in the haulage, road sweeper, waste management and quarrying facets of the business. NRS's registered offices are at White Gate Farm, Mytle Lane, Withersely, Atherstone, Warwickshire, CV9 3NU.

1.2.3 The Applicant supplies over 1 million tonnes of aggregates per annum to customers and runs a large fleet of vehicles ranging from tippers to concrete mixers, and also runs some of the largest inert tipping facilities, quarrying and recycling aggregate production operations in the Midlands. The Applicant supplies primary and recycled crushed rock, gravel and ballast aggregates to market along with primary and recycled sharp sand, building sand and fill sand from their Midlands quarries. Clay soil and building clays are also sold, sourced from NRS quarries at Meriden and Saredon.

1.2.4 The Lea Castle Farm Quarry site would provide a key south western location and source of supply to help meet existing and new demand for aggregates for the company.

1.2.5 NRS is committed to undertaking their operations in an efficient and sustainable manner meeting the highest quality standards with associated certification and accreditation which include IS09001,17001 and 18001 and appropriate licences.

1.2.6 For more information on NRS visit www.nrs.ltd.

2 Site Context

2.1 Site Location

2.1.1 The site at present consists of agricultural land and is located approximately 2.3 kilometres to the north of the centre of Kidderminster, 0.7 kilometres to the east of Wolverley, and 0.37 kilometres south of the closest residential properties at Cookley. The site is located within the Wyre Forest District of Worcestershire, with Wyre Forest District Council (WFDC) the local planning authority for the site and Worcestershire County Council (WCC) the minerals planning authority.

2.1.2 The site is located immediately to the north of the B4189 Wolverley Road and immediately to the west of the A449 Wolverhampton Road.

2.1.3 The site measures approximately 46 hectares in area and is mainly comprised of agricultural land within the historic parkland setting of Lea Castle, which was built around 1762 and demolished in 1945.

2.1.4 The site is bounded to the south west, west, and north west by woodland. The irregularly shaped northern boundary is mainly comprised of agricultural fields interspersed with farm buildings and residential properties. The eastern boundary is comprised of the A449, beyond which lie agricultural fields. The southern boundary is comprised of a wall adjacent to the B4189, individual areas of vegetation and trees, and residential properties.

2.1.5 The site is located within the vicinity of several residential and commercial properties. The nearest properties include South Lodge and Broom Lodge on the southern boundary, Castle Barns and Lea Castle Equestrian Centre on the northern boundary, and residential properties at Brown Westhead Park on the western boundary.

2.1.6 The site is located wholly within the Green Belt.

2.1.7 A Public Right of Way (PRoW) (Bridleway no. 62 4(B)) runs across the western section of the site. Bridleway no. 62 6(B) runs on a north-south alignment from the southern boundary to the centre of the site, and then to the north eastern corner of the site along existing tracks.

2.1.8 There are a number of Listed Buildings within the vicinity of the site. The Grade II Listed North Lodges and Gateway of Lea Castle lies approximately 275 metres to the north east of the site. The Grade II Listed Sion Hill House lies approximately 260 metres to the south west of the site. The Grade II Listed Wolverley Court is located approximately 545 metres to the west of the site. The majority of the site is located within the Sionhill House Bartholomew Park and Garden.

2.1.9 The Staffordshire and Worcestershire Canal Conservation Area is located approximately 625 metres to the west of the site. The Wolverley Conservation Area is located approximately 700 metres to the west of the site.

2.1.10 The site is located in Environment Agency Flood Risk Zone 1 (comprising land at lowest risk of flooding from fluvial sources).

2.2 Planning History

2.2.1 Historically, the site formed a part of the c.220ha grounds of Lea Castle, which was built around 1762 and demolished in 1945.

2.2.2 Planning permission was granted at Lea Castle Farm in May 1997 (WFDC ref.WF/0648/96) for the conversion of barns into eight dwellings, the erection of garages, construction of driveways, parking areas and new sewage treatment plant along with alterations to the existing access. In July 2001 planning permission was granted (WFDC ref. WF/0437/01) for the change of use of barns to 11 dwellings with the associated erection of garages, construction of hardstandings and new access drive.

2.2.3 A planning application for the construction of two golf courses at Lea Castle Farm was first submitted to WFDC in March 1999. The application included the proposed construction of one 18-hole and one 9-hole golf courses, the erection of a clubhouse with ancillary facilities, the construction of a new vehicular access onto Castle Road, new driveways and parking facilities, a golf practice area, and the diversion of a public footpath. The application (WFDC ref. WF/0260/99) was refused at Planning Committee on 14th March 2000 and a subsequent appeal was withdrawn. However, an application (WFDC ref. WF/0211/01) was permitted by Committee on 17th July 2001 for 'construction of two new golf courses (18 hole and 9 hole), new clubhouse and ancillary facilities, new access to Castle Road, Cookley, new driveways and parking facilities, golf practice area and diversion of public footpaths'.

2.2.4 No permission for the construction of golf courses at the application site were implemented. Similarly, neither permission for the conversion of barns to residential uses at the site were implemented. The July 2001 permission (WF/0437/01) remains the most recent significant permission issued for the application site.

2.2.5 East of Wolverhampton Road, at approximately 450m from of the easternmost extent of proposed mineral extraction, is a significant previously developed site which formerly housed Lea Castle Hospital. The redevelopment of the former hospital site for up to 600 new dwellings and up to 3,500 square metres of employment floorspace was approved subject to the signing of a S106 agreement (Ref: 17/0205/OUTL) at Wyre Forest's Planning Committee on 21st November 2017.

2.2.6 The parcel of land between Wolverhampton Road and the former Lea Castle Hospital site benefitting from outline planning permission is proposed to be allocated for a new sustainable community known as Lea Castle Village along with other land parcels surrounding the former hospital site which are proposed to be access via Wolverhampton Road, Stourbridge Road, and Axborough Lane. The proposed allocations are shown within the latest iteration of the

emerging Wyre Forest Local Plan (the Pre-submission publication version, published October 2018).

2.2.7 In terms of mineral development, the site was promoted within the emerging Worcestershire Minerals Local Plan - Third Stage Consultation where it was assessed and considered appropriate to be allocated 'Preferred Area Status' under the title of Land North of Wolverley Road (submission reference DO26-2397). Representations were also made in respect of the fourth Call for Sites.

2.3 Scoping Opinion

2.3.1 Worcestershire County Council have adopted a Scoping Opinion (Appendix 1) under the Town and Country Planning (EIA) Regulations 2017 in response to a request from Kedd Limited on behalf of NRS Aggregates Limited on 30th April 2018.

2.3.2 Prior to submission of this Scoping Opinion Request, the applicant assessed their proposal against Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (from herein on referred to as the EIA Regulations 2017). The screening concluded that the proposal would be subject to Environmental Impact Assessment (EIA) due to exceeding the threshold of 25 hectares for quarries identified in Part 19 of Schedule 1.

2.3.3 Upon receipt of the Scoping Opinion Request, Worcestershire County Council carried out the relevant consultation with statutory consultees as required under Regulation 15(4) of the EIA Regulations 2017. A full list of consultees is listed at paragraph 12 of the Scoping Opinion.

2.3.4 This Planning Statement and accompanying ES have considered the content within the Scoping Opinion adopted by Worcestershire County Council. This planning application has regard to the view of the statutory bodies consulted with by Worcestershire County Council.

2.3.5 The accompanying ES includes a breakdown of the potential environmental impacts of the proposed development along with a presentation of the benefits of the proposal and the potential for adverse impact on the environment and local community.

3 Description of Proposals

3.1 Development Overview

3.1.1 The proposed development is for a proposed sand and gravel quarry with progressive restoration using site derived ad imported inert material to agricultural parkland, public access and nature enhancement over approximately 26 hectares of land at Lea Castle Farm.

3.1.2 The quarry establishment, its operations and restoration can be described in seven interrelated and concurrent parts, comprising:

- Initial Works
- Stripping of soils and overburden
- Extraction of sand and gravel/ solid sand
- Transfer of extracted material for processing
- Material processing, stocking and dispatch
- Progressive and final restoration
- Aftercare and Management

3.1.3 This chapter describes the way in which the proposed Lea Castle Farm would be developed including access, the plant site and progressive working and restoration. It also describes the levels of production that are envisaged and the after use and management of the site.

3.1.4 The Planning Application makes provision for the initial work to establish a new temporary access onto the B4189 Wolverley Road and Plant Site and subsequent phased extraction of sand and gravel and solid sand and its distribution. Extraction will be with concurrent with restoration of extracted areas utilising both in situ site soils and overburden and imported inert materials. A development overview is shown on Planning Application Drawing No. 4 – Proposals Plan.

3.1.5 A total of circa 3 million saleable tonnes of sand and gravel will be extracted across an initial works period and five subsequent phases over the course of approximately 10 years. The mineral comprising circa 1.57 million tonnes of sand and gravel and 1.43 million tonnes of solid sand. The mineral will be transported to the plant site for processing utilising both dump trucks and a conveyor system. This scheme has been designed based on an annual processed tonnage of 300,000 saleable tonnes. This will provide a source of mineral to supply the building and construction industries with aggregates for products such as building sand, mortar sand, drainage materials and concreting sand and gravel supplying local and midland markets.

3.1.6 The phased extraction of all mineral would take place above the natural water table. The

development will also include the restoration and enhancement of the site/local landscape setting and green infrastructure. A new agricultural parkland will be created designed to enhance local access, amenity and wellbeing with the provision of an agricultural parkland, provision of approximately 2.3km of new routes of public footpaths, cycleways, bridleways and pocket parks. Native woodland blocks will be re-established to reflect previous social historic land uses, hedges will be strengthened, and new acidic rich meadow grassland will be developed to promote biodiversity and educational opportunities.

3.1.7 To aid in this process c. 60,000 m^3 of inert material will be imported onto site per annum, c. 600,000 m^3 in total, to help create restoration formation levels onto which the original site soil profile will be placed. The Western Area of the site is proposed to be fully restored within 5 years of extraction commencing with the Eastern Area restoration being fully completed within one year after the cessation of mineral extraction.

3.1.8 Land Aftercare and Management agreements will be established to ensure the restoration/enhancement measures are financially sustainable and permanent.

3.2 Proposed Working Methods

Plant Site, Processing and Stocking

3.2.1 The footprint of the operational plant site area will be 2.5 hectares, and is proposed to comprise the following:

- The processing plant;
- Office and weighbridge and wheel wash;
- Stocks of product;
- 2 cylinders for a silt management/water cleansing system; and
- Staff and visitor car parking.

3.2.2 The layout and elevation of the plant site can be seen on Planning Application Drawing No. 6 – Plant Site – Plan & Elevations.

3.2.3 The plant will be erected below surrounding ground level of c.70m aOD at a floor base of 63.5m aOD and contained by soil storage/ screening bund to the south, west and north and higher ground to the east up to c.80m aOD.

3.2.4 The aggregate processing plant will comprise a hopper (4m in height) to receive 'as dug' mineral, the processing plant (9m in height) with a surge bin overflow, feed conveyors leading

to a screen which will sort and convey sand and gravel into product of 20mm, 10mm, course sand, fine sand and ultra-fine sand stockpiles of c.5m in height.

3.2.5 The process of on-site sand and gravel processing operations entails the crushing, screening and sorting of the extracted material into marketable materials. This process starts with all gravel and larger particle sized material being reduced in size before the material is then fed into a series of screens that would sort the material into different grades depending on their particle size. Geological borehole and test pitting investigations have determined that there is only a small proportion of oversized (large gravel boulders) within the deposit. A large crusher section within the plant is therefore not required.

3.2.6 The processed sand and gravel would be stocked within the existing plant site, in piles of the various products, pending their subsequent loading into road going vehicles for dispatch from the quarry.

3.2.7 2 cylinders for a silt management/water cleansing system will be constructed/lined to efficiently manage and contain silt and water requirements.

Stripping of Soil and Overburden

3.2.8 The first stage of the extraction process would involve the removal of soil and unsaleable materials such as clay or un-saleable silty sand (overburden) to expose the extractable sand and gravel underneath. The soil and overburden stripping would be undertaken in approximately annual blocks over a period of up to 8 weeks during the spring, summer and autumn months each year. The extent of soil removed at any time would be limited as far as possible to maintain a maximum of 1 year's production at any time. The remaining unstripped parts of the Extraction Area would remain in agricultural use as far as possible.

3.2.9 The nature of the soils in the Extraction Area is described in more detail in Chapter 12 of the ES Written Statement accompanying this Planning Statement. The soil handling would be in accordance with published guidance and the recommendations contained within ES Chapter 12. The development scheme has been designed to maximise the direct placement of stripped soils to final restoration. The stripped soils would be loaded on to dump trucks for either direct placement in previous extraction areas as part of ongoing restoration or stored temporarily in stores (bunds) pending their subsequent reuse in the final restoration of the site.

3.2.10 The location and form of the soil bunds has been determined based on temporary storage requirements as part of the phased operations and/or through the EIA process for acoustic and visual screening purposes. Bunds would be temporary in nature, only being retained for the period required to secure the storage or environmental mitigation that they are intended for. The planned movement of soil throughout the operations are described in this Chapter and the accompanying phasing drawings (Planning Application Drawing Numbers 8-13).

3.2.11 The phasing drawings also show the phased construction of the soil storage bunds, which are summarised below. Soil bunds will be constructed to a maximum outer batter slope of 1:3

and an inner batter slope of 1:2. Topsoil bunds will be no higher than 3 metres in height, subsoil bunds no higher than 5 metres in height and overburden bunds no higher than 6 metres. A total of 20 soil bunds are numbered and labelled on the accompanying plans (Planning Application Drawing Numbers 8-13).

3.2.12 Soil storage bunds associated with the development proposals include:

Bund 1	(3m high) – 3,300m³ - formed using Topsoil from the Initial Works area. Bund 1 is located to the south of the proposed plant site and north of South Lodge. The bund would remain in place throughout the duration of the development (c.10 to 11 years) when the soils will be used to restore Phase 5 / Final Restoration.
Bund 2	(3m high) – 1,900m³ - formed using Topsoil from the Initial Works area. Bund 2 is located to the south east of the plant site and north of Broom Cottage. The bund would remain in place throughout the duration of the development (c.10 years) when the soils would be used to restore Phase 5 / Final Restoration.
Bund 3	(4 - 5m high) – 14,100m³ - formed using Subsoil, and 10,900m³ (6m high) - formed of Overburden from the Initial Works area. Bund 3 is located immediately to the west of the plant site. The bund would remain in place throughout the duration of the development (c.10 to 11 years) when the soils will be used to restore Phase 5 / Final Restoration.
Bund 4	(3m high) – 2,300m³ - formed using Topsoil from the Initial Works area. Bund 4 is located to the north east of the plant site. The bund would remain in place throughout the duration of the development (c.10 to 11 years) when the soils will be used to restore Phase 5 / Final Restoration.
Bund 5	(6m high) – 8,200m³ - formed of Overburden from the Initial Works area. Bund 5 is located within the north of the plant site. The bund will be in place throughout the duration of the development (~10 – 11 years) when the Overburden will be used to restore Phase 5 / Final Restoration.
Bund 6	(0.3m high) – 5,100m³ - to be spread on Phase 4 to then restore Phase 5 / Final Restoration.
Bund 7	(6m high) – 17,700m³ - formed of Subsoil from Phase 1 soil strip. Bund 7 is located to the west of the Bungalow. The bund will only be on place during Phase 1 mineral extraction and restoration period (c.1.5years) when 16,900m³ of soil would be used to restore the Phase 1 Area and 800m³ to restore Phase 2.
Bund 8	(5m high) – 23,900m³ - formed of Overburden from Phase 1 soil strip. Bund 8 is located along the central western boundary of the site. The bund will be in place in full for the duration of Phase 1 and part in place for phase 2 and 3 as the extraction area progresses southwards (c.1.5 to 3.5 years) when the soils would be used to restore land in Phases 1 and 3.
Bund 9	(3m high) – 3,100m³ - formed of Topsoil from Phase 1 soil strip. Bund 9 is located to the south and east of the Western Area's as dug mineral stockpile/ field hopper. The bund will be in place during the mineral extraction period of

	Phases 1,2 and 3 (3 years) when soils would be used to restore the Phase 3 Area.
Bund 10	(3m high) – 600m³ - formed of Topsoil from Phase 1 soil strip. Bund 10 is located to the east of the Western Area's as dug mineral stockpile/ filed hopper. The bund will be in place during the mineral extraction period of Phases 1,2 and 3 (3 years) when soils would be used to restore the Phase 3 Area
Bund 11	(3m high) – 12,100m³ - formed of Topsoil from the progressive Phase 1 soil strip. Bund 11 is located within the north of the Phase 1 void, post extraction. The bund will be in place during the mid and latter stags of Phase 1 extraction (~0.75 years) when the Topsoil will be used to restore Phase 1.
Bund 12	(3m high) – 7,200m³ - formed of Topsoil from Phase 2 soils strip. Bund 12 is located along the northern boundary of Phase 2. The bund will be in place during the mineral extraction and restoration period of Phase 2 (c.1 to 2 years) when soils would be used to restore Phase 2 Area.
Bund 13	(4m high) – 5,600m³ - formed of subsoil from Phase 3 soils strip. Bund 13 is located north of the as dug mineral stockpile/field hopper. The bund will be in place during mineral extraction and restoration period of Phase 3 (c.1.5 years) when soils would be used to restore the Phase 3 Area.
Bund 14	(4m high) – 2,700m³ - formed of Subsoil from Phase 3 soils strip. Bund 14 is located north of the unoccupied south Lodge (west) property. The bund will be in place during the mineral extraction and restoration period of Phase 3 (c.1.5 years) when soils would be used to restore the Phase 3 Area.
Bund 15	(3m high) – 2,400m³ - formed of Topsoil from Phase 3 soils strip. Bund 15 is located along the southern boundary of Phase 3. The bund will be place during the mineral extraction and restoration period of Phase 3 (c.1.5 -2 years) when soils would be used to restore the Phase 3 Area.
Bund 16	(4m high) – 8,500m³ - formed of Subsoil from Phase 3. Bund 16 is located along the western boundary of Phase 3. The bund would remain in place during the mineral extraction and restoration period of Phase 3 (~ 1.5 – 2 years) when soils will be used to restore.
Bund 17	(3m high) – 17,200m³ - formed of Topsoil from Phase 4. Bund 17 is located along the north and eastern boundaries of Phase 4. The bund would remain in place until the end of Phase 5 Phase 5 / Final Restoration (~ 6.5 years).
Bund 18	(4 - 5m high) – 19,200m³ - formed of Subsoil from Phase 4. Bund 18 is located along the eastern boundary of Phase 4. The bund would remain in place throughout the extraction period for Phases 4 and 5 (c.6 years) where upon the soils will be used to restore Phase 5.
Bund 19	(4m high) – 3,000m³ - formed of Overburden from Phase 4 soil strip. Bund 19 is located along the south eastern boundary of Phase 4. The bund will be in place for approximately 6 years.
Bund 20	(6m high) – 7,000m³ - formed of progressively stripped Overburden from Phase 4 soil strip. Bund 20 is located within the north western area of Phase 4. The bund will be in place for 3 to 4 years when it will be used to restore

	Phase 5 / Final Restoration,

3.2.13 To allow for the efficient placement of soils and overburden for restoration there may also be the need as in general quarry operations to place small volumes of material in temporary bunds within the actual extraction areas. These bunds would generally be stripped overburden temporarily stored until a sufficient area of land has been extracted within a phase to allow placement and regrading of this material within a restoration profile.

3.2.14 Once soils have been stripped from a sufficient area of any phase, any exposed overburden would be separately stripped and loaded into dump trucks using hydraulic excavators. The material would be transported either for direct placement for restoration or for storage in temporary overburden storage mounds in preparation of being redistributed for use in future restoration. Bunds/ soil stores which are to remain in-situ for more than three months will be seeded with a low maintenance grass seed mix. The bunds will be managed by cutting at least two times per year and, if growth is excessive, the arisings will be removed. Weed growth will be controlled by cutting or spraying with approved herbicide, and weeds will not be allowed to go to seed.

Extraction of Sand and Gravel

3.2.15 Once the overlying soils and overburden are removed, the exposed sand and gravel would be extracted and removed for processing. The area where extraction takes place is referred to as the quarry face and the base of the quarry is referred to as the quarry floor.

3.2.16 Hydrogeological analysis has identified that both the proposed extraction depths of sand and gravel and solid sand extraction areas are well above (over 20m) the water table. The whole deposit would therefore be worked dry.

3.2.17 The extraction process would use either a tracked excavator or rubber tyred loading shovel. The material would be excavated from the quarry face using the shovel or excavator. The uncompacted nature of the sand and gravel and weak structure of the solid sand means that the material can be dug freely from the face without the requirement to blast or break the material using explosives. As the extraction of sand and gravel progresses, the operations might encounter areas of overburden within the deposit that were not evident at the time of soil stripping. Where such overburden occurs, it would be excavated separately from the sand and gravel and placed in restoration or temporary storage, in much the same way as the overburden removed at the same time as soil stripping.

Transfer of Extracted Material

3.2.18 In general, within the western part of the site (phase's 1,2 and 3). Once excavated, the mineral would be loaded into dump trucks at the quarry face to be carried and loaded on to a field hopper positioned within the eastern area of Phase 2 where it would be conveyed under the existing access track (PROW Ref 62 6(B)) via a small conveyor tunnel to the plant site for

processing into the different grades of product and materials for sale from the quarry. The location of the field hopper and small conveyor tunnel are illustrated on Planning Application Drawing No. 9 – Phase 1.

The Conveyor Tunnel Section

3.2.19 The conveyor tunnel section will be a simple structure comprising pre-cast concrete box sections which will be laid c.1m below the current ground level. The siting of the conveyor tunnel is located to avoid any of the remaining avenue of trees along PROW 62 6(B). The field conveyor will be a standard flow and return rubber conveyor belt of approximately 900mm width. It will have the capability to be fixed and withdrawn from the short tunnel section for management and maintenance. The length of the tunnel section for management and maintenance. The length of the tunnel section will be c.60m.

3.2.20 The tunnel construction will involve the temporary diversion of a section of approximately 30 linear metres of PROW 62 6(B) to run parallel with its existing route and approximately 30 m to the west within the adjacent field for a period of approximately 1 week. Alternative arrangements will also be provided for vehicle access to the Bungalow and Lea Castle Equestrian Centre either from Castle Road/ North Lodge access or again running parallel with the existing track accessed from South Lodge off Wolverley Road. These minor temporary works will be publicised and discussed with users of the track to ensure appropriate measures are in place.

3.2.21 An excavation along a linear strip from the western area to the Plant Site will be dug approximately 2m wide and 2.5m deep into which the pre-cast box sections for the conveyor will be placed, set within a compacted granular base. Original dug material and/or further granular material will be placed above the conveyor tunnel and the track surface made good. The section of track/ PROW will then be reopened on its original route.

Dispatch of Product from Site

3.2.22 Upon completion of the crushing, screening and sorting operations required to bring about sorted marketable materials of differing grades depending on their particle size, all products are to be dispatched from the site by way of road worthy lorries and light commercial vehicles. Unladen vehicles arriving at the quarry for loading would be weighed in at the weighbridge upon arrival, before progressing to the stocking area where they are loaded by a wheel shovel loader and then weighed back out at the weighbridge passing through a wheel wash and then being sheeted before leaving the quarry.

Outputs

3.2.23 The duration of the proposed quarry development is 10 years for mineral extraction based upon an annual tonnage of 300,000 tonnes and a further period of 1 year to complete restoration, giving a project life of 11 years. It is important to note that the quarry will be

extracted and restored progressively i.e. the full footprint of the quarry will never be disturbed at any one point in time. The largest area of phased operations is contained within the initial plant site and extraction area, which is around 10 ha.

Hours of Operation

3.2.24 The quarry would operate between the hours of 0700 to 1900 Monday to Friday and between the hours of 0700 and 1300 on Saturdays. No mineral operations are proposed for Sundays or Bank / Public Holidays. It is anticipated that these operating hours would be regulated by a planning condition.

3.3 Potential for Vibration

3.3.1 Please note that there will be **NO** blasting associated with the proposals. The in-situ sand and gravel and solid sand will be extracted by an excavator and transferred to the plant site via a dump truck and / or small section of field conveyor. The nature of the mineral means that that there is no requirement for a large crusher as part of the fixed plant as the deposit contains minimal oversize gravel. The processing plant will be located a minimum of 7m below adjacent ground levels and contained. These items of plant will not result in any adverse vibration to local residents.

3.4 Proposed Phasing of Extraction and Progressive Restoration

3.4.1 Site investigation work has enabled the production of detailed assessments of the soils, overburden, silts and saleable mineral that will be encountered. The anticipated volumes of materials can therefore be calculated. The depth of the quarry floor will vary as the base of deposit undulates and extraction is anticipated to be typically between ~5m to ~7m in the west and ~12m in the east, up to ~18m.

3.4.2 The phasing of extraction has been prepared based on operational requirements with a view to reducing the amount of land that is taken out of agricultural use at any point in time and to keep the areas of exposed working to a minimum, whilst maintaining sufficient accessible mineral reserves. Planning Application Drawing No. 4 – Proposals Plan illustrates the operational plant site and mineral extraction/ progressive restoration areas associated with Initial Works to Phase 5. The hectarage and material characteristics of each phase are summarised the table below.

Phase	Area (Hectares)	Soils/ Overburden (m^3)	Mineral Tonnages	Anticipated Extraction Duration (years)
Initial Works	3.3	45,800	450,000	1.5
Phase 1	4.65	57,400	225,000	0.75

Phase 2	3.78	37,000	300,000	1
Phase 3	4.45	54,500	375,000	1.25
Phase 4	5.97	62,400	975,000	3.25
Phase 5	3.83	52,700	675,000	2.25
TOTALS	**25.98**	**309,800**	**3,000,000**	**10**

3.4.3 Further explanation of the materials movements from Initial Works to Final Restoration of the Site is provided on a phase by phase basis set out below.

Initial Works – Illustrated on Planning Application Drawing No. 8

3.4.4 Works will commence with the creation of a new vehicle access onto Wolverley Road with a short site internal road into the proposed plant site. ~50 linear metres of an existing boundary wall will be temporarily dismantled to allow appropriate access and visibility. The bricks to be stored and used to rebuild the wall on its original alignment on completion of quarry extraction and restoration.

3.4.5 Soils will be stripped from the plant site area and used to create soil storage/ screening bunds around the plant site. These bunds will be seeded/planted and maintained. Mineral from within the southern half of the plant site will be extracted and transferred off site to another point of sale or one of the other operators quarry units for processing. This will allow the mineral processing plant to be constructed at a low-level minimum c. 6.5m to 7m below current ground levels. Both the low-level plant site and seeded and planted temporary bunding helping to contain and screen this part of the operation.

3.4.6 The proposed site internal access road will be graded down from the east to the lower Plant Site level. Both the low-level plant site and adjacent bunding helping to screen this part of the operation.

3.4.7 Other Initial Works activities will include the creation of approximately 2km of new public access away from local roads and connecting sections of the existing local PROW network both north south and east west. Approximately 200 avenue trees will be planted to help recreate the Lea Castle parkland. A parkland woodland block will also be planted within the north eastern corner of the site (W1) along with the strengthening and species diversification of hedgerows (H1, H2 and H3).

Phase 1 – Illustrated on Planning Application Drawing No. 9

3.4.8 A short section of conveyor tunnel will be installed beneath PROW 62 6(B) to transport “as dug” mineral from the Western Area of the site to the Plant Site.

3.4.9 Soils will be stripped under a watching archaeological brief from Phase 1 and used to create soil storage/ attenuation Bunds 7, 8, 9, 10 and 11. Bunds to be seeded and maintained. Straw bales to also be used to help screen a mineral holding area before it is placed in a field hopper and conveyed beneath the access track/ PROW 62 6(B) to the Plant Site.

3.4.10 Mineral extracted by a hydraulic excavator will be taken by dump truck to a field hopper. A

field hopper will be placed within the south eastern area of Phase 2. The field hopper will be approximately 2m in height.

3.4.11 During Phase 1, imported restoration material will be placed and utilised to help progressively restored extracted land, initially in the Northern Area of Phase 1 in combination with regrading works. Land progressively restored to final formation levels will receive soils stripped directly from the Southern Area of Phase 1.

3.4.12 Restored land will be seeded and/or planted in accordance with the Concept Restoration Scheme land uses.

Phase 2 – Illustrated on Planning Application Drawing No. 10

3.4.13 Progressive soil stripping within Phase 2 will commence ~3-6 months prior to completion of extraction in the Phase 1 area dependent upon season, weather and ecological and archaeological investigation works. Soils will be utilised to complete restoration of all land within Phase 1 along with the removal and use of soils from Bunds 7, 8 and 11. Remaining stripped soils will be placed in Bund 12 located along the northern boundary of Phase 2 for storage/ attenuation. Bund 12 to be seeded and maintained.

3.4.14 Mineral will be extracted by a hydraulic excavator and taken to the field hopper and within Phase 1 by dump truck from where it will be conveyed beneath FP62 6(B) via the conveyor tunnel.

3.4.15 Mineral processing will take place with silt generated placed into the silt management/water cleansing system within the plant site. Processed mineral will be sold and transported off site.

3.4.16 During Phase 2 imported inert restoration material will be placed and utilised to help progressively restore extracted land to formation levels within phase 2. Sequential soil stripping from phase 2 will be directly placed to complete restoration soil profiles on this land.

3.4.17 Restored land will be seeded and/or planted in accordance with the Concept Restoration Scheme land uses.

Phase 3 – illustrated on Planning Application Drawing No. 11

3.4.18 Sequential soil stripping will take place in a southerly direction with soil either being placed to create temporary soil storage/ screening bunds or placed directly for restoration within the previously extracted Phase 2.

3.4.19 Stripped soils will be placed in Bund 13 located along the northern boundary of the western area field hopper, Bund 14 located adjacent to the south eastern corner of Phase 3, Bund 15 located along the southern boundary of Phase 3 and Bund 16 located along the south western boundary of Phase 3. Soil stripping will commence ~3-6 months prior to completion of extraction in the Phase 3 area dependent upon season, weather and ecological and archaeological investigation works.

3.4.20 Mineral will be extracted, conveyed to the plant site, processed and sold.

3.4.21 On the completion of mineral extraction from Phase 3 all remaining land not previously restored will be brought up to restoration formation levels utilising imported inert materials. Soils previously placed within Bunds 8, 13, 14, 15 and 16 will be removed from storage and placed along with overburden from Phase 3 to complete the final restoration soil profile.

3.4.22 The temporary conveyor tunnel beneath FP 625(B) will be removed requiring a temporary diversion of the Bridleway/ Track for approximately 1 week.

3.4.23 Restored land will be seeded and/or planted in accordance with the Concept Restoration Scheme land uses.

Phase 4 – illustrated on Planning Application Drawing No. 12

3.4.24 Progressive soil stripping is to take place within phase 4 with soils being placed into temporary soil bunds 17, 18, 19 and 20.

3.4.25 Mineral will be progressively extracted in an easterly direction by a hydraulic excavator and taken to direct to the plant site by dump truck.

3.4.26 Mineral processing will take place with silt generated placed into the silt management/water cleansing system within the plant site. Processed mineral will be sold and transported off site.

3.4.27 During Phase 4 imported inert restoration material will be placed and utilised to help progressively restore extracted land to formation levels within Phase 4. Sequential soil stripping from Phase 4 will be directly placed to complete restoration soil profiles on this land.

3.4.28 Restored land will be seeded and/or planted in accordance with the Concept Restoration Scheme land uses.

Phase 5 – illustrated on Planning Application Drawing No. 13

3.4.29 Progressive soil stripping within Phase 5 will commence approximately 3-6 months prior to completion of extraction in Phase 5 dependent on season, weather and ecological aspects. This is to ensure the continued supply of exposed mineral. The physical area of soil stripping will endeavour to relate to the available area of land within Phase 4 requiring restoration and subsequently Phase 5 that have attained restoration formation levels via the importation and placement of inert materials and is available for the direct placement of soils to achieve the final restoration soil profile. Land will be made available within the base of the extracted Phase 4 area to temporarily store soils if this is not achievable. All bunds will be seeded if they are to remain in-situ for more than 3 months.

3.4.30 Mineral will be progressively extracted in a northerly direction by a hydraulic excavator and taken directly to the plant site by dump truck.

3.4.31 Mineral processing will take place with silt generated placed into the silt management/water cleansing system within the plant site. Processed mineral will be sold and transported off site.

3.4.32 Restored land will be seeded and/ or planted in accordance with the Concept Restoration Scheme land uses.

Final Works – illustrated on Planning Application Drawing No. 14

3.4.33 On the completion of mineral extraction, processing and sales, all plant and equipment associated with the development will be decommissioned and removed from the site.

3.4.34 All land will be restored to achieve the final formation levels and soil profiles utilising both imported overburden and site indigenous soils. All temporary soil bunds (1, 2, 3, 4, 5, 17, 18, 19 and 20) will be taken down and the soils utilised within the restoration process.

3.4.35 Decommissioning will include the removal of the access road from the Plant Site to the Wolverley Road. The dismantled section of wall will be re-built on its original alignment using the original stored bricks.

3.4.36 Restored land will be seeded and/ or planted in accordance with the Concept Restoration Scheme land uses. All restored land will be placed in Aftercare and Managed along with previously restored land.

Mitigation and Enhancement Measures

3.4.37 Mitigation and enhancement measures are an integral part of the development proposals. These measures relate to preventing and reducing potential adverse impacts during the operational period of the quarry to providing a permanent sustainable green infrastructure legacy for public enjoyment and wellbeing.

3.4.38 Measures designed into the proposed scheme include:

	Mitigation Measure	**Mitigation**
1.	Progressive extraction and restoration	To minimise the area of disturbed land at anyone point in time
2.	Temporary soil screen bunds	To minimise / eliminate specific environmental topics concerns e.g. specific noise attenuation bunds (All temporary bunds to be seeded/planted and maintained)
3.	Lowering of Plant Site Area	To sink the plant site below adjacent ground levels by a minimum 7m to help contain and screen activities
4.	Temporary diversion of FP62 4(B) and FP62 6(B)	To allow the continual use and connectivity of public access route
5.	Advanced tree/shrub and	To minimise views of the proposed quarrying

	hedgerow planting	activities and to maintain screening vegetation around the periphery of the site
	Enhancement Measures	**Enhancement**
1.	Planting of Avenue Trees along FP 62 5(B), 62 6(B) ~200m	Reinstatement of visual and amenity parkland character, potential for biodiversity
2.	Planting of 6,000 native and parkland trees and shrubs ~ 8.1ha	Recreation of quality landscape parkland and agricultural setting/ potential enhancement of biodiversity
3.	Creation of ~5 hectares of acidic species rich meadow	Target biodiversity action plan habitat
4.	Establishment of benches along avenue and heritage/ educational resources/ signage/ pocket parks ~2.5ha	Raising amenity, education and enjoyment value of the site for existing and new users as well as health and wellbeing opportunities
5.	Creation of 2km of new footpaths/ bridleways/ cycleways	New off-road public access provision to connect and enhance the local access network health and wellbeing benefits
6.	Long term aftercare and management of the new and restored site elements and features	Commitment to restoration landuse including monitoring and management

3.4.39 The above mitigation and enhancement measures have been fully integrated into the phased working and progressive restoration scheme.

3.5 Restoration

3.5.1 Detailed restoration establishment proposals are contained within Section 4 of the ES and section 6 of this statement. The concept Restoration Scheme is illustrated on Planning Application Drawing No. 15.

3.5.2 An overview of the existing application site land uses and the proposed Final Restoration Land uses are set out in the table below:

Lands uses	Existing Situation	Proposed Final Restoration
Agricultural Land	43.78 Ha (41.2 2/3a bmv)	32.26 Ha bmv
Acidic Grassland	Nil	8.1 Ha
Woodland	1.12Ha	4.54Ha (~ addition of 8,500 trees and shrubs)
Hedgerows	439 Linear metres	1018 Linear metres
Avenue trees/individual trees	14	200

Public footpaths/Bridleways	1.47 km	3.78 km
Pocket Park	Nil	5
Tracks	1.1	1.1

3.5.3 The main changes in land use within the application boundary will be:

- An additional ~3.42 Ha of native woodland (planting of ~8550 new trees and shrubs);
- An addition of ~579 linear metres of native species rich hedgerows (planting of ~3,474 new hedgerow plants;
- An addition of 8.1 Ha of species rich acidic grassland;
- An addition of ~200 specimen avenue/ individual trees;
- Creation of ~2.31km of new PROW/bridleways, footpaths and cycleways); and
- Creation of 5 pocket parks.

Aftercare and Management

3.5.4 All restored land will be placed into Aftercare for 5 years along with a concurrent and long-term management and maintenance programme in accordance with the land use proposal. This will be secured by both planning conditions and a formal legal agreement. All new sections of Public Rights of Way will be permanent.

4 Planning Policy

4.1 Introduction

4.1.1 Section 38(6) Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the development plan unless material considerations indicate otherwise. The Planning and Compulsory Purchase Act 2004 defines the development plan as the development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

4.1.2 This Chapter focuses on the main planning policy considerations including all relevant policy considerations contained within adopted and emerging policy documents. Appropriate regard is given to the emerging Development Plan as well as National Planning Policy Guidance.

4.1.3 In the case of the proposed development, the development plan consists of the following:

- The Hereford and Worcester Minerals Local Plan 'Saved' Policies, 1997;
- Worcestershire Waste Core Strategy, 2012;
- Wyre Forest Core Strategy, 2010; and
- Wyre Forest Site Allocations and Policies Local Plan, 2013.

4.1.4 Worcestershire County Council as mineral planning authority are preparing a new Minerals Local Plan (MLP) to replace the 1997-adopted County of Hereford and Worcester Minerals Local Plan. The latest iteration of the MLP is currently undergoing consultation from 19th August 2019 to 30th September 2019.

4.1.5 Given the relative age of the 1997 Minerals Local Plan and the advanced stage of the emerging Worcestershire MLP, the emerging document is considered not only to be a material consideration in the determination of planning applications for mineral extraction but should be attributed significant weight.

4.1.6 The 1997 Minerals Local Plan was adopted pre-NPPF, which heralded a change in the planning system from the purely plan led system and recognised that problems could arise where the adoption of new development plans had not progressed at the pace originally intended. Nevertheless, the policies contained within the 1997 Hereford and Worcester Minerals Local Plan remain extant where 'saved' and part of the statutory development plan.

4.2 Development Plan

<u>The Hereford and Worcester Minerals Local Plan 'Saved' Policies (1997)</u>

4.2.1 The saved policies of the Minerals Plan that are of most relevance to the Planning Application are:

- Policy 1: Preferred Areas; and
- Policy 2: Other Sand and Gravel Deposits

4.2.2 The two policies of the Hereford and Worcester Minerals Local Plan with relevance to this application were 'saved' in September 2007 and remain part of the statutory development plan for the District.

4.2.3 The 'saved' Minerals Plan policies provide for future sand and gravel reserves, by firstly identifying Preferred Areas of working through Policy 1 and secondly by applying a sieve process through Policy 2 to set primary and secondary constraints.

Policy 1: Preferred Areas

4.2.4 Policy 1 and associated Minerals Local Plan Proposals Map define areas whereby "planning permission will be granted for sand and gravel extraction, subject to an evaluation against other relevant Development Plan policies". The application site is not allocated as a Preferred Area but is shown to be an Identified Mineral Deposit on the Minerals Local Plan Proposals Map.

4.2.5 The preamble to Policy states that "all other known deposits of sand and gravel in the County are indicated as being identified only and are not expected to be considered for working during the life of this Plan unless the circumstances covered by Policies 2 and 3 (not a 'saved' policy) are encountered.

Policy 2: Other Sand and Gravel Deposits

4.2.6 Policy 2 relates to applications for sand and gravel extraction at locations not within the identified preferred areas for sand and gravel extraction. The Policy states that proposals " will first be assessed against the methodology set out in Paragraphs 5.3 and 5.4 of this plan. If the area is subject to no constraints or only one constraint, planning permission will be granted subject to an evaluation against other relevant development plan policies. If the area is subject to a primary constraint or more than one secondary constraint planning permission will not normally be granted."

4.2.7 The methodology prescribed in Paragraph 5.4 of the Minerals Plan expands on Stage 1 of the Preferred Areas eliminative environmental appraisal and sets out an assessment based on a series of criteria under three broad headings: planning and environmental constraints; the potential for appropriate and effective restoration; and the quality and availability to the industry of the deposit. The planning and environmental constraints are categorised as being 'primary' or 'secondary'.

4.2.8 Primary Constraints as at paragraph 5.4 (A) of the Minerals Local Plan are listed below. These typically consist of constraints considered in the Minerals Local Plan to be of national importance. Sites affected by one or more of these constraints is removed from further

consideration for extraction:

- Best and most versatile agricultural land where restoration to a high standard seems unlikely. Where small areas of best and most versatile agricultural land are contained (or appear from the Agricultural Land Classification Survey information to be contained) within sites of predominantly lesser agricultural quality, the location has been included in those of least environmental objection, where no other constraint exists. In such cases detailed fieldwork may be needed to establish the extent of the quality of agricultural land and an appraisal of the prospects of restoring the high grade land to a high standard.
- Areas of Outstanding Natural Beauty
- Sites of Special Scientific Interest
- National Nature Reserves
- Scheduled and other Ancient Monuments
- Ancient semi-natural woodland; and
- A buffer strip of 200m from the boundary of a potential working area to the nearest main walls of the nearest property in a settlement group of 6 or more dwellings.

4.2.9 Secondary Constraints are set out below as listed at paragraph 5.4 (B) of the Minerals Local Plan. These consist of constraints considered in the Minerals Local Plan to be of local or regional importance. Sites affected by two or more of these constraints is removed from further consideration for extraction:

- Best and most versatile agricultural land where restoration to a high standard is possible
- Special Wildlife Sites
- Section 39 Nature Conservation Sites (defined under the 1981 Wildlife and Countryside Act)
- Groundwater Source Protection Zone, as defined by the National Rivers Authority in their document "Policy and Practice for the Protection of Groundwater"
- Land within or abutting a Conservation Area
- Areas of Great Landscape Value
- Adopted Landscape Protection Areas
- Local Nature Reserves
- Other County Trust Reserves
- Country Parks

- Sites of archaeological importance
- Access to the site including the effects on the surrounding highway network and local environment. In practical terms, the following criteria are used:
    - a) ease of access to a Class "A" or "B" road;
    - b) the avoidance of existing villages in the vicinity of the working.
- The landscape quality of the site where no specific landscape designation exists. Factors to be considered in assessing landscape quality include:
    - a) the importance of the loss of landscape features in areas which have not been identified as being of particular landscape value. The major features to be included in the assessment of the impact on landscape quality are:
        - (i) skyline and hill features including prominent views of such features;
        - (ii) areas of dense hedgerows and tree patterns;
        - (iii) trees and groups of trees;
        - (iv) water features;
        - (v) landscape settings of other features, eg historic buildings, water courses, historic landscapes, SSSI's and other conservation features;
        - (vi) linear features of visual importance.
    - b) the scale of the loss
- The immediate visual impact of the working. The major elements which create visual impact can be related to:
    - a) the frequency of the observation,
    - b) the numbers of observers affected,
    - c) the exposure of the site and the ability to screen the working
- Common land
- National Trust land; and
- Areas of nature conservation importance.

4.2.10 In considering these environmental constraints, the development proposals have been informed by the undertaking of an EIA, the findings of which are required to be taken into consideration in the determination of the application and in the evaluation of the proposal's compliance with Policy 2 of the Minerals Local Plan.

Worcestershire Waste Core Strategy, 2012

4.2.11 The Waste Core Strategy was adopted in 2012 with the purpose of providing policies to be considered in the determination of planning applications for waste development by Worcestershire County Council and as a document to be considered for any application with implications on waste matters. The policies outlined below are of relevance to this application:

Policy WCS1: Presumption in favour of sustainable development

4.2.12 Policy WCS1 follows NPPF guidance in adopting the presumption in favour of sustainable development and translates the early paragraphs of NPPF into the Waste Core Strategy.

Policy WCS5: Landfill and disposal

4.2.13 The policy states that planning permission will not be granted for the landfill or disposal of waste except where it is demonstrated that:

- re-use, recycling, or energy or resource recovery are not practicable for the waste type to be managed and no landfill or disposal capacity exists in the county for that type of waste; or
- there will be a shortfall in landfill or disposal capacity necessary to achieve the aims and purpose of the strategy; or
- the proposal is essential for operational or safety reasons or is the most appropriate option.

4.2.14 The Policy specifically relates to 'disposal other than landfill' and states that disposal facilities other than landfill will be required to be at levels 1 and 2 where it is demonstrated that the proposed location is at the highest appropriate level of the geographic hierarchy (level 1 includes Kidderminster).

Policy WCS7: Development associated with existing temporary facilities

4.2.15 Policy WCS7 states that "Where waste management proposals are operationally related to, or located on a mineral working, landfill site or other waste management facility of a temporary nature, permission will only be granted:

- for a temporary period commensurate with the permitted use on site; and
- where they do not have an adverse impact on the restoration of the site."

Policy WCS13: Green Belt

4.2.16 The Policy states that in Green Belt, waste management facilities will be permitted where the proposal does not constitute inappropriate development, or where very special circumstances exist.

Wyre Forest Core Strategy, 2010;

4.2.17 The adopted Core Strategy is considered in this Statement due to its status as forming part of the adopted development plan for Wyre Forest District. In particular, the Core Strategy sets out the extant development management policies relating to the protection of amenity. The policies below are of particular significance:

Policy CP01: Delivering Sustainable Development Standards

4.2.18 Policy CP01 addresses the need to demonstrate minimization of environmental impact from new development.

Policy CP03: Promoting Transport Choice and Accessibility

4.2.19 Policy CP03 aims to ensure regard is had to the traffic and highway impacts of development and ensure that new development proposals take into account their impact on air quality.

Policy CP14: Providing Opportunities for Local Biodiversity and Geodiversity

4.2.20 Policy CP14 safeguards designated sites of biodiversity interest from development. New development is required to contribute towards biodiversity within the District either on- or off-site.

Wyre Forest Site Allocations and Policies Local Plan, 2013

4.2.21 The Site Allocations and Policies Local Plan (2013) supports the 2010 Core Strategy by allocating and designating areas of land for particular uses. It also establishes development management policies, as below.

Policy SAL.CC1

4.2.22 This Policy relates to the promotion of alternative modes of transport to the private car and states that as well as safeguarding and enhancing the existing cycle route network, the Policy states that proposals leading to the deterioration of highway safety will not be allowed.

Policy SAL.UP1

4.2.23 The Policy is consistent with national guidance and Core Strategy (2010) on Green Belt, and states that proposals within Green Belt must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.

Policy SAL.UP3

4.2.24 Policy SAL.UP3 relates to green infrastructure and states that "Developments which affect Public Rights of Way will be required to make adequate provision for the continuation or diversion of the route. New developments will be required to link into Public Rights of Way where appropriate. New Rights of Way will be established where possible."

Policy SAL.UP5

4.2.25 Priority species, habitats and designated sites are given a degree of protection in Policy SAL.UP5. The Policy requires new development proposals to take steps to enhance biodiversity both within and outside of designated areas. Ecological surveys and mitigation plans are required where a proposal is expected to impact upon habitats / species of national, regional or local importance.

4.3 Other Material Policy Considerations

4.3.1 Other material planning policy documents/guidance for consideration include the National Planning Policy Framework (NPPF) (2019) and Planning Practice Guidance.

4.3.2 In addition, Worcestershire County Council are preparing a new Minerals Local Plan (MLP) which will supersede the 1997-adopted Hereford and Worcester Minerals Local Plan. Consultation on the Publication Version Minerals Local Plan is currently taking place from 19th August 2019 to 30th September 2019.

4.3.3 Furthermore, Wyre Forest District Council are currently undertaking a Local Plan Review which will culminate in the adoption of a single Local Plan document to replace the current adopted Core Strategy, Site Allocations and Policies Local Plan, and Kidderminster Central Area Action Plan which make up the existing adopted development plan for the District. A Pre-submission version of the Plan was published for public consultation on 2 September 2019 and runs until 19 October 2019.

4.3.4 Finally, Worcestershire County Council have announced that the selection of mineral sites through 'specific sites' and 'preferred areas' will be addressed through the preparation of a standalone Site Allocations Development Plan Document (SADPD) to sit alongside the emerging MLP. The sites previously promoted for mineral extraction to the emerging MLP are being considered afresh against the new methodology, and no weight will be attached to how a site scored against previous selection criteria. A draft of the SADPD is scheduled to be published in 'spring 2019' but has not been published at time of writing.

4.3.5 The documents/guidance above are further detailed below with regard to the proposals at Lea Castle Farm.

<u>National Planning Policy Framework (February 2019)</u>

4.3.6 The National Planning Policy Framework (NPPF) was originally published in March 2012, with the latest version published in February 2019. The document sets out the overarching planning policy that shall be implemented through the development plan and determination process. The NPPF is the most up-to-date planning policy document relevant to the application and constitutes a material consideration in determining applications.

4.3.7 As a general approach to development, paragraph 7 of the NPPF states that "the purpose of

the planning system is to contribute to the achievement of sustainable development" which involves the positive pursuit of development that provides net gains across the three overarching objectives of sustainable development (set out at paragraph 8) which are:

- An economic objective;
- A social objective; and
- An environmental objective.

4.3.8 At the heart of the NPPF is a presumption in favour of sustainable development which translates into decision-taking at paragraph 11 as:

- approving development proposals that accord with an up-to-date development plan without delay; and
- where there are no relevant development policies, or the policies which are most important for determining the application are out of date, granting permission unless:
    - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.3.9 The application site is located wholly within Green Belt, which has a chapter of the NPPF dedicated to it (Chapter 13). Paragraph 146 outlines that mineral extraction is not considered inappropriate in the Green Belt provided that is preserves openness and does not conflict with the purpose of including land within the Green Belt, which are listed at paragraph 134 as:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.3.10 The NPPF includes a chapter devoted to minerals matters at Section 17. At the very start of Section 17 at paragraph 203 it is emphasised that "it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs" and "since minerals are a finite resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation".

4.3.11 The NPPF emphasises the importance of minerals and affords great weight to "the benefits of

mineral extraction, including to the economy" (paragraph 205). This provides a significant level of support for mineral extraction wherever possible due to the great weight given to the benefits of working mineral resources where possible, subject to the following being considered when determining applications, inter alia:

- As far as is practical, providing a maintenance of non-energy minerals outside of National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, scheduled monuments and conservation areas;
- Ensuring no unacceptable adverse impacts on the natural or historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- Ensuring that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establishing noise limits where appropriate; and
- Provision of restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.

4.3.12 The first bullet point makes clear that there is a recognised need for minerals such that the benefits of extraction and the effects on the economy are not only a material consideration buy should be given great weight. This places the weight given to the need for the development at a higher level than most other planning considerations and links to the presumption in favour of sustainable development.

4.3.13 The second bullet point sets out the general environmental criteria against which mineral development should be assessed.

4.3.14 Paragraph 207 emphasises the importance of maintaining a steady and adequate supply of aggregates in general.

Planning Practice Guidance

4.3.15 Planning Practice Guidance (PPG) is published by the Ministry and Housing, Communities and Local Government and has regard to various aspects related to the proposals at Lea Castle Farm, including a section on Minerals. The PPG specifically addresses noise, restoration and aftercare. PPG provides practical information for the implementation of NPPF guidance and sets out specific policy tests against which environmental degrees of (un)acceptability are established.

Worcestershire Minerals Local Plan Publication Version Consultation Document (2019)

4.3.16 The Publication Version document is currently being consulted on from 19th August 2019 to 30th September 2019. As with the MLP Fourth Stage document, this differs from the Third Stage consultation in that Areas of Search for new aggregates are now being proposed within

the Proposed MLP, rather than site allocations. The Proposed MLP differs by requiring all proposed sites to firstly be identified in the 'Spatial Strategy', and thereafter be subject to assessment against site-specific location policies in order to be considered as an appropriate location for new aggregates. The standalone Site Allocations Development Plan Document (SADPD) (a draft of which is yet to be published) will sit alongside the emerging MLP and will contain site-specific allocations policies.

4.3.17 Paragraph 2.22 of the MLP states that in 2016 there were three "active" and two "inactive" sand and gravel workings and processing facilities in the county, with sales of 399,000 tonnes of sand and gravel. Four of these sites had permitted reserves of sand and gravel for aggregate purposes and one of the sites classed its permitted reserves as "non-aggregate uses". In addition, planning permissions were granted during 2016 which had not commenced working by 31st December 2016. The latest Local Aggregate Assessment for the County also uses data to the end of 2016.

4.3.18 The County's landbank for sand and gravel according to the latest available figures is 6.99-7.07 years (at 31st December 2016). The National Planning Policy Framework sets a landbank requirement for sand and gravel of at least 7 years.

4.3.19 Regarding 'future sand and gravel supply' (paragraphs 2.25 – 2.28) the MLP states that almost half of Worcestershire's sand and gravel deposits are affected by significant viability, environmental or amenity constraints. Furthermore, the MLP estimates that "a further 11.53 million tonnes of sand and gravel will need to be permitted in Worcestershire over the plan period to meet this annual production guideline and to maintain at least a 7 year landbank of permitted reserves. Due to the quantities of sand and gravel required, the scale and distribution of the resources, and the tendency for mineral workings in Worcestershire to be small scale in comparison to other parts of the country, multiple sand and gravel workings are likely to be required over the life of the plan in order to achieve this."

4.3.20 Paragraph 2.6 indicates significant levels of growth planned within Worcestershire. It is acknowledged that minerals are required to meet this growth.

The Spatial Strategy

4.3.21 The spatial strategy seeks to locate minerals development within 1 of 5 strategic corridors. Paragraph 4.3 identifies that there will be clear priorities set for development within each strategic corridor to prescribe how minerals development can best enhance green infrastructure corridors to deliver social, economic and environmental benefits. It goes on to state that, 'this will enable the coordination of benefits from multiple mineral developments in the same strategic corridor'.

4.3.22 The application site is located within the North West Worcestershire Strategic Corridor. The Proposals Map shows the North West Worcestershire Strategic Corridor to contain Areas of Search for multiple mineral types: solid sand and gravel, and silica sand. The Proposals Map

shows both mineral types are overlain on the application site.

Policy MLP1: Strategic Location of Development

4.3.23 Policy MLP1 states that planning permission will be granted for sand and gravel extraction where it is located within a strategic corridor and:

- is within an allocated site (which includes areas of search defined on the Policies Map and specific sites and preferred areas allocated in the (emerging) Mineral Site Allocations Development Plan Document); or
- it is demonstrated that the mineral resource has qualities which mean a sustainable supply of the mineral cannot be delivered from extant or allocated sites.

Policy MLP7: North West Worcestershire Strategic Corridor

4.3.24 Planning permission will be granted for mineral development within the North West Worcestershire Strategic Corridor that contributes towards the quality, character and distinctiveness of the corridor through the delivery and enhancement of green infrastructure networks.

4.3.25 A level of appropriate technical assessment is required to demonstrate how the proposal will optimise opportunities to deliver green infrastructure priorities listed at parts a-e of MLP7.

Policy MLP10: Steady and Adequate Supply of Sand and Gravel

4.3.26 Policy MLP10 builds upon NPPF guidance to maintain a steady and adequate supply of sand and gravel. It states that "a level of technical assessment appropriate to the proposed development will be required to demonstrate the contribution the proposed development will make towards:

- Maintaining a landbank of permitted sand and gravel reserves in Worcestershire of at least 7 years; and/or
- Enabling Worcestershire's productive capacity for sand and gravel supply to be maintained or enhanced."

Policy MLP17: Prudent Use of Resources

4.3.27 The policy takes a positive approach to development that makes prudent use of natural resources. An appropriate level of technical assessment is required. Natural resources mentioned in the Policy include water resources and optimising on-site energy generation. The balance of benefits of maximising extraction should be weighed against the benefits of allowing sterilisation of some of the resource, taking account of:

- the need for the mineral resource;
- the ability to deliver the relevant strategic corridor priorities;

- the ability to provide an appropriate landform for beneficial after-use;
- the ability to deliver high-quality restoration at the earliest opportunity;
- the appropriateness of importing fill materials on to site, and the likely availability of suitable fill materials;
- the need to protect and enhance inherent landscape character; and
- the need to manage or mitigate impacts on the built, historic, natural and water environment and amenity

Policy MLP18: Green Belt

4.3.28 Proposals within Green Belt should demonstrate through an appropriate level of technical assessment that they will preserve the openness of Green Belt, and not conflict with the purpose of including land within Green Belt. It states that "where the proposed development will not preserve openness or will conflict with the purposes of including land within the Green Belt, planning permission will not be granted unless very special circumstances are demonstrated to clearly outweigh harm by inappropriateness and any other harm."

Policy MLP19: Amenity

4.3.29 Policy MLP19 states that planning permission will be granted where the proposed development can demonstrate acceptable impact on amenity, health and well-being, the environment, or areas of tranquility.

4.3.30 A level of technical assessment appropriate to the proposed development will be required to demonstrate that, throughout its life, the development will not cause unacceptable harm to sensitive receptors from air quality, dust, odour, noise and vibration, light, visual amenity and intrusion, land instability, and/or contamination.

Policy MLP20: Access and Recreation

4.3.31 Policy MLP20 states that planning permission will be granted where it is demonstrated that the proposed mineral development will protect and enhance rights of way and public access provision.

Policy MLP21: Biodiversity

4.3.32 Planning permission will be granted where it is demonstrated that the proposed mineral development will protect, conserve and enhance biodiversity, as demonstrated through appropriate impact assessment(s).

Policy MLP22: Historic Environment

4.3.33 Planning permission will be granted where it is demonstrated that the proposed mineral development will protect, conserve and enhance the historic environment, as demonstrated

through appropriate impact assessment(s).

Policy MLP23: Landscape

4.3.34 Planning permission will be granted where it is demonstrated that the proposed mineral development will protect, conserve and enhance the character and distinctiveness of the landscape.

Policy MLP24: Soils

4.3.35 Planning permission will be granted where it is demonstrated that the proposed mineral development will protect and conserve soil resources and their quality. The Policy states that soils should be retained within the site, with appropriate provision made for soil stripping, handling, storage, and re-use.

Policy MLP25: Best and Most Versatile Agricultural Land

4.3.36 Planning permission will be granted where it is demonstrated that the proposed mineral development will safeguard the long-term potential of best and most versatile agricultural land.

Policy MLP27: Water Quality and Quantity

4.3.37 Planning permission will be granted where it is demonstrated that the proposed mineral development will protect and enhance the quality, quantity and flow of surface water and groundwater resources.

Policy MLP29: Transport

4.3.38 Planning permission will be granted for mineral development that uses the most sustainable transport options and which will not have an unacceptable adverse effect on transport safety or congestion. Development proposals should prioritise the use of alternatives to road transport for the movement of minerals and materials. The policy states that road transport of minerals and materials will only be acceptable where it is demonstrated that alternative modes are not practicable or not environmentally preferable.

4.3.39 Access for employees and visitors should optimise the use of public transport, walking and cycling.

Policy MLP30: Planning Obligations

4.3.40 Measures necessary to make the proposed development acceptable will be secured through planning conditions and/or planning obligations. Planning obligations will only be required where they are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

4.3.41 Planning obligations should only be used where it is not possible to address unacceptable effects of the development through planning conditions

Mineral Safeguarding

4.3.42 The emerging MLP also places the application site within a Mineral Safeguarding Area for sand and gravel and a Mineral Consultation Area, as shown on the Proposals Map. The purpose of these areas are to ensure that minerals resources of local and national importance are not sterilised by non-minerals development, and to ensure that consultation takes place between the relevant Local Planning Authority and Worcestershire County Council before non-minerals applications are determined. The sand reserves beneath the application site are recognised on the emerging MLP Proposals Map.

4.3.43 Policy MLP 32: Safeguarding Mineral Sites and Supporting Infrastructure sets out that permitted mineral sites (sites with extant mineral planning permissions), specific sites and preferred areas allocated in the Mineral Site Allocations Development Plan Document, and supporting infrastructure sites (existing, planned and potential sites for the storage, handling, processing, manufacture or transport of minerals or mineral products) will be safeguarded against sterilisation by non-minerals development.

4.3.44 Policy MLP 32, goes on to state that a level of technical assessment appropriate to the proposed development and its potential impact on the operation of permitted mineral sites or supporting infrastructure sites will be required for all non-exempt development proposed within or partially within 250m of the boundary of any permitted mineral site or supporting infrastructure site to demonstrate that the proposed development would not result in an unacceptable impact on:

a) the continued operation of a permitted mineral site;

b) the successful restoration and aftercare of a permitted mineral site;

c) the development of a specific site or preferred area allocated in the Mineral Site Allocations Development Plan Document; or

d) the continued operation of any supporting infrastructure site.

Where the Local Planning Authority, having consulted the Mineral Planning Authority, considers that an unacceptable impact on the operation or restoration of the mineral site or supporting infrastructure could occur, the proposed non-mineral development will be refused unless it is demonstrated how the impacts will be satisfactorily mitigated

<u>Wyre Forest Local Plan Pre-Submission</u>

4.3.45 The emerging Local Plan for Wyre Forest District will replace the current Adopted Core Strategy, Site Allocations and Policies Local Plan and Kidderminster Central Area Action Plan in order to produce a single Local Plan document for the district.

4.3.46 The document will identify where housing, retail and employment land should be located and the infrastructure required to support this growth, such as new roads, schools and health services. The Plan also proposes new development management policies for the district.

4.3.47 A Pre-submission version of the Plan was published for public consultation on 2 September 2019 and runs until 19 October 2019. Representations received are to be submitted along with the Local Plan to the Planning Inspectorate for examination in public. Key elements of the Pre-submission version of relevance to this proposal are outlined below in the form of draft policies.

Policy 5A: Sustainable Development

4.3.48 Policy 5A reflects the approach taken to sustainable development in NPPF through taking a positive approach to work proactively with applicants in a way which means that proposals can be approved wherever possible. Applications that accord with the policies of the Development Plan will be approved unless material considerations indicate otherwise.

Policy 6D: Strategic Allocation Sites

4.3.49 As shown on the Pre-submission version Policies Map, two strategic allocation sites are proposed to come forward over the Plan period, including 'Lea Castle Village' consisting of the ex-hospital site east of the application area, on the eastern side of Wolverhampton Road. A specific policy (Policy 31) covers the strategic allocation.

Policy 11B: Historic Environment

4.3.50 Development proposals should protect, conserve and enhance all heritage assets and their settings, including assets of potential archaeological interest.

Policy 11D: Protecting and Enhancing Biodiversity

4.3.51 Policy 11D emphasises the consideration given to habitats and species when bringing forward development proposals, and states that measurable net gains in biodiversity should be delivered on a scale proportionate to the proposed development.

Policy 13: Transport and Accessibility in Wyre Forest

4.3.52 Policy 13 mirrors national policy and guidance in that it requires proposals to demonstrate that demand for travel is minimised, sustainable transport modes are available, and highway impact is acceptable. Travel plans should be provided for all major developments.

Policy 16A: Pollution and Land Instability

4.3.53 Development proposals must be designed in order to avoid any significant adverse impacts from pollution, including cumulative ones, on any of the following: human health and wellbeing, biodiversity, the water environment, neighbouring land uses, or an

existing/proposed Air Quality Management Area (AQMA).

Policy 16B: Minerals

4.3.54 The Pre-submission version Local Plan contains a minerals-specific policy in which the use of recycled / secondary minerals is promoted. The Minerals Consultation Areas are addressed in Policy 16B.

4.3.55 Furthermore, the Policy states that "minerals development and extraction should not have an unacceptable impact, including cumulative impact, upon:

- The historic environment including heritage and archaeological assets. Restoration of minerals extraction sites which impact on heritage assets or their settings should be appropriate to the maintenance of and the significance of those assets.
- The natural environment including biodiversity and ecological conditions for habitats and species.
- Amenity including noise, air pollution (including dust), water levels and water quality

Policy 25: Safeguarding the Green Belt

4.3.56 The thrust of Policy 25 mirrors Chapter 13 of the NPPF (2019) which only permits development in Green Belt where exceptional circumstances exist, or the development is specifically listed as an exception.

Policy 26: Safeguarding the Historic Environment

4.3.57 Proposals are required to consider the potential for impact on heritage assets and developments causing harm or loss of significance to a heritage asset will be resisted unless clear and convincing justification is provided.

Policy 28D: Agricultural Land Quality

4.3.58 Policy 28D states that development on best and most versatile agricultural land of higher quality grades will be resisted where the site has not been allocated in the Local Plan and is considered worthy of protection.

Policy 31: Lea Castle Village

4.3.59 Policy 31D specifically relates to the allocation east of the application site at the former hospital site and surrounding areas proposed for a mixed-use development with approximately 1400 dwellings.

4.4 Summary of Main Policy Considerations

4.4.1 A review of the Development Plan for the site and other policy documents/guidance has indicated the need to ensure the delivery of an environmentally responsible and acceptable

scheme of mineral operations at Lea Castle Farm which weighs the benefits of the proposed development against all aspects of the proposal's environmental, social and economic impacts.

4.4.2 In reviewing the planning policies relevant to the proposed development, the following policy considerations are of particular relevance and are listed below.

- The Need and Supply of Sand and Gravel
    - Consideration of Emerging Local Plan Policy and the role of Lea Castle Farm in future sand and gravel supply
    - Sub Regional Apportionment and Landbank implications.
- Restoration and Sustainability Principles;
    - Restoration Vision, Aims and Objectives
    - Need for Restoration Materials
- Green Belt Considerations;
- Development, Growth and Economic Considerations; and
- Environmental and Technical Considerations.

4.4.3 These issues are tackled within the following chapters of this planning statement.

5 Sand and Gravel Needs Assessment

5.1 Introduction

5.1.1 In reviewing the planning policies relevant to the proposed development, the following sand and gravel need considerations are of particular relevance and are discussed below.

5.1.2 Issues of relevance:

- The Need and Supply of Sand and Gravel
    - Consideration of Emerging Local Plan Policy and the role of Lea Castle Farm in future sand and gravel supply
    - Sub Regional Apportionment and Landbank implications

5.2 The Need and Supply of Sand and Gravel

<u>Consideration of Emerging Local Plan Policy and the role of Lea Castle Farm in future sand and gravel supply</u>

The Worcestershire Minerals Local Plan – Third Stage Consultation

5.2.1 The sites' appropriateness for mineral extraction has been considered by Worcestershire County Council throughout the production of the Emerging Minerals Local Plan and was included as a Preferred Area within the Third Stage Consultation of the Worcestershire Minerals Local Plan (Ref: Land North of Wolverley Road – D026-2397).

5.2.2 The Worcestershire Minerals Local Plan Third Stage Consultation document set out that Preferred Area Status is defined as "areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extractions". It goes on to state that Preferred Areas are those which were graded "amber" in the Worcestershire Minerals Local Plan Background Document, September 2016, Call for Sites – Deliverability Assessment.

5.2.3 At Appendix 2: Information about specific sites and preferred areas of the Third Stage Consultation document, in terms of the deliverability criteria, it is set out that amber indicates concerns over the deliverability of a site based on the information received. In terms of Land North of Wolverley Road, the only amber score outlined is with regards the quantity of mineral resource. A detailed investigation of the quantity of sand and gravel available at the site has been carried out and this geological information therefore removes any concerns regarding the working sand and gravel resource.

The Worcestershire Minerals Local Plan – Fourth Stage and Publication Version Consultations

5.2.4 The County Council held a Fourth Stage Consultation to address the short fall in mineral sites and available mineral tonnages within the County, which closed on 8th February 2019. Furthermore, the Council are currently consulting on the Publication Version Minerals Local Plan between 19th August 2019 to 30th September 2019. Although the Third Stage Consultation on the Minerals Local Plan included "specific site" and "preferred area" site allocations, this approach was not carried forward in the Fourth Stage or the Publication Version stage. The Council have decided to revise the method for site selection and will address "specific site" and "preferred area" site allocations in a separate Mineral Site Allocations Development Plan Document (DPD). Consultation on the proposed mineral site selection methodology was carried out alongside the Minerals Local Plan Fourth Stage Consultation, which ended on 8 February 2019.

5.2.5 Paragraph 2.6 of the Publication Version Consultation document indicates significant levels of growth planned within Worcestershire. It is acknowledged that minerals are required to meet this growth.

5.2.6 Figure 2.3 (Publication Version Consultation) reviews the average sales of sand and gravel. Whilst the 10 year average sales are circa 600,000 tonnes per annum, 2016 figures are showing a decline to 399,000 tonnes. Paragraph 2.22 (Publication Version Consultation) provides some clarification that the number of 'active sites' were just 3 within the County. With the permitted but inactive reserves excluded, the County cannot provide a sufficient landbank. This leaves the County vulnerable to maintaining the supply of sand and gravel should there be a downturn in production at any of the active sites either as an operational constraint or the quality of reserves is not as anticipated. As a result, it is essential that sites such as Lea Castle Farm come forward to contribute to the sand and gravel supply.

5.2.7 As set out in figure 2.2 (Publication Version Consultation), Worcestershire has a clear divide in available resource. The northern half of the County in which Lea Castle Farm is located contains the solid sands (building and mortar markets) with the concreting sand and gravels from the terrace and glacial deposits in the south of the County. The two different resources serve different and distinct markets. Their location within the County will affect the distance they need to travel to market as well as the demand/pull on resources from outside the County to meet demand. The number of active and permitted sites (but non-operational) sites are also small in number which may affect the distance the reserves travel to market.

5.2.8 When looking at the supply of mineral within a county a balanced spread of geographical location supply sources is very important in promoting sustainable development. Aggregates being bulky in nature, costly to transport/ typically only transported about 30 miles from source. The proposed Lea Castle Farm mineral site would help provide a balanced geographical spread of mineral supply sources.

5.2.9 Table 2.1 (Publication Version Consultation) indicates the amount of sand and gravel imported and exported from the County. As set out with regards figure 2.2 (Publication Version Consultation) above, the distance of active mineral working to market is likely to determine where it travels to. The number of sites close to the border are an indication that quantities of sand and gravel are likely to be supplying adjacent counties. Although the table is indicating that in both 2009 and 2014 the County was a net exporter of sand and gravel, the significant increases in imports (almost 2.5 times) between 2009 and 2014 indicates that the active sites and their location are not meeting the demand from within the County and there is a reliance on imports.

5.2.10 Paragraph 2.24 (Publication Version Consultation) discusses the typical distance that aggregates travel. However, the scarcity of resource and the fact that they can only be worked where they are found will dictate the market and the distance it becomes economical for aggregate resource to travel. As set out above regarding table 2.1 (Publication Version Consultation), the supply picture is indicating this is happening within Worcestershire. In addition, the supply position within Herefordshire and the limited number of active sites will have a 'knock on' effect on the availability and demand for reserves within Worcestershire.

5.2.11 Whilst the NPPF does advocate the use of 10 year sales as a starting point for review for forecasting aggregate demand, this should be used with some caution. As paragraph 2.27 (Publication Version Consultation) indicates, the sales are not necessarily a reflection of current demand.

5.2.12 The spatial strategy seeks to locate minerals development within 1 of 5 strategic corridors. Paragraph 4.2 (Publication Version Consultation) identifies that there will be clear priorities set for development within each strategic corridor to prescribe how minerals development can best enhance green infrastructure corridors to deliver social, economic and environmental benefits. It goes on to state that, 'this will enable the coordination of benefits from multiple mineral developments in the same strategic corridor'. Figure 4.5 (Publication Version Consultation) identifies the North West Worcestershire Strategic Corridor, which includes Lea Castle Farm.

5.2.13 Part a) of Policy MLP 1: Strategic Location of Development Planning (Publication Version Consultation) sets out that permission will be granted for mineral development where it is located within a strategic corridor and is within an allocated site (which includes areas of search). The Council have decided to revise the method for site selection and will address "specific site" and "preferred area" site allocations in a separate Mineral Site Allocations Development Plan Document (DPD). The only concern with Lea Castle Farm in the Third Stage Consultation revolving around the quantity of mineral resource, there seems to be no justification, why the site can't be taken forward in the Allocation DPD as a preferred site or indeed a specific site as the quantity and quality of the mineral resource has now been resolved as part of this planning application. The site would then fall to be considered under

part a) of Policy MLP1.

5.2.14 Policy MLP 7: North West Worcestershire Strategic Corridor states that Planning permission will be granted for mineral development within the North West Worcestershire Strategic Corridor that contributes towards the quality, character and distinctiveness of the corridor through the delivery and enhancement of green infrastructure networks. As set out below in the following sections of this Planning Statement and in the accompanying ES, in line with Policy MLP 7, the supporting technical assessment and restoration scheme demonstrates how, throughout its lifetime, the development will optimise opportunities to deliver green infrastructure priorities. The vision of the progressive restoration scheme is to create a high-quality estate parkland setting which provides opportunities for living, leisure, recreation and enjoyment for local communities. This includes a matrix of wildlife habitat and biodiversity enhancement and public connectivity via footpaths, bridleways and cycleways and pocket parks to enhance physical activity and wellbeing.

5.2.15 Policy MLP 10 supports minerals development which will contribute to maintaining a landbank for sand and gravel of at least 7 years, whilst being flexible enough to accommodate changes to the balance of demand and supply identified in the Local Aggregate Assessment annually. This is supported by the identification of areas of search such as the North West Worcestershire Strategic Corridor, within which Lea Castle Farm is located. It will be further supported by specific sites and preferred areas to be allocated in a separate Mineral Site Allocations Development Plan Document.

Worcestershire Minerals Local Plan Background Document: Location of development – Screening and Site Selection Methodology – August 2018

5.2.16 The document identified that concerns have been raised as part of the Minerals Local Plan Third Stage Consultation about the ability for the plan to supply adequate sand and gravel resources.

5.2.17 In terms of allocating site, the document sets out a proposed assessment methodology to be applied to all sites which have been submitted in response to the Second Stage Consultation and the four subsequent calls for sites in order to determine which sites should be allocated in the separate Mineral Site Allocations Development Plan Document as either Specific Sites or Preferred Areas.

5.2.18 In terms of the proposed assessment methodology, the Lea Castle Farm site meets all the assessment criteria and should be allocated as a specific site.

Conclusion

5.2.19 Despite the Council deciding to revise the method for site selection, with "specific site" and "preferred area" site allocations to be addressed in a separate Mineral Site Allocations Development Plan Document (DPD), it is clear that the County Council recognise the

appropriateness of sand and gravel extraction at Lea Castle Farm and subject to overcoming any potential environmental or technical considerations, the site can contribute to the future sand and gravel supply in Worcestershire.

5.3 Need and Landbank Issues

The Worcestershire Local Aggregate Assessment

5.3.1 The NPPF (paragraph 207a) requires that MPA's, 'plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment, either individually or jointly to forecast future demand, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options'.

5.3.2 The LAA (July 2018) identifies that there are insufficient reasons to justify a deviation from the 10 year sales average (circa 600,000tpa). However, the 3 years sales data suggests that the productive capacity of active operations able to meet the 10 year sales average is reduced (indicative by the 3 year sales being significantly lower - likely as a result of sites closing as discussed at paragraph 5.11 of the Local Plan Publication Version Consultation). The future forecast for housing completions and future development indicates a likely sustained period of high demand for resource (paragraph 2.6 - Local Plan Publication Version Consultation).

5.3.3 Notwithstanding the above comments, we have also reviewed the Draft Worcestershire LAA published January 2019 (containing sales data covering the period up to December 2017), presented to the West Midlands Aggregate Working Party in January 2019. This draft is indicating that average 10 year sales have reduced (circa 570,000 tpa). This latest LAA is therefore recommending that production guidelines for the County are 570,000tpa. However, as above, this reduction is a result of the closure of sites containing permitted reserve (6 active sites have reduced to 4).

5.3.4 Although the permitted landbank is shown at 6.99-7.07 years, this leaves the County vulnerable to maintaining a sufficient landbank in accordance with the NPPF requirements (paragraph 207(f)) when all allocations from the adopted Minerals Plan have now been brought forward. Paragraph 5.34 indicates permitted reserves within the County of 4.294 million tonnes. Using the average sales of 600,000 tpa this would provide a landbank of just over 7 years (7.2 years). Inactive operations count for up to 5.8% which then reduces the landbank to under 7 years (6.8 years). As a result, this planning application needs to be supported to maintain the landbank, contribute to existing markets and meet anticipated demand.

5.4 Conclusion

5.4.1 The NPPF makes clear the benefits of the requirement to plan for the maintenance of a steady and adequate supply of aggregates. This is also reflected within the Emerging Minerals Local Plan, which has in previous iterations recognised that Lea Castle Farm is an appropriate site

for sand and gravel extraction.

5.4.2 The NPPF provides an indication of a minimum 7 year sand and gravel landbank required to underpin the development aspirations in any MPA area. Due to the delay with "specific site" and "preferred area" site allocations, it is important that the County Council supports appropriate planning applications such as the proposed sand and gravel extraction at Lea Castle Farm in order to maintain the landbank and meet anticipated demand.

5.4.3 A positive determination of this planning application would provide a viable and high quality mineral supply to meet identified need, as required by both adopted and emerging Minerals Local Plan Policy.

6 Restoration Principles

6.1 Restoration Vision, Aims and Objectives

6.1.1 The vision for the progressive restoration of the site is 'to create a high-quality estate parkland setting which provides opportunities for living, leisure, recreation and enjoyment for local communities'. A landscape to include a matrix of wildlife habitat and biodiversity enhancement and public connectivity via footpaths, bridleways and cycleways and pocket parks to enhance physical activity and wellbeing. It is hoped that the development will create and enhance benefits and create opportunities for health and wellbeing, biodiversity and social enjoyment in the long-term.

6.1.2 Detailed restoration establishment proposals are shown on the accompanying Concept Restoration Scheme as illustrated on ES Drawing Number 3/9.

6.1.3 To aid in this process c. 60,000 m^3 of restoration material will be imported onto site per annum, c. 600,000 m^3 in total, to help create restoration formation levels onto which the original site soil profile will be placed. Based upon the applicant's other operational sites c. 25% of this figure will enter the site as a backload, i.e. a HGV will bring in restoration material and leave with aggregate.

6.1.4 The aims of the restoration strategy are:

- To utilise local natural assets to meet local and county needs and opportunities; and
- To comply with the principles of sustainability and Green Infrastructure.

6.1.5 The concept Restoration Scheme is illustrated on Planning Application Drawing No. 15.

6.1.6 The specific objectives of the proposed restoration strategy and how they will be achieved are outlined below:

	Objectives	**To be achieved by**
1.	To increase public access	Provision of 2km of new public footpaths/bridleways and cycleways
2.	Creation of estate parkland setting	Planting of ~200 Avenue Trees to reflect the original Lea Castle parkland. Planting of ~8,500 native and parkland trees and shrubs to reflect the original Lea Castle Parkland
3.	Provision of educational resources	Creation of pocket parks notice boards in respect of the previous site history and new biodiversity initiatives. Raising awareness of sustainability link between natural assets
4.	To maximise the on-site soil resources	All areas of Best and Most Versatile soil(s) local characteristics to be restored

5.	To create new habitat and promote biodiversity	Planting of ~6,000 natural and parkland trees and shrubs including woodland fringe, woodland and strengthening and planting of ~1018 Linear metres new hedgerows. Sowing of ~5 hectares of Acidic Species Rich Meadow (a target biodiversity action plan species)
6.	To meet guidelines and outcomes of the Worcestershire Green Infrastructure Strategy	Delivering Green Infrastructure through mineral extraction and restoration
7.	Connectivity	Creating new links and integration between and for local communities and wildlife matrixes and corridors e.g. new public right of way link from Cookley to the proposed Lea Castle village (on the old Lea Castle Hospital Site) on east west routes to the Stour/ Worcestershire and Staffordshire Canal Corridor south to Kidderminster and to the north
8.	To ensure the restoration proposals are managed and maintained in perpetuity	Legally establish the permanent restoration scheme land uses and right of access along with a sustainable management plan

6.2 Restoration Proposals

6.2.1 The restoration strategy has been developed with the principles of sustainable development at the forefront of the long-term land uses for the site, which are proposed to include a high proportion of quality green and blue infrastructure.

6.2.2 The proposed after-uses of the site will provide an exemplar role model to help meet government policy on Green Belt, localism and realization of Garden City principles in land use change to meet an evolving range of environmental, social and economic challenges.

6.2.3 Lea Castle Farm forms one element of a wider strategic development north of Kidderminster which includes land from Keepers Cottage to the north of the application site and the former Lea Castle Hospital site to the east, as far south-west as the Staffordshire Canal.

6.2.4 It is proposed that the specific restoration scheme for Lea Castle Farm is congruous with the adjacent properties at Brown Westhead Park, Wolverley Road, Castle Barns, and the Lea Castle Equestrian Centre. The scheme will provide additional connections both east-west and north-south to allow off-road access for walkers, cyclists and equestrian users. The scheme will also deliver benches along the proposed tree-lined avenue connecting the existing Wolverley Road access to the site to the Lea Castle Equestrian Centre off-site to the north.

6.2.5 The scheme will provide significant leisure, recreation and welfare benefits to a mix of users, in part through the provision of approximately 2 km of new public footpaths / bridleways / cycleways.

6.2.6 It is proposed that ~8,500 native trees and shrubs will be planted as part of the restoration scheme. Acidic Species Rich Meadow (a target Biodiversity Action Plan species) will be created post-mineral extraction, along with the reinstatement of all agricultural land which is assessed to be of 'Best and Most Versatile' standard.

6.2.7 The mix of border acid grassland and reinstated Broom Covert will provide an appropriate mix of end-uses alongside the reinstatement of agricultural land. Further measures to be implemented into the restoration scheme for the benefit of biodiversity gains include enhancement measures including bat boxes, planting of species to encourage dormouse, and native understorey planting.

6.3 Need for Restoration Materials

6.3.1 The proposed development at Lea Castle Farm includes for the importation of restoration material to site for use in progressive site restoration over a 10-year period. The restoration material is proposed to consist of clean excavated materials consisting of clays, overburden and soil making material.

6.3.2 It is proposed that a total of 600,000m^3 of restoration material is used to enable restoration to the proposed final levels and landform. Given the method of phased mineral extraction and progressive restoration to be employed, the site is proposed to receive approximately 60,000m^3 per annum over the proposed quarry's 10 year operational life.

6.3.3 To achieve the restored landform depicted on the Concept Restoration Plan, the importation of restoration materials is required as there is insufficient quarry material to achieve this and provide an acceptable final landform. To achieve a satisfactory standard of reclamation, it is necessary to import a quantity of suitable material.

6.3.4 In addition to being the minimum necessary to achieve the restoration objectives, the volumes proposed for importation are considered to be available. They are based on discussions and interest shown from earthworks contractors operating within the surrounding area. Further, the proposed backhauling of material is a practical, economic and viable option. Customers regularly enquire whether inert materials can be accepted, and for this to be linked to aggregate sales.

6.3.5 In assessing the anticipated future waste arisings that could be utilised for the benefit of achieving restoration profiles at Lea Castle Farm, the Worcestershire Waste Core Strategy has been considered. The Waste Core Strategy included a review of waste arisings in the County and determined the likely future waste arisings before comparing these against existing waste

management infrastructure. This enables the Waste Core Strategy to determine if there were any additional capacity requirements.

6.3.6 The Waste Core Strategy does not identify a capacity gap over the plan period to 2027 for additional landfill or disposal of waste infrastructure (at Policy WCS 5). Furthermore, paragraph 2.44 states that the existing void space at landfill sites across the County is sufficient to manage the amounts and types of waste expected to need to be landfilled or disposed of over the life of the Waste Core Strategy. However, the plan period runs only until 2027 and therefore does not cover the proposed lifetime of mineral extraction and restoration at Lea Castle Farm.

6.3.7 The Existing Waste Sites Map (Waste Core Strategy Figure 6) within the Waste Core Strategy does not identify any landfill facilities in Worcestershire north of Kidderminster.

6.3.8 The latest published Annual Monitoring Report (AMR) for Worcestershire covers the period from April 2015 to December 2015 and maintains that the County does not have a capacity gap for waste disposal and landfill, and that the County can demonstrate self-sufficiency in its capacity for the disposal of inert waste. The AMR also notes that there was no disposal of inert waste in Worcestershire between 2012 and 2015.

6.3.9 It is considered that the limited volumes of restoration materials to be imported to the site are necessary in order to deliver the significant restoration benefits. The use of inert waste in the restoration scheme is considered to be preferable despite no identified landfill capacity gap before the end of the Waste Core Strategy plan period.

6.3.10 In terms of the use of waste materials at mineral workings, paragraph 2.13 of the Waste Core Strategy recognises that restoration of mineral workings can require waste materials to be imported and used as fill.

6.3.11 Policy WCS 6: Compatible land uses sets out that active mineral working sites can be compatible sites for waste management where a clear operational relationship is demonstrated. As set out in table 8 in the explanatory text for WCS 6, proposals that form a necessary part of a restoration scheme for the site provide a clear operational relationship.

6.3.12 The use of restoration materials in restoring the quarry is considered to be the most sustainable option open to the Applicant. Although no capacity gap is currently identified over the Waste Core Strategy plan period, it is considered that utilising inert materials for the benefit of facilitating a sustainable restoration scheme is preferable to landfill with no other purpose than waste disposal. Proposals that form a necessary part of a mineral working restoration scheme for the site is in accordance with paragraph 2.13 and Policy WCS 6 of the Waste Core Strategy.

6.3.13 The restoration scheme proposed returns land to a high agricultural land quality and will provide a well-draining and visually congruous landform with a mix of end uses appropriate for its location and therefore accords with Policy WCS 6. The benefits of providing additional,

albeit limited, capacity for inert waste materials at an environmentally acceptable site with purpose-built access are considered to add weight to the benefits of the proposed development. The utilisation of the exposed extraction areas for the deposit of restoration materials to create beneficial final profiles are considered logical and beneficial and will provide a permanent sustainable legacy for public enjoyment and wellbeing.

6.3.14 A further key consideration is the number of proposed and permitted large scale residential schemes in close proximity to the Lea Castle Farm site. Large quantities of inert waste will arise from these large scale schemes and the potential transport to and use of this material in the Lea Castle development restoration scheme, aligns with the ethos of achieving sustainable development as set out in section 2 and paragraph 8 of the NPPF.

6.4 Aftercare and Management

6.4.1 All restored land will be placed in aftercare and managed by the operator and land owner for 5 years under the monitoring of Worcestershire County Council and other statutory bodies and a proposed quarry Liaison Group. Post 5 years, the land will be fully managed by the land owner.

6.4.2 The establishment of the restoration land uses as illustrated on Planning Application Drawing No. 15 are a permanent commitment. Site Aftercare and Management are fundamental principles within the application which will ensure the long-term balance of agricultural, wildlife and amenity uses on site and its use a connecting landscape to access both town and country.

6.4.3 To provide certainty, the landowner, Lea Castle Farm (LS) will enter into a legally binding agreement to maintain and manage the restored land. Certainty will also be provided through planning conditions enforceable by the Local Planning Authority and if breached enforceable by law.

6.5 Conclusion

6.5.1 Overall, it is concluded that the level of proposed importation of restoration materials would strike an appropriate balance between creating an acceptable landform whilst minimising the amount of material that would need to be imported. Furthermore, it would provide significant landscape, biodiversity and public amenity benefits that will be undertaken in a phased manner to ensure the completion of restoration at the earliest opportunity.

7 Green Belt Considerations

7.1.1 The application site is located wholly within the Green Belt. In terms of the NPPF, paragraph 146 states that mineral extraction, along with other specified forms of development, is not inappropriate in the Green Belt, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Paragraph 133 of the NPPF states that the essential characteristics of the Green Belt are its openness and permanence. Paragraph 134 of the NPPF sets out the purposes of including land in the Green Belt. Paragraph 203 sets out that it is essential that there is a sufficient supply of minerals and minerals can only be worked where they are found. Paragraph 205 goes on to state that when determining planning applications, great weight should be given to the benefits of mineral extraction.

7.1.2 In terms of development plan policy, Policy WCS13: Green Belt of the Worcestershire Waste Core Strategy states that in Green Belt, waste management facilities will be permitted where the proposal does not constitute inappropriate development, or where very special circumstances exist. Policy SAL.UP1 of the Wyre Forest Site Allocations and Policies Local Plan is consistent with national guidance and Core Strategy (2010) on Green Belt, and states that proposals within Green Belt must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.

7.1.3 In terms of emerging local policy, Policy MLP18: Green Belt of the Worcestershire Minerals Local Plan Publication Version Consultation Document states that proposals within Green Belt should demonstrate through an appropriate level of technical assessment that they will preserve the openness of Green Belt, and not conflict with the purpose of including land within Green Belt. It states that "where the proposed development will not preserve openness or will conflict with the purposes of including land within the Green Belt, planning permission will not be granted unless very special circumstances are demonstrated to clearly outweigh harm by inappropriateness and any other harm." Policy 25: Safeguarding the Green Belt of the Wyre Forest Local Plan Pre-Submission mirrors Chapter 13 of the NPPF which only permits development in Green Belt where exceptional circumstances exist, or the development is specifically listed as an exception.

7.1.4 In terms of openness, the first matter to consider is the physical characteristics of the site and its surroundings and the development proposed on it. The site contains two distinct landscape characteristics. Firstly, the enclosed Western Area and the majority of the Eastern Area is contained by a combination of landform, topography, woodland blocks and in parts a stone/brick wall. These morphological and structural elements combine to create a screened periphery surrounding a degraded inner parkland landscape and new agricultural land use and

setting. The form of the character is mainly geometric with large agricultural fields bounded by straight sections of woodland and an inner linear track adjoining which are the remnants of a formal tree lined avenue. The outer Eastern Area of the Site displays a distinct character of a much more open nature. Landform and topography combine to create a visually exposed slope more associated with the old Lea Castle Hospital Site and adjoining fields to form a wider local valley context landscape to the east.

7.1.5 The plant site area for the operation would be about 3.87ha and, as such, the footprint combined with the proposed access track and surrounding bunds would be relatively small in the context of the much wider agricultural landscapes that surround it. Furthermore, the plant will be erected below surrounding ground level of c.70m aOD at a floor base of 63.5m aOD and contained by soil storage/ screening bund to the south, west and north and higher ground to the east up to c.80m aOD. In terms of the amount of development to be introduced, the proposal would have 6 stages, lasting 10 years in total. The largest area of disturbance of land at any one time period will be approximately 10 Ha (within Phase 4).

7.1.6 The Landscape and Visual Impact Assessment (LVIA) shows that the proposed development's physical geographical influence is contained within an area of land, which is physically constrained by either vegetation structure, access roads, field boundaries or landform. Its visual geographical influence given its height, scale and mass combined with its location within an undulating landform morphology is therefore limited.

7.1.7 The Eastern Area of the site, which due to a combination of an easterly sloping landform and reducing topography combined with a limited amount of vegetation make this area a part of a wider visual envelope with potentially a greater number of visual receptors including residents of Castle Barns, Four Winds, Broadwaters and properties off the Stourbridge Road as well as users of the local road and PROW networks located to the east of the site.

7.1.8 Visual mitigation and enhancement measures integrated into the development proposals include, only extracting mineral from the identified more enclosed and contained visual landscape in the eastern and central/ eastern areas of the site, placing the plant site a minimum of 7m below adjacent ground level, use of temporary soil storage/screening bund (seeded and maintained) to block potential views of quarrying activities along with agricultural straw bales, distance standoffs from residential property including the Bungalow and Castle Barns, tree and shrub planting to help both screen and integrate proposals. It is also proposed to limit the actual area of disturbed land /quarrying activities (access, extraction, plant site and restoration) through phased progressive extraction and restoration.

7.1.9 With minerals development, some degree of operational development has to be expected. All of the proposed temporary buildings and other development on site would be necessary for

carrying out the proposal and there are no elements which would not be normal and appropriate for this type of operation. The judgements in the Sam Smith's case, (Samuel Smith's Old Brewery(Tadcaster) and Oxton Farm vs North Yorkshire Council and Darrington Quarries Ltd [2018] EWCA Civ 489) at paragraph 16, require that the function of the building(s) are taken into account, in determining whether there would be an impact on openness. In terms of Case law in Europa Oil and Gas Ltd. v Secretary of State for Communities and Local Government [2013] EWHC 2643 (Admin), paragraph 67 of the Europa case goes on to say that one factor which affects appropriateness, the preservation of openness and conflict with Green Belt purposes, is the duration of development and the reversibility of its effects. In this case, as the plant and extraction operations associated with the proposed development, the duration would be temporary, for 10 years, and the effects would be completely reversible with the progressive restoration scheme. Green Belt policy is essentially a long-term policy, with paragraph 133 of the NPPF making reference to one of the characteristics of the Green Belt being its permanence. In this case there would be no permanent harm and a suitably-worded condition would ensure that all of the temporary development would be completely removed, ensuring the long-term openness of the Green Belt.

7.1.10 Paragraph 134 of the NPPF sets out the reasons for including land within the Green Belt. As set out previously in this statement, the sites' appropriateness for mineral extraction has been considered by Worcestershire County Council throughout the production of the Emerging Minerals Local Plan and was included as a Preferred Area within the Third Stage Consultation of the Worcestershire Minerals Local Plan (Ref: Land North of Wolverley Road – D026-2397). The Worcestershire Minerals Local Plan Third Stage Consultation document set out that Preferred Area Status is defined as "areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extractions".

7.1.11 The openness of the Green Belt has to be regarded in the context of its permanence and the long-term maintenance of its existing condition. In following the approach to considering minerals development in the Green Belt in the legal cases of Sam Smith and Europa, it is considered that any impact would be temporary and there would be no permanent harm to the Green Belt. The proposal would not be inappropriate development in the Green Belt and it would not be harmful to the openness of the Green Belt and the purposes of including land within it. As such, it would comply with paragraph 146 of the NPPF and with adopted and emerging development plan policy.

8 Development, Growth and Economic Considerations

8.1 National Sales Trends for Aggregates

8.1.1 The minerals products industry is a vital enabling sector of the UK economy, which has a broad impact on overall economic activity. As the largest element of the construction supply chain, a supplier of key materials to many other industries, and the largest material flow in the UK economy, a healthy domestic mineral products industry is essential for the UK.

8.1.2 This is reflected in the NPPF issued in February 2019, paragraph 203, which states "It is essential that there is sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long term conservation. Paragraph 205 of the NPPF states "When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy".

8.1.3 Aggregate sales have been depressed since the onset of the recession in 2008, reflecting the significant decline in construction markets, but have started to recover since mid-2013, increasing by 29% between 2013 and 2017 as construction activity picked up.

8.2 Development and Growth

8.2.1 At the national level, central Government has identified a number of road, rail, transport, flood defense and infrastructure projects that are due to commence over the emerging Local Plan period.

8.2.2 Central Government's agenda for growth and a nationwide shortfall of housing filters down to local level, with Wyre Forest District and Worcestershire no exception. Housing, with associated infrastructure is a significant user of the County's aggregates. This is likely to continue over the next decade. As set out in the Wyre Forest District Housing Need Study (October 2018), the Government's standard methodology establishes a minimum need for 276 dwellings each year in the district over the period 2018-2028 based on the latest (2016-based) ONS household projections and latest (2017) affordability ratios.

8.2.3 In respect of potential local demand for sand and gravel and solid sand predicted within and around Kidderminster, a planning application for up to 600 dwellings and a mix of employment, retail and associated infrastructure was approved subject to the signing of a S106 agreement at the former Lea Castle Hospital (Ref: 17/0205/OUTL), which is directly to the east of this proposed development. The redevelopment of the former Lea Castle Hospital was approved at Planning Committee on 21st November 2017. The Wyre Forest District Local Plan Pre-Submission Publication (October 2018) also proposes to allocate the land immediately to the north, east and west of the former hospital site as part of a new

sustainable community known as Lea Castle Village for around 800 additional dwellings with a mix of employment and retail provision.

8.2.4 There are also several more local developments being proposed for allocation in and around Kidderminster including the Kidderminster Eastern Extension for over 1400 dwellings.

8.3 Lea Castle Farm and Economic Considerations

8.3.1 Granting Planning Permission for the proposed development at Lea Castle Farm would create employment for 11 jobs for approximately ten years if the scheme is approved. Aside from the sand and gravel need (as set out above), the proposed development will help provide and secure jobs for people directly and indirectly employed as part of the quarry operations and which contribute to the local economy through wages, business rates, use of local suppliers, and at a national level; to the economy through aggregates levy and other taxation processes. The proposed quarry would provide a significant contribution to the local economy. It is estimated that this contribution would equate to approximately £750,000 to £1,000,000 per annum (based on the Applicant's other operations) on external suppliers and on goods and services over the life time of the development, as well as contributing to the national and local tax base.

8.3.2 There are limited alternative employment opportunities in the immediate locality. Also, the extractive industries (i.e. mining and quarrying) are much more capital intensive than other sectors of the British economy and have very high levels of labour productivity (measured by Gross Value added per employee). Gross value added (GVA) is defined by the Office for National Statistics (ONS) AS "the contribution to the economy of each individual producer, industry or sector."

8.3.3 In the mining/ quarrying sector, workers generate over £110,000 of value added per year. This is more than 2.5 times the national average and higher than many sectors which are often described as high value activities (Source: 'Capital Economics 'The Foundation For a Strong Economy: October 2012', available from www.mineralproductsorg.com). The GVA in the mining and quarrying sector represents very good value to the economy and contributes positively to economic growth.

8.3.4 In addition to high GVA, the mining/ quarrying industry produces high levels of immediate consumption in comparison to other industry sectors i.e. purchases of goods and services (with spending particularly high in the transport and construction sectors).

8.3.5 The above considerations are important as they provide an indication of the wider/ indirect effects of quarrying, including how the expenditure generated from this activity is likely to be distributed across other parts of the local economy, and hence whether jobs could be retained or generated in these sectors.

8.3.6 The quarry depends on its suppliers to provide critical goods and services to act as inputs to maintain the production process. The absolute level of expenditure can be very variable, reflecting the ad hoc nature of capital investment in what is one of the most capital intensive industries.

8.3.7 Some of the major suppliers provide a blend of equipment and services, from a range of local and non-local premises. These considerations, taken in combination with the year-on-year variations reported above, mean that accurate cost data is difficult to predict and should not be over-interpreted, particularly as regards the level of stimulus that is being provided to the very local economy. This is partly due to the fact that the economic effects arising from the site also affect remote locations such as the company/ suppliers regional and head offices where a number of employees might be based to provide the support services. Identifying the exact economic benefit is therefore somewhat difficult. However, what is clear is that without the site there will be a significant deficit in the local economy based on annual costs incurred at present.

8.4 Conclusions

8.4.1 NPPF paragraph 205 emphasises the need for local authorities to give great weight to the benefits of mineral extraction including to the economy when determining planning applications. NPPF Paragraph 38 requires planning authorities to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and they should seek to approve applications for sustainable development where possible.

8.4.2 As set out in section 5 of this statement, a positive determination of this planning application would provide a viable and high quality mineral supply to meet identified need, as required by both adopted and emerging Minerals Local Plan Policy.

8.4.3 11 new jobs will be generated by the proposed development and it will aid employment to be maintained across a range of industries, many of which depend directly upon quarrying, for business. As well as the direct benefits to the Applicant and the employment effects which benefit their workforce, there will be a series of spin-off benefits.

8.4.4 In addition to the direct and indirect benefits of the proposal, it will also induce benefits to the local and national economy through a multiplier effect. The overall contribution to the local economy from the site is significant.

9 Contribution to Sustainable Development

9.1 Introduction

9.1.1 The proposed development fully embraces and incorporates national, county and local sustainability approaches and policies as established in extant national and local planning guidance and policy. This Planning Statement and accompanying ES set out all of the policy and material considerations relevant in the determination of the planning application.

9.2 Achievement of Sustainable Development

9.2.1 At the heart of National Planning Policy Framework (NPPF) (2019) lies the presumption in favour of sustainable development. As a general approach to development, paragraph 7 of the NPPF states that "the purpose of the planning system is to contribute to the achievement of sustainable development" which involves the positive pursuit of development that provides net gains across the three overarching objectives of sustainable development (set out at paragraph 8) which are:

- An economic objective;
- A social objective; and
- An environmental objective.

9.2.2 The proposed development at Lea Castle Farm addresses each of these roles, as set out below.

Economic Role / Objective	
a. to help build a strong, responsive and competitive economy	• Worcestershire County Council is charged by Central Government to provide sufficient mineral resources (a land bank of a minimum of 7 years) to aid development. This figure is not currently being achieved. Over the life of the emerging mineral plan there is an appropriate current shortfall of over 8 million tonnes. Lea Castle Farm (LCF) can supply 3 million tonnes of this shortfall. • LCF would also introduce a new minerals operator into the local market to avoid monopoly prices and provide competition.
b. Ensuring sufficient land of the right type is available in the right place and at the right time to support growth	• Within the Worcestershire Minerals Local Plan, the sites appropriateness for mineral extraction was considered and allocated a Preferred Site Status. Within the Fourth Stage Consultation the site is located within an area of search for Sand and Gravel within the North West Worcestershire Strategic Corridor.

	• The site has the natural asset of good quality sand and gravel and solid sand appropriate for a wide variety of use's including building sand, construction gravel and mortar, suitable for residential development, infrastructure projects, highways, general construction requirements. • The site is in the right place in respect of other existing mineral sites which are located mainly in the south of the County and/or do not have the blend of minerals available at LCF. • Within Worcestershire, the closest sand and gravel quarry to Kidderminster is Clifton Quarry, located circa 24 miles away – solid sand/ sandstone sources are located at Wildmoor Quarry, located circa 10 miles east of Kidderminster. • The site is ideally suited to help support growth in respect of the provision of minerals for construction work associated with permitted 600 houses at the old Lea Castle Hospital Site within the Lea Castle village, with proposals for the number to rise to 1400. Wyre Forest District Council Local Plan Review (2016-2036) also proposes preferred residential and support schools and commercial growth at the site's boundary to the east of Kidderminster including Lea Castle Village, Lea Castle Hospital Extension and the Kidderminster Eastern Extension. Notwithstanding this the site is ideally geographically located to support growth/development in north Worcestershire and the south west Midlands.
c. Innovation and improved productivity	• A fully integrated master planning approach is being put forward to promote sustainability through the use of Natural Assets to create Green Infrastructure and promote community health and wellbeing and biodiversity opportunities. • The operation of the site will also utilise low water demand and management capabilities in processing the "as dug" mineral. • Based upon NRS's current operations it is estimated that approximately 15% of inert fill materials required for restoration will arrive on site via backloads i.e. mineral will leave the quarry to point of sale, while it will pick up inert material of the correct type and quality to be used as fill to help restore the site. This process is helping productivity and sustainability.

d. Identifying and coordinating the provision of infrastructure	• The development includes the provision of new green infrastructure including over 2.3km of new footpaths, bridleways, cycleways, connecting into existing networks to provide routes both north/south and east/west to allow new access to town and country.

Social Role / Objective	
e. To support strong, vibrant and healthy communities, with access, services and open spaces that reflect current and future needs and support community's health, social and cultural wellbeing.	• Within the Worcestershire Green Infrastructure Strategy 2013-2018 it is stated that *"Mineral development can have a long-term impact on the character of an area but in itself is a temporary operation. Once the minerals have been extracted, the land must be 'restored' to an appropriate after-use. In some cases, this can involve restoring the land to its previous use, but restoration of mineral workings can provide significant opportunities for habitat creation, climate change mitigation and blue infrastructure enhancements and can include elements of public access for recreation. The scale of activity is also such that larger sites or sub-regional assets could be created."* • Land within the application boundary has been designed to meet the multi-functional requirements to provide green infrastructure and opportunities to enhance the social role objectives. These include: o Proposed upfront establishment of ~1.8km of new footpaths, bridleways and cycleways. These routes allowing connections within the wider PROW network, enabling off road access, both north south and east west. The routes would also promote green infrastructure links to future permitted residential development on the old Lea Castle Hospital Site. Allowing connections between to town and country. o Progressive restoration will create five new pocket parks/open spaces, which will be accessed off PROWs and will comprise health and fitness stations, educational and cultural activities and information. • The feeling of wellbeing and community pride will also be developed through the restoration of land use elements and features which comprised the lost Lea Castle House landscape setting. A place to reflect, walk and enjoy a reinstated landscape. • One of the aims of the new landscape proposals is to

	create a high quality agricultural parkland which will be subject to a long term Management Agreement to guarantee the permanency of the created land uses e.g. woodland and public access. This will take the form of a legally binding document. To promote community involvement, a Management/Liaison Group will be established to oversee all development within the restoration scheme. This being in order to meet local requirements this group to include local residents, politicians, the landowner and operators' representatives and statutory body representatives.

Environmental Role / Objective	
f. Making effective use of land, using natural resources prudently	• Mineral can only be worked where it is located. The scheme will allow for non-sterilisation of needed mineral whilst utilising a natural asset approach to ensure the highest quality of restoration will be achieved and provide amenity and environmental opportunities whilst maintaining agricultural production on Best and most Versatile Agricultural Land.
g. Helping to improve biodiversity	• The Current ecological status of the site and its immediate area is relatively low. The proposed scheme will create significant new habitat for Acidic Grassland communities and woodland/scrubland. The scheme will establish ~ 8.1 ha of Acidic Species Rich Plant, ~8500 new trees and shrubs, (biodiversity habitat target) ~200 Avenue and Parkland Trees, and 579 linear metres of new native hedgerows. As well as the potential Biodiversity impacts to flora/ vegetation, these new habitats will significantly increase opportunities for fauna biodiversity specifically with primary habitat for birds, bats, reptiles, invertebrates and dormouse.
h. Minimising Waste	• The operator of the Site NRS have a track record of minimising waste in production. At Lea Castle Farm they will utilise the varying mineral components to ensure a range of mineral products. This will both minimise waste and the sterilisation of potential mineral, e.g. the ability to process the lower solid sand deposit for products including mortar and building sand.

Other Role / Objective	
i. Protecting and enhancing our natural built and historic environment	• The current landscape is not designated, and desk and field based archaeological assessments have not identified anything of note. There is a listed building, 'North Lodge' located to the north of the site. Its setting has been considered and assessed that it would not be harmed by the development proposals. • In respect of enhancement it is proposed to: o Recreate an agricultural parkland setting similar to the time period of the Lea Castle House Estate (built around 1762 and demolished in 1945). o Pocket parks/ signage and interpretation material will be provided which describes the historical context and the Green Infrastructure approach to the sustainable use of resources to create community benefit. o The period of the estate and the wider context of Cookley and Wolverley as well as natural/ biodiversity information will also be provided.
j. Community Groups	• A Quarry and Restoration Liaison Group will be established. This group will be open to local residents, parish council and other interested parties to be advised and informed of the development to ensure it is accountable and meets all aspects of the proposed scheme. This included the statutory aftercare period of 5 years post restoration and also any longer-term management plan for the site. • Community groups to also be included the detailed design and use of the pocket parks and new PROW routes.

9.3 Conclusion

9.3.1 Considering the balance of the three components of sustainability set out in the NPPF, the proposed development constitutes sustainable development. In economic terms, the site has the natural asset of good quality sand and gravel and solid sand appropriate for a wide variety of uses. Furthermore, site is ideally suited to help support growth in respect of the provision of minerals for construction work associated with permitted 600 houses at the old Lea Castle Hospital Site within the Lea Castle village, with proposals for the number to rise to 1400. Wyre Forest District Council Local Plan Review also proposes preferred residential and support schools and commercial growth at the site's boundary to the east of Kidderminster including Lea Castle Village, Lea Castle Hospital Extension and the Kidderminster Eastern Extension. The social benefits created by the proposal includes the provision of new jobs, and the creation of a high-quality agricultural parkland which will be subject to a long term Management Agreement to guarantee the permanency of the created land uses e.g. woodland and public

access. In terms of the environment, the highest quality of restoration be will achieved and provide amenity and environmental opportunities whilst maintaining agricultural production on Best and most Versatile Agricultural Land.

9.3.2 It is important note that the sustainability objectives for the proposed development will apply both over the operational period and post restoration. The landowner and operator being willing to enter into long term management and maintenance agreement to ensure the established and continuity of the land uses proposed.

10 Technical Considerations

10.1 Introduction

10.1.1 The ES and technical appendices contain a suite of technical reports on environmental matters and these are discussed in summarised form below:

10.2 Landscape and Visual Impact Assessment

10.2.1 The thrust of Development Plan policies encompasses the advice in NPPF to protect, maintain and enhance the landscape. The Development Plan and Emerging Plans set out that applications should consider the potential visual impact of their proposals and design accordingly; this may include appropriate design in keeping with the locality or prior landscaping and planting work. Assessment of any impacts should include consideration of the potential impacts or enhancement of the landscape both during and after working, the duration of any adverse impacts, and mitigation and/or compensatory measures to replace losses and the provision of any long-term asset enhancement through restoration proposals.

10.2.2 In terms of landscape considerations, as set out in the Landscape and Visual Impact Assessment (see ES Technical Appendix A), there would be No Significant impacts resulting from the Operation Phase upon existing landscape receptors. There would be a Very Slight Adverse effect on vegetative elements, a Slight Adverse effect on soils/agricultural landuse and a Moderate Adverse effect on landform and topography. Mitigation and enhancement measures will be implemented both in advance of mineral extraction and during progressive phased working and restoration. These include increased public access, minimising the area of operational / disturbed ground at any one time period landscape planting and habitat creation.

10.2.3 At Post Restoration there will be a strengthening of appropriate landscape elements and features which respects and replicates the sites historic past whilst providing new and increased diversity and net gain of individual landscape elements along with the promotion and integration of amenity and wellbeing opportunities. This includes pocket parks based around a green infrastructure strategy. New habitats will also be created including 8.1 Ha of acidic grassland, woodland and blocks and parkland trees which will promote biodiversity. This would result in an overall Substantial Beneficial effect which is Significant.

10.2.4 With regards visual considerations, the main visual elements and features which will be introduced as part of the proposed developments are a new vehicle access point the plant site (plant and stocks), soil stripping, mineral extraction and restoration works.

10.2.5 Visual mitigation and enhancement measures integrated into the development proposals include, only extracting mineral from the identified more enclosed and contained visual landscape in the eastern and central/ eastern areas of the site and not the eastern section of

the application boundary, placing the plant site a minimum of 7m below adjacent ground level, use of temporary soil storage/screening bund (seeded and maintained) to block potential views of quarrying activities along with agricultural straw bales, distance standoffs from residential property including the Bungalow and Castle Barns, tree and shrub planting to help both screen and integrate proposals. It is also proposed to limit the actual area of disturbed land /quarrying activities (access, extraction, plant site and restoration) through phased progressive extraction and restoration.

10.2.6 Based upon the proposals described and illustrated on Planning Application Drawing Nos. 8 to 13, it has been assessed that NO visual receptors will receive a Significant Adverse Effect during either the proposed development period or from the restored site and its agricultural and parkland activities. It is noted that two PROW's will require temporary diversion which will result in a temporary change of view to that which is currently experienced. Users of these PROW FP62 6(B) and 62 4(B) are assessed to receive Moderate Adverse effects during the diversion period where alternative routes will be provided.

10.2.7 In conclusion the landscape and visual effects resulting from the Proposed Development would be temporary, progressive and localised and Not Significant. Progressive restoration to the post restoration scheme provides opportunities for both enhanced landscape, visual and amenity wellbeing which will result in Beneficial effects. It is assessed that there will be no adverse cumulative landscape or visual Significant effects.

10.2.8 Overall, in terms of landscape and visuals considerations, the proposed development and operations are in accordance with the objectives of NPPF, the Development Plan, the emerging Worcestershire MLP, and other material policy considerations.

10.3 Ecology and Nature Conservation

10.3.1 Development Plan policies encompasses the advice in the NPPF to protect, maintain and enhance nature conservation and biodiversity. The NPPF emphasises the importance of bio-diversity and geo-diversity through seeking to minimise any adverse impacts of development on these areas, as well as encouraging LPAs to plan positively for the creation, protection, enhancement and management of networks of biodiversity. This is supported in the Development Plan and the emerging MLP, in particular at draft Policy MLP 21 which seeks to ensure that appropriate technical studies are carried out to ensure acceptable impacts on biodiversity interests. The supporting text for Policy MLP 21 makes reference to the potential impacts of mineral development on the physical application site, and potential impacts beyond the site boundary. The positive impacts of mineral operations are also outlined, with reference to the opportunities provided by mineral development to create valuable habitats and enhance existing networks through restoration and during site preparation and working.

10.3.2 An Ecological Impact Assessment (EcIA) has been prepared by Pleydell Smithyman (see ES Technical Appendix B) which is informed by a Desk Study in order to obtain information of

designated sites of nature conservation interest, and a suite of ecological surveys undertaken between 2016 and 2019. There are no statutory designated sites present within the application site. Existing habitats within the site include semi-improved neutral grassland, improved grassland, tall ruderal habitat, arable, hedgerows, scattered trees, hardstanding and surrounding broad-leaved and mixed woodland. Protected species surveys undertaken identified a range of species protected at district, local or parish level.

10.3.3 In terms of potential impacts, the habitats of the highest ecological importance (boundary deciduous woodland) will not be removed by the proposals. Overall, no significant adverse impacts are anticipated on habitats present within the site provided that restoration is delivered as proposed. A net biodiversity gain is anticipated.

10.3.4 A number of mitigation measures have been detailed to ensure that all legally protected species recorded within the site are adequately protected throughout the duration of the works. No significant negative impacts are anticipated on any known protected species present. A landscape and ecological management plan will be produced to ensure long-term biodiversity benefits.

10.3.5 Overall, in terms of ecology and nature conservation, the proposed development and operations are in accordance with the objectives of NPPF, the Development Plan, the emerging Worcestershire MLP, and other material policy considerations.

10.4 Arboriculture

10.4.1 Development Plan policies set out that existing trees should be incorporated into development or replacements provided where a tree survey demonstrates retention is not possible. In terms of veteran trees, the Wyre Forest Local Plan Pre-Submission advises that development likely to have an adverse effect on irreplaceable features including ancient or veteran trees will not be permitted, except where the public benefits of the development at that site clearly outweigh the loss or deterioration of habitat and a suitable compensation strategy exists.

10.4.2 A Tree Survey has been prepared by access2trees Limited (see ES Technical Appendix C) and the findings are summarised below:

10.4.3 A Tree Protection Plan has been produced, identifying trees proposed for retention, protection and removal in relation to the development proposals, and is included in Appendix 2 of Tree Survey report.

10.4.4 In total, 5 No. trees are proposed for removal to facilitate the development proposals, comprising T8, T9, T10, T22 and T26.

10.4.5 Of these, there is 1 No. Category U tree (T8), 2 No. are Category C trees (T10, T22), 1 No. is a Category B tree (T9), and 1 No. is a Category A tree (T26).

10.4.6 T8 is a Category U tree which has been assessed as being dead, as such the impacts arising

from its removal are considered to be **Negligible**.

10.4.7 T10 is a mature Oak tree. A number of defects were present including a large area of decay at the base of the tree, poor unions, major dead wood, decay pockets which were present throughout and bark wounding. Overall its stem and base were assessed as being poor. For these reasons this tree has been assessed as being a Category C tree with limited future potential. It is important to note that this tree is protected by a TPO (see section 1.8 of this report for details). For the above reasons, the impact of its removal is considered to be **Low**.

10.4.8 T22 is a Category C veteran Sweet Chestnut tree. Overall it was assessed as being of poor structural and physiological condition. Defects present included apical dieback, presence of stags horns, and damaged bark at its base. Due to its overall poor condition, and categorisation, the impact of its removal is considered to be **Low**.

10.4.9 T9 is a mature Oak tree, which is considered to be a Category B tree due to forms and structure exhibited. It is important to note that this tree has defects, including decay pockets, apical die back and major dead wood. On balance, because it is a Category B tree, and because it is protected by a TPO, the resulting impact of its removal is considered to be **Moderate**.

10.4.10 T26, is a mature Oak tree which has been assessed as being a Category A tree due to good overall physiological and structural condition. Due to the high categorisation of this tree the impact of its removal is considered to be **High**.

10.4.11 In addition to the above, 2 No. stretches of hedgerow will require removal to facilitate the development proposals, comprising approximately 89 lin m of the western extent of hedgerow H3, and 94 lin m of the western extent of hedgerow H4.

10.4.12 To help provide mitigation for the trees and hedgerow proposed for removal, it is proposed that new tree planting is undertaken as part of the restoration scheme, at a minimum of a 1:1 ratio basis following mineral extraction. It is recommended that the new planting uses like-for-like native species, of local provenance, and that extra heavy standard tree stock are specified (for the individual tree planting), as a minimum. This will ensure that in the long term the adverse impacts relating to the removal of trees T9, T10, T22 and T26, and the sections of hedgerow H3 and H4 will be fully mitigated.

10.4.13 The proposed extraction area stand-off from the mature trees present around the sites boundaries ensures that all other trees present on/at the edges of the site will be retained as part of the development proposals. It is proposed that these are protected during the works by erecting tree protection fencing in accordance with the requirements of BS 5837:2012, as part of the development proposals.

10.4.14 The removal of the veteran tree is considered to be acceptable in policy terms as the wider proposed development brings about significant public benefits. As stated in paragraph 175(c), an exceptional circumstance where loss of a veteran tree is acceptable includes “where the public benefit would clearly outweigh the loss or deterioration of habitat and a suitable

compensation strategy exists" (footnote 58). Furthermore, as set out in the restoration section of this statement, the proposed restoration scheme will create significant new woodland/scrubland habitat. The scheme will establish ~ 8.1 ha of Acidic Species Rich Plant, ~8500 new trees and shrubs, (biodiversity habitat target) ~200 Avenue and Parkland Trees, and 579 linear metres of new native hedgerows.

10.4.15 Overall, in terms of arboriculture, the proposed development and operations are in accordance with the objectives of NPPF, the Development Plan, the emerging Worcestershire MLP and Wyre Forest Local Plan Review, and other material policy considerations.

10.5 Noise

10.5.1 Development Plan policies reflect the advice contained within Planning Practice Guidance (PPG) to ensure that development does not cause an unacceptable adverse impact in terms of noise. The policies seek to ensure the protection of sensitive receptors and users and that development should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life. The latest approach taken by Worcestershire County Council towards the protection of amenity, including from noise, is outlined in draft Policy MLP 19 of the Worcestershire Minerals Local Plan Publication Version. Policy MLP 19 states that mineral development and its associated transport should not give rise to unacceptable adverse impacts on amenity, health and well-being, the environment, or areas of tranquility.

10.5.2 A Noise Assessment has been carried out by WBM Acoustic Consultants (see ES Technical Appendix D) in order to establish baseline noise levels, make recommendations regarding site noise limits at the nearest dwellings to the site, and to test compliance with those noise limits to examine the potential noise impact of the proposed development. The potential impact is considered using the known noise output of mineral activities and specific plant and equipment proposed to be used, assessed against the sensitivity of the noise receptor.

10.5.3 The noise calculations assumed that all plant on site is operating simultaneously in the closest likely working areas to each receiver location for the proposed operations, in order to assess a 'worst-case' scenario. Appropriate stand-off distances have been designed-in to the proposed scheme to further soften noise impacts. The Noise Assessment has concluded that calculated site noise levels due to mineral operations at the proposed site comply with the suggested site noise limits at all assessment locations.

10.5.4 In summary, it is concluded that with appropriate mitigation measures, the relevant site noise limits set out in ES Technical Appendix D can be complied with. The assessment concludes that noise from the proposed quarry will not cause an unacceptable impact. The objectives of the NPPF, the adopted and emerging Development Plan documents are met.

10.6 Air Quality and Dust

10.6.1 Development Plan policies highlight the need to reduce the impacts of pollution and dust,

with PPG advising that the key planning principle relating to dust is that emissions should, as far as possible, be controlled, mitigated or removed at source. The latest approach taken by Worcestershire County Council towards the protection of amenity, including from dust emissions, is outlined in draft Policy MLP 19 of the Worcestershire Minerals Local Plan Publication Version. Policy MLP 19 states that mineral development and its associated transport should not give rise to unacceptable adverse impacts on amenity, health and well-being, the environment, or areas of tranquility.

10.6.2 The plant required to work Lea Castle Farm Sand and Gravel Quarry at Worcestershire, together with associated vehicle movements have the potential to generate dust and other airborne pollutants in the immediate vicinity of their operations. A Dust Impact Assessment has been carried out by Vibrock (see ES Technical Appendix E).

10.6.3 Climatic conditions local to the site have been accessed and analysed to give an indication of how often the site could be susceptible to fugitive dust events. Such occasions are relatively few. It is unlikely that any significant decrease in local air quality will occur due to the proposed development at Lea Castle Farm Quarry. Any dust occurrence event will be limited and of short duration and will be minimised by implementation of the dust control recommendations.

10.6.4 Dust control measures are listed at Appendix 3 'Summary of Dust Control Measures' of ES Technical Appendix E.

10.6.5 With regard to PM_{10} and $PM_{2.5}$ dust levels from the site, analysis has been made of the air quality data. The conclusion of the analysis was that National Air Quality Objectives will not be exceeded.

10.6.6 Overall the effect on air quality of this development with the implementation of suitable dust mitigation measures is considered to be not significant, and the proposed development is to be compliant with policies contained in the NPPF and the Development Plan.

10.7 Transport

10.7.1 In terms of Development Plan policies, the thrust of these policies are consistent with the advice in NPPF regarding the potential environmental disturbance caused by mineral associated traffic. The policies seek to restrict development that would cause demonstrable harm to the function of the highways network and promote traffic management measures to concentrate road freight on the strategic highway network. The latest approach to the transport implications of mineral development is outlined in draft Policy MLP 29 of the Worcestershire Minerals Local Plan Publication Version. Policy MLP 29 states that planning permission will be granted for mineral development that uses the most sustainable transport options and which will not have an unacceptable adverse effect on transport safety or congestion.

10.7.2 A Transport Assessment has been prepared by The Hurlstone Partnership (see ES Technical Appendix F) which demonstrates that the development, including proposed new access location and design, are fully in accordance with both national and local policy. Empirical traffic survey data was obtained and a topographic survey of the road was also undertaken in order to ensure that an appropriate access arrangement with suitable visibility splays could be provided.

10.7.3 The impact of the proposed development on the local highway network has been found to be acceptable. The review undertaken confirms that in the worst case, the proposed development would attract an average of 77 loads / 154 HGV movements per day plus 22 movements (11 in / 11 out) associated with staff trips by the 11 employees within the site. The assessment has been based on the 154 HGV movements per day at the specific request of the Highway Authority, on the basis that back-hauling of sand and gravel exports with a load of imported fill be ignored, in order to represent the worst case. The highest increase in traffic over any baseline flow was found to be 1.7%, which falls well below the 5% threshold considered to represent a material increase in traffic.

10.7.4 The Transport Assessment does not identify any unacceptable impact on highway safety or assess that the residual cumulative impacts on the road network would be severe. Data also confirms that the local roads routinely accommodate HGV traffic. The analysis of personal injury accident data recorded over the most recent 5 year period confirmed that there are no inherent characteristics of the local road network that unacceptably compromise safety for or as a result of HGV activity.

10.7.5 In summary, the proposed development should not be refused on transport grounds as it is compliant with NPPF guidance and the adopted and emerging Development Plan.

10.8 Agricultural Land Classification and Soils

10.8.1 An Agricultural Land Classification and Soil Resource Report has been prepared by Kedd Development Limited (ES Technical Appendix G) and includes a summary of the existing climate, site, and soils present alongside an assessment of agricultural land classification (ALC) and soil storage/handling methods. The acceptability of the proposed development with regard to the protection and conservation of soil resources and their quality is covered in draft Policy MLP 24 of the Worcestershire Minerals Local Plan Publication Version.

10.8.2 The distribution of agricultural land classification grades across the existing site is summarised as 21.3% Grade2, 66.5% Grade 3a, 1.7% Grade 3b. 10.5% of the site is non agricultural. The soil resources have been assessed as typically Medium Sandy Loam topsoil with overlying Loamy Medium Sand upper subsoil, sitting on sand and soft sandstone in the eastern area or slightly to moderately stony sand in the western area. The average soil depth overlying the mineral reserve is 0.7m deep.

10.8.3 In order to protect and conserve soil quality as required in the adopted and emerging

Development Plan, soil storage and handling measures are recommended in the Report at ES Technical Appendix G. These measures are to be implemented in the scheme of soil storage and handling employed at the site.

10.8.4 The final restoration scheme will provide for 32.26ha of bmv, which will therefore, be a loss of bmv agricultural land of 8.94Ha, where it will be restored with an alternative land use (acidic grassland, woodland planting and pocket parks). Therefore, the loss of bmv will be offset with a restoration scheme that provides for measurable net gains in biodiversity that is in accordance with local and national policy and provides an overall more balanced restoration scheme. Please note however, that all of the existing bmv soil profile comprising top soil, sub soil and overburden will be placed for restoration. This in effect replicates the bmv agricultural land characteristics.

10.8.5 In summary, best practice measures and specifically the recommendations found in Chapters 7 and 8 of ES Technical Appendix G will ensure that the methods of soil stripping, storage, bund creation, and overall handling will not result in any adverse impact on the soil resources and their quality.

10.9 Archaeology and Cultural Heritage

10.9.1 National and local planning policy aims to protect sites of archaeological importance from direct adverse impact as well as protecting their setting and historical context. The importance of cultural heritage is clearly recognised at both national and local levels. The protection, conservation and enhancement of historic environment is covered in the emerging Minerals Local Plan Publication Version at draft Policy MLP 22 which aims to protect irreplaceable historic resources from damage or loss but acknowledged that the nature of mineral development is such that it offers an opportunity to contribute to understanding of the significance of heritage assets. The Policy preamble requires an appropriate level of technical assessment to be submitted with each planning application.

10.9.2 Certain assets that are deemed to be of particular importance are given legal protection through the Ancient Monuments and Archaeological Areas Act 1979 (Scheduled Monuments) and the Town and Country Planning Act 1990 (Listed Buildings and Conservation Areas).

10.9.3 An Archaeological Desk-Based Assessment has been prepared by Worcestershire Archaeology (see ES Technical Appendix H.1) and a Geophysical Assessment (see ES Technical Appendix H.2) has been carried out which considers the site's potential for containing assets of archaeological significance, and the potential impacts of the proposed development on archaeology and the existing 'baseline' heritage value of the site and it's setting. The findings of the Assessments are summarised below:

Archaeology

10.9.4 The Desk-Based Assessment found that there is limited evidence of prehistoric or Roman

activity in the study area. There is also limited evidence for early medieval and medieval activity. Early historic mapping indicates that the site was probably agricultural (or common) land until the late 18th or early 20th century. The study area for the Desk-Based Assessment found very limited representation of any prehistoric, Roman, early medieval and/or medieval activity and therefore the potential for survival of assets dating to these periods within the site has been assessed as 'low'.

10.9.5 Historic mapping and other documents indicate that the site was formerly parkland around Lea Castle during the early 19th century prior to the conversion of the site to agricultural use. The western part of the site was also formerly used as a grass landing strip. Any archaeological evidence from the post-medieval and modern periods would probably relate to agriculture, parkland and/or the landing strip and therefore is considered as only locally informative and of low/negligible significance. The proposed development is not considered to pose a significant risk of damage / loss of any non-designated or below ground assets.

10.9.6 In terms of the geophysical assessment, the results suggest that nothing of significance will be found. Therefore, it is clear that the potential for impact on buried archaeology is sufficiently low to allow the application to be determined without the need for any further post determination archaeological work. It is considered that in terms of the requirement for any future archaeological investigation, the imposition of a condition on archaeology is appropriate in planning terms and is supported by the evidence. Following grant of permission, further dialogue will take place on archaeological considerations and appropriate submissions made.

10.9.7 A scheme of archaeological investigation could be submitted and approved prior to commencement of the development to include:

- 2% trial trenching;
- An archaeological watching brief during soil stripping; and
- Details of follow up archaeological work in the event of any "finds".

10.9.8 A condition could be worded as follows:

No development shall take place until the applicant has secured the implementation of a programme of archaeological work as specified within a written scheme of investigation which has been submitted by the applicant and approved by the Mineral Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- *fieldwork in accordance with the agreed written scheme of investigation;*
- *post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority);*

and

- *completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Mineral Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Mineral Planning Authority.*

Cultural Heritage

10.9.9 The Assessment has identified no designated monuments within or immediately adjacent to the site. Overall, it is not anticipated that any designated assets recorded in the study area will be significantly affected by the development, although there will be a minor adverse impact of the Grade II listed North Lodges and Gateway to Lea Castle, which is located c. 250m from the site boundary. Restoration of some of the parkland features, including the tree lined avenues and Broom Covert will reduce the long-term impact of mineral extraction to an insignificant level and to a degree which is considered to be policy complaint.

10.9.10 Overall, no clear archaeological or cultural heritage constraints have been identified that would render the proposals contrary to the objectives and policies of the development plan. The objectives of NPPF, the Development Plan and other material policy considerations are met.

10.10 Water Resources and Flood Risk

10.10.1 Development Plan policies encompasses the advice in now defunct guidance much of which was rolled forward into NPPF and Technical Guidance to NPPF regarding development and the prevention of pollution and protection of water quality. The policies seek to prevent the pollution and the degradation of groundwater resources, standing water bodies, river systems and associated wetlands. Specific to the application site, Worcestershire County Council's latest approach to the protection/enhancement of water quality and quantity of outlined in the Minerals Local Plan Publication Version consultation document at draft Policy MLP 27, with the approach to flood risk outlined that draft Policy MLP 28.

10.10.2 Both draft policies require an appropriate level of technical assessment to be undertaken to determine the potential impacts of development on water quality and quantity, and flood risk. Draft Policy MLP 27 states that planning permission will be granted "where it is demonstrated that the proposed mineral development will protect and enhance the quality, quantity and flow of surface water and groundwater resources." Draft Policy MLP 28 states that permission will be granted "where it is demonstrated that the proposed mineral development will avoid increasing flood risk to people and property on site or elsewhere."

10.10.3 BCL Hydro Consultant Hydrogeologists Limited have undertaken a Flood Risk Assessment and Drainage Strategy, and Hydrological and Hydrogeological Impact Assessment (see ES Technical

Appendix I) with regard to the proposed development at Lea Castle Farm.

Flood Risk and Drainage Strategy

10.10.4 The Flood Risk Assessment (FRA) has considered the existing drainage of the application site and outlines that as at present, the operational and post-restoration site will be drained by percolation to underlying strata. The Assessment has determined that the only measure necessary to ensure compliance with the requirements of the NPPF is that the provision of a de-minimis volume of attenuation as freeboard with soakaway ponds to ensure that storm run-off from modified substrate will not cause a nuisance to post restoration on-site activities.

10.10.5 Upon implementation of the attenuating soakway ponds, the FRA demonstrates that the proposed development will not be significantly affected by current or future flooding from any source, and that the proposals will not increase flood risk elsewhere. In terms of EA Flood Risk Zonations, the proposed development is appropriate.

Hydrological and Hydrogeological Impact Assessment

10.10.6 The hydrological and hydrogeological impact assessments have initially assessed the baseline conditions at the application site to form a comprehensive understanding of the extant groundwater and surface water regimes. The Impact Assessment has concluded that the proposed development will not result in primary impacts on water resources (such as derogation of groundwater and surface water levels/flows/quality) and therefore no secondary impacts on water resources (such as volumes/quality of water available to existing or potential abstractions and/or flora/faunal communities).

10.10.7 Measures to reduce the potential for hydrological and/or hydrogeological impact have been designed into the proposed scheme, such as profiling materials during the operational phases of development to shed percolating rainfall via field drains to a number of unlined soakaways. No mineral operations will take place sub-water table or employ any dewatering.

10.10.8 In the proposed site restoration, prior to the backfilling of the voids with inert materials, a suitable liner will be used to minimise the risk of contaminating the underlying SSG aquifer. In addition, all incoming materials will be subject to inspection and segregation prior to landfilling.

10.10.9 In summary, the Assessment has found that with the implementation of the proposed measures for the protection of the water environment, that there are no overriding hydrologically or hydrogeologically based reasons why the planned development should not proceed. The proposed development is considered to be compliant with national and local planning policy and guidance, with mitigation measures for the protection of water resources designed-in to the proposed scheme.

11 Conclusion

11.1.1 This Planning Statement has been prepared on behalf of the Applicant, NRS Aggregates Limited, who propose the extraction of sand and gravel with progressive restoration at land at Lea Castle Farm.

11.1.2 This Statement has considered the application site as it currently exists, the site's planning history and context, the proposed development, and how the proposals may impact the local environment and community. Consideration has been given to the proposed impact on the local environment and community during the proposed mineral extraction and progressive restoration phases, and the long-term impacts of the proposal upon final site restoration and beyond.

11.1.3 A separate ES has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. The ES has assessed the baseline and background environmental information and also sets out the details of the development having regard to the location scale and nature of the proposals.

11.1.4 This Statement has assessed the proposed development's compliance with the various planning policies that constitute the Development Plan for the area and with other material planning considerations that are relevant to the determination of the planning application.

11.1.5 As referred to in the accompanying ES, geological investigations have identified the present of a split of sand and gravel and Solid Sand resources beneath the application site. The Applicant proposes to extract these mineral reserves over a 10-year period, with progressive restoration of the site following mineral extraction in each phase of development. The proposed development will provide 11 jobs and will assist in the maintenance of the county's sand and gravel landbank. Due to the delay with "specific site" and "preferred area" site allocations, it is important that the County Council supports appropriate planning applications in order to ensure continued maintenance of the landbank and meet anticipated demand.

11.1.6 The proposals also include for the importation of 600,000 m^3 (60,000 m^3 per annum) of restoration materials to create the final restoration profiles. Restoration materials can be imported by 'back-hauling' methods which minimise traffic movements associated with the proposals. The level of proposed importation of restoration materials would strike an appropriate balance between creating an acceptable landform whilst minimising the amount of material that would need to be imported. Furthermore, it would provide significant landscape, biodiversity and public amenity benefits that will be undertaken in a phased manner to ensure the completion of restoration at the earliest opportunity.

11.1.7 In terms of economic considerations, aside from the sand and gravel need (as set out above), the proposed development will help create 11 jobs which will contribute to the local economy through wages, business rates, use of local suppliers, and at a national level; to the economy through aggregates levy and other taxation processes. The development would make a

significant contributor to the local economy. It is estimated that this contribution would equate to £750,000 to £1,000,000 per annum based on the applicant's other operations.

11.1.8 In summary and having full regard to the Development Plan, it is considered that given the proposal provides clear benefits of contributing to the steady and adequate supply of sand and gravel required in NPPF to be maintained by Worcestershire County Council. Weight should also be attributed to the associated benefits to the local economy and the acceptable environmental impact of the proposal, as determined by appropriate environmental assessment.

11.1.9 In overall conclusion, it is considered that the proposal is environmentally acceptable and supports the economic, social and environmental roles of sustainable development required in NPPF. Where adverse impacts do arise, they are not significant and appropriate methods of working and other mitigation measures can be promoted that are capable of further reducing the effects of any such impact.

11.1.10 All mitigation can be formalised as appropriate through the imposition of planning conditions and other development control mechanisms. The potential environmental and local amenity impacts are therefore considered acceptable and the proposal accords with Development Plan policy.

11.1.11 Where proposals conform with the definition of sustainable development in NPPF and comply with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (i.e. that have regard to the development plan) NPPF, paragraph 11 advises that it is national level policy that in decision taking, such development proposals should be approved without delay. Accordingly, the findings of the ES suggest that overall, the development will be environmentally acceptable and will accord with the development plan. In line with paragraph 11 of the NPPF, it is respectfully requested that planning permission be granted.

Appendix 1: Scoping Opinion

worcestershire
county council

TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

SCOPING OPINION

PROPOSED SAND AND GRAVEL QUARRY AND RESTORATION SCHEME FOR LAND AT LEA CASTLE FARM, NEAR WOLVERLEY, WORCESTERSHIRE

Site Area: Approximately 45 hectares

Grid Ref: (E) 384070 (N) 2279015

Contents

Background

1. Worcestershire County Council, as County Planning Authority (CPA), received a request from Kedd Limited on behalf of NRS Aggregates Limited on 30 April 2018 to adopt a scoping opinion for the above proposed development.

2. Prior to submission of this Scoping Opinion Request, the applicant assessed their proposal against Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (from herein on referred to as the EIA Regulations 2017). The screening concluded that the proposal would be subject to Environmental Impact Assessment (EIA) due to exceeding the threshold of 25 hectares for quarries identified in Part 19 of Schedule 1.

3. This scoping opinion request will inform the Environmental Statement (ES) that will accompany the future planning application for the scheme.

Introduction

4. On 30 April 2018, under Regulation 15 (1) of the above EIA Regulations 2017, Kedd Limited on behalf of NRS Aggregates Limited (the Applicant) requested that the CPA prepare a Scoping Opinion for the above proposed development. The applicant's request included a Request for a Scoping Opinion Report with associated drawings. This Scoping Opinion should be read alongside the applicant's request document (see Appendix 1), the consultation responses (see Appendix 2) received from the relevant consultation bodies, and public comments (see Appendix 3).

5. The Scoping Opinion sets out what information the CPA considers should be included in the ES for the proposed development. This Scoping Opinion will allow the developer to be clear about what the CPA considers to be the main effects of the proposed development, and therefore, the topics which the ES should focus on.

6. EIA is not merely the production of the ES, but the totality of the environmental information provided in that statement, including any further information and all consultation responses to it. The ES submitted by the applicant is not itself the EIA, but is a step in an evaluation procedure. An ES comprises a document, or series of documents, which provides certain specified information for the purpose of assessing the likely impact upon the environment of the development proposed to be carried out.

7. In accordance with Regulation 15 (6) of the above EIA Regulations 2017 before adopting a Scoping Opinion the CPA shall take into account:-

- Any information provided by the application about the proposed development;
- The specific characteristics of the particular development;
- The specific characteristics of development of the type concerned; and
- The environmental features likely to be affected by the development.

8. The Scoping exercise should provide a ground plan for subsequent steps by making a preliminary assessment of:-

- The project's potential impacts on component receptors estimated from the project description (including its size, construction requirements, operational features and secondary developments such as access roads) and the nature of components and receptors;
- The impact area/zone within which impacts are likely to be effective, estimated from the impact types and the nature of the surrounding area and environmental components, e.g. impacts on air or water may be effective at considerable distances from the project site;
- Possible mitigation measures;
- The need and potential for monitoring;
- The methods and levels of study needed to obtain reliable baseline information that can be used to evaluate the baseline conditions, make accurate impact predictions and formulate adequate mitigation measures and monitoring procedures.

9. This opinion has been prepared by the CPA with all reasonable skill, care and diligence. It is based on information provided to the CPA by the applicant and the comments and opinions resulting from consultation with the applicant and other consultation bodies prior to adopting this opinion.

10. The opinion is made freely available to members of the public.

11. The fact that the CPA has given this opinion shall not preclude it from subsequently requiring the developer to submit additional information and evidence (in terms of the ES) in connection with any submitted development application to the CPA, in accordance with Regulations 15 (9) and 25 of the EIA Regulations 2017.

Consultation

12. Under Regulation 15(4) of the EIA Regulations 2017, the CPA has a duty to carry out consultation on the Request for a Scoping Opinion Report submitted by the applicant. The following bodies were consulted on the Request for a Scoping Opinion Report. The responses received to the consultation can be found in Appendix 2:-

- Wyre Forest District Council
- Wyre Forest District Council Conservation Officer
- Wyre Forest District Council Countryside Services
- Wolverley and Cookley Parish Council
- British Horse Society
- Councillor Ian Hardiman
- Councillor Rob Adams
- Councillor Paul Denham
- County Public Rights of Way

- County Archaeology
- County Ecology
- County Highways
- County Landscape
- County Minerals and Waste Planning Policy
- County Public Health
- County Sustainability
- The Campaign to Protection Rural England
- Earth Heritage Trust
- Environment Agency
- Natural England
- Forestry Commission
- Garden History Society
- Hereford and Worcester Garden Trust
- Historic England
- Lead Local Flood Authority
- Line Search Before You Dig
- North Worcestershire Water Management
- Open Space Society
- Public Health England
- Ramblers Association
- The Woodland Trust
- Worcestershire Regulatory Services
- Worcestershire Wildlife Trust

13. The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and members of the public and how they are, or are not, addressed in the ES.

The Proposal

14. The proposed development is for a sand and gravel quarry together with its progressive restoration on land at Lea Castle Farm, near Wolverley, Worcestershire.

15. The proposal would involve mineral extraction across an area measuring approximately 30 hectares.

16. The applicant states that investigation of the site for potential mineral resource in 2015 identified a reserve area of approximately 3 million tonnes of sand and gravel. The applicant states that the EIA will assess a proposed potential output of approximately 300,000 tonnes per annum, which they state could provide ten years of supply.

17. The applicant states that the works would be phased to minimise areas of disturbed ground at any one point in time.

18. In terms of the proposed phasing, the applicant states that the following would occur:

- Phase 1 soils would be stripped and stored to place a temporary screen bund on the western boundary of the site. The soils and overburden from Phase 1 would facilitate a programme of progressive mineral extraction through phases 1, 2, 3, and final extraction of the plant site area.

- 'As dug' material would be conveyed to the plant site via dump truck for processing with the sequential restoration of disturbed land combining both imported inert restoration material to create restoration formation levels on to which indigenous site soils would be placed.

- Approximately 60,000 m^3 per annum of imported inert material would be used for the restoration scheme.

- The applicant states that detailed phasing work and restoration schemes would be submitted as part of any planning application together with detailed volumetrics associated with soil and overburden stripping movement and placement.

19. Access to the site is proposed directly off the B4189 Wolverley Road in the south eastern area of the site. The applicant states that this route would provide direct access to the A449 and on to Kidderminster and Stourbridge.

20. The applicant states that the restoration strategy for the site would be for the land to return to agricultural use, together with enhanced landscape planting and potential biodiversity gains. A section of Public Right Of Way (no. WC-624) would require temporary diversion for approximately 2 weeks, and would be restored back on its original alignment.

Site

21. The site is located approximately 2.3 kilometres to the north of the centre of Kidderminster, 0.7 kilometres to the east of Wolverley, and 0.37 kilometres to the south west of Cookley.

22. The site is located immediately to the north of the B4189 Wolverley Road and immediately to the west of the A449 Wolverhampton Road.

23. The site measures approximately 45 hectares in area and is mainly comprised of agricultural land within the historic parkland setting of Lea Castle, which was built around 1762 and demolished in 1945.

24. The site is bounded to the south west, west, and north west by woodland. The irregularly shaped northern boundary is mainly comprised of agricultural fields interspersed with farm buildings and residential properties. The eastern boundary is comprised of the A449, beyond which lie agricultural fields. The southern boundary is comprised of a wall adjacent to the B4189, individual areas of vegetation and trees, and residential properties.

25. The site is located within the vicinity of several residential and commercial properties. The nearest properties include South Lodge and Broom Lodge on the southern boundary, Castle Barns and Lea Castle Equestrian Centre on the northern boundary, and residential properties at Brown Westhead Park on the western boundary.

26. The site is located wholly within the Green Belt.

27. A Public Right Of Way (no. WC-624) runs across the western section of the site. Bridleway no. WC-626 runs on a north-south alignment from the southern boundary to the centre of the site, and then to the north eastern corner of the site along existing tracks.

28. There are a number of Listed Buildings within the vicinity of the site. The Grade II Listed North Lodges and Gateway of Lea Castle lies approximately 275 metres to the north east of the site. The Grade II Listed Sion Hill House lies approximately 260 metres to the south west of the site. The Grade II Listed Wolverley Court is located approximately 545 metres to the west of the site. The majority of the site is located within the Sionhill House Bartholomew Park and Garden.

29. The Staffs and Worcs Canal Conservation Area is located approximately 625 metres to the west of the site. The Wolverley Conservation Area is located approximately 700 metres to the west of the site.

30. A number of Sites of Special Scientific Interest (SSSIs) are located within the vicinity of the site:

- Stourvale Marsh SSSI is located approximately 930 metres to the south of the site
- Puxton Marshes SSSI is located approximately 1080 metres to the south of the site
- Hurcott Pasture SSSI is located approximately 665 metres to the south east of the site
- Hurcott and Podmore pools SSSI is located approximately 660 metres to the south of the site

31. A number of Local Wildlife Sites (LWSs) are located within the vicinity of the site:

- The River Stour LWS is located approximately 520 metres to the west of the site
- The Gloucester Coppice LWS is located approximately 330 metres to the north west of the site
- The Staffs and Worcs Canal LWS is located approximately 450 metres to the west of the site
- The Wolverley Marsh LWS is located approximately 680 metres to the west of the site
- The Wolverley Court Lock Carr LWS is located approximately 610 metres to the south west of the site
- The Puxton Marsh LWS is located approximately 800 metres to the south west of the site
- The Hurcott and Podmore Pools (Pastures) LWS is located approximately 670 metres to the south of the site

- The Island Pool LWS is located approximately 1.3 kilometres to the north east of the site
- The Caunsall Marsh LWS is located approximately 1.4 kilometres to the north east of the site

32. Gloucester Coppice Ancient Semi Natural Woodland is located approximately 310 metres to the north west of the site.

33. There are 30 trees with Tree Preservation Orders (TPOs) located across the site.

34. The south eastern corner of the site is located in Source Protection Zone 3.

35. The site is categorised as Best and Most Versatile Agricultural Land.

36. The site is located in Flood Zone 1 (a low risk zone).

Environmental Statement Structure

37. The CPA directs the applicant to Schedule 4 of the EIA Regulations 2017, which requires information for inclusion in ES's. This shall include a description of the reasonable alternatives studied which are relevant to the proposed project and its specific characteristics (for example in terms of the development design, technology, location, size and scale), and an indication of main reasons for selecting the chosen option, including a comparison of the environmental effects; the data necessary to identify and assess its main environmental effects. There must also be a non-technical summary of the information, and the statement may contain other specified matters by way of explanation or amplification.

38. Regulation 18(5) requires the applicant to ensure that the ES is prepared by competent experts, and that the ES must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of such experts. The CPA considers that this statement should be appended to the applicant's ES and detail all experts involved in its preparation, together with their relevant expertise or qualifications.

39. In determining and establishing the significance of any impact within the ES, transparent methodologies based on defined, up-to-date and recognised standards, legislation, policy and expert opinion should be utilised. The methodologies for surveys and studies required to inform the ES should be agreed with the relevant consultees. The ES should be explicit and specifically include reference to:-

- The methodologies utilised;
- Assumptions and underlying rationale;
- Fact, interpretation of facts, opinions, judgements based on facts;
- Characteristics and dimensions of the impacts, i.e. nature, magnitude, extent, timing, duration, reversibility, likelihood and significance; and

- Confidence limits associated with predictions, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

40. The ES will need to establish accurate baseline information and provide analysis of the impacts for the lifecycle of the project. The CPA considers that it is essential that the whole lifecycle of the development is assessed by the EIA - pre-construction, construction, operation and decommissioning where relevant (if a finite life cycle is envisaged). The environmental baseline should be established through consultation by the applicant with the relevant consultees.

41. The ES should describe the measures envisaged to avoid, prevent, reduce or if possible offset any identified significant adverse effects on the environment, and where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). Mitigation measures should not be developed in isolation as they may relate to more than one topic area. The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment should be taken into account as part of the assessment. For each topic the ES should also set out impact and mitigation monitoring measures proposed to be undertaken.

42. The CPA considers that the following should be covered in individual sections within the ES:-

- Population and Human Health
- Noise, Vibration, Dust and Lighting
- Transport Movement and Access
- Ecology and Biodiversity
- Soil Resource and Agricultural Land Classification
- Water Environment
- Air Quality
- Cultural Heritage and Archaeology
- Landscape and Visual Impact
- Climate
- Cumulative Effects

Population and Human Health

43. The CPA considers that population and human health should be included in the ES. The CPA agrees that a recreational users assessment should be included in the ES and contained within this section. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

44. They comment that they recommend an initial Health Impact Assessment screening on the proposed development, and that the applicant should consider carrying out a consultation exercise with local residents using a model or map of the application site identifying which measures the applicant will put in place to protect the health and amenities of local residents.

45. They comment that Brown Westhead Park and Playing fields are located around 100 metres to the west of the site and that a caravan and camping site is near to these playing fields. Consideration should be given to loss of public rights of way, access, recreation and open space.

46. They comment that the developer should detail what provision is in place for mitigating the health effects on people who use the playing areas and public rights of way, potentially creating new playing fields in alternative locations.

47. They comment that there are a number of residential properties in general proximity to the site and that these may be adversely affected by site traffic, noise and dust, as well as potential run-off from dangerous substances extracted on site.

48. They comment that consideration should be given to mental health issues, such as stress and anxiety which may affect those in the vicinity of the site, or those who are losing accessibility to green spaces for recreation.

49. They comment that the site borders a housing estate at Sion Hill, Broadwater, and housing at Cookley and Wolverley. There are two primary schools and a nursery near to the site (St. Oswalds C of E Primary and Heathfield Knoll, and First Steps Nursery). Care homes are also in the vicinity. Consideration should be given to the health impact on those who are vulnerable including young children, elderly people, and those with pre-existing health conditions (especially respiratory). Consideration should also be given to safe routes (including walking) to schools which may be affected by extra site traffic.

50. They comment that mineral extraction can have an impact on health due to various chemicals used in the mining process, and potentially damaging compounds and metals removed from the ground. The developer should consider the health impacts on those directly employed in the minerals industry and the subsequent effects that may be felt more widely, for example by family and friends (not limited to health).

51. They comment that plans to restore the site can be long term depending on the amount of minerals removed from the site, but this will not mitigate the immediate effects on residents or employees.

Public Healthy England (PHE)

52. They comment that the applicant should provide sufficient information to allow the potential impact of the development on public health to be fully assessed. They consider the ES should contain a dedicated section addressing Health.

53. They comment that the summation of other matters relating to Health (air quality, emissions to water, waste, contaminated land etc.) into a specific section the ES provides a focus to ensure public health is given adequate consideration.

54. Key information should be summarised including risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

55. They attached an appendix to their response which outlines generic areas that should be addressed in the EIA, which is located in Appendix 2 of this Opinion. Any assessments undertaken should be proportionate to the potential impacts of the proposal. In cases where the applicant decides a particular assessment is not required, or where a qualitative rather than quantitative methodology is required, a rationale should be provided to fully explain and justify this decision in the ES.

56. They comment that they are happy to assist the applicant should they wish to discuss their proposals in view of their advice.

Wyre Forest District Council

57. They comment that the effects and benefits regarding recreation should be assessed in the ES.

58. They comment that a Health Impact Assessment (HIA) is required and that any assessments should take into account the District Council's plans for growth as part of their Local Plan Review.

Wolverley and Cookley Parish Council

59. They comment that there are five local schools near the proposed site. Children walk along the path adjacent to the wall on Wolverley Road and will be affected by noise, air quality and safety aspect.

60. They comment that children from Heathfield School opposite the site will be affected by noise and air pollution whilst playing.

61. They comment that Wolverley and Cookley have many local businesses that will be affected. The Caravan Park could be affected by noise, dust and air pollution and reduced visitor numbers due to its proximity. They comment that the Brown Westhead football pitches would be affected in a similar manner.

62. They comment that the Lea Castle Equestrian Centre, at the heart of the development would be most impacted.

Noise, Vibration, Dust and Lighting

63. The CPA agrees with the applicant that noise and dust should be included in the ES. In addition, the CPA considers vibration and lighting should be addressed in this chapter. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

64. They comment that noise and vibration could be generated by drilling and blasting operations, from excavation activities, loading and unloading of rock, crushing and conveying operations. Vehicle movements may reach levels that are hazardous to health.

65. They comment that noise pollution can have a direct impact on the local population and is likely to be a significant area of concern. This carries direct and indirect potential negative health impacts.

Wyre Forest District Council

66. They comment that consideration needs to be taken of existing properties, approved properties and future expansion as part of the Council's Local Plan Review, particularly around the Lea Castle Hospital Site.

Wolverley and Cookley Parish Council

67. They comment that they have serious concerns over the level of noise that will result from JCB diggers, dump trucks, crushing, sorting, lorry loading/unloading and machinery inside the site. They are also concerned at noise from trucks entering and exiting the site.

68. They comment that noise disturbance will be considerable and it will need to be known if noise levels will be acceptable, and whether they affect properties close to the proposed development. They comment that an independent report should be undertaken on noise.

Worcestershire Regulatory Services – Noise, Vibration, Dust and Lighting

69. They comment that the scoping document appears to adequately address potential Dust and Noise issues and agree that the ES should include impact assessments for both. They also comment that section 7.2 of the scoping document mentions vibration and lighting. They consider these issues should also be addressed in the ES.

The Campaign to Protect Rural England

70. They comment that the site comes very close to the back of houses in Brown-Westhead Park, Wolverley. The residents ought to be protected from the noise inherent in mineral extraction.

Transport Movement and Access

71. The CPA agrees that transport and highways should be included in the ES. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

72. They comment that the local highway network will experience additional traffic movements affecting the flow of traffic and air quality. They request the applicant takes measures to limit the effects on the local transport network from extra traffic.

Wyre Forest District Council

73. They comment that they agree a Transport Assessment is required. The new access point will also need to be considered from a cultural heritage perspective and addressed in the EIA.

Wolverley and Cookley Parish Council

74. They comment that the application would result in heavy traffic on the B4189 Wolverley Road. The proposed site access off the B4189 into the site is on the brow of a hill in an unrestricted area and would be dangerous.

75. They comment that the number and types of vehicles or equipment should be detailed.

76. They comment that the proposal for Footpath no. 624b running through Phases 1 and 2 of the site should be set out.

The British Horse Society

77. They comment that as part of the restoration scheme, bridleway access provision should be created around the periphery of the site to provide much needed safe off road access for horse riders. This would link into the existing bridleway providing riders with a choice of rides.

County Footpaths Officer

78. They comment that the application appears to affects PROW nos. WC-622 and WC-624, and Bridleway nos. WC-625 and WC-626. They enclose a map for the applicant's information.

79. They comment that there appear to be minor discrepancies between the plans submitted by the applicant and the definitive lines of the footpaths. The most significant is the missing link section between PROWs WC-624 and WC-623. The applicant should contact the County Footpaths Officer for a full PROW search.

80. They comment that vehicular access to, and within, the site, appears to be in part via the PROWs. Under Section 34 of the Road Traffic Act 1988, any person who, without lawful authority drives a motor vehicle on a footpath / bridleway / restricted byway commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use the public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter.

81. They comment that the County Council is responsible for maintaining the rights of way to a standard suitable for their public use as a footpath, not for maintaining a surface to be suitable for private vehicular use.

82. They comment that any application should include:

- Identification of all public rights of way on their definitive lines and how these will be protected and enhanced during the works and on restoration.

- details of any diversion temporary or permanent required.

- detail of how footpath WC-624 will be retained following the installation of screening bunds.

- details of how public safety along the any public rights of way retained on their line during the quarrying works will be ensured.

83. They comment that the applicant should also be aware of the following obligations towards PROWs:

- No disturbance of, or change to, the surface of the paths or part thereof should be carried out without our written consent.
- No diminution in the width of the rights of way available for use by the public.
- Buildings materials must not be stored on the rights of way.
- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the rights of way.
- No additional barriers are placed across the rights of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
- The safety of the public using the rights of way is to be ensured at all times.
- If the development cannot be carried out without temporarily closing the public rights of way for the safety of the public during construction, application should be made at least 6 weeks in advance to the Mapping Team of the Countryside Service at Worcestershire County Council.

84. They comment that the applicant should note that all PROWs crossing or adjoining the proposed development site must be marked on the plan to be submitted with the planning application. They should make clear how the potential development will impinge on PROWs.

85. They comment that the applicant should note Policy RST3 of the Worcestershire County Structure Plan, which aims to ensure development does not reduce the utility, convenience, recreational value, attractiveness, and historic significance of PROWs.

86. They comment that the applicant should also be aware of the Department of Environment Circular 1/09 (part 7) which explains that the effect of development on a PROW is a material consideration in the determination of applications for planning permission. The grant of planning consent does not entitle developers to obstruct a PROW.

87. They comment that the Definitive Map is a minimum record of PROWs and does not preclude the possibility that unrecorded PROWs may exist, nor that higher rights may exist than those shown.

County Highways Officer

88. They comment that the Highways Authority has no opinion on whether the development constitutes EIA or not. They note that the applicant has identified that a Transport Assessment (TA) will be needed. They agree with this approach.

89. They comment that the applicant should agree the scope of the TA with the County Highways Authority well in advance of the application being submitted to ensure a suitable evidence base is provided to justify the proposal.

The Campaign to Protect Rural England

90. They comment that there are public footpaths running across or near the site, whose setting will be impacted by such a development.

The Ramblers Association

91. They comment that they wish to see an analysis of how the PROWs will be affected. They request knowing whether the method of working will require the closure of Bridleways WC-625 and WC-626, and Footpath WC-624. If closures are thought to be necessary, they request temporary diversions.

92. They request information on the impact of lost riding routes on local horse riders and nearby riding establishments. They question whether restorations can be utilised as an opportunity to enhance walking and riding in the area.

Ecology and Biodiversity

93. The CPA agrees that biodiversity should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wolverley and Cookley Parish Council

94. They comment that the proposal covers a biodiverse area where many animals and fungi are likely to be affected. A full investigation will be required. The site also contains a number of trees which need to be protected.

95. They comment that the site is described as 'acid sand' which provides a unique habitat for various flora and fauna which would be lost forever.

County Ecologist

96. They concur that the proposal constitutes an EIA scheme. They welcome detailed consideration of Ecology as part of the ES.

97. They comment that they support the proposal to undertake an Ecological Impact Assessment (EcIA) in line with current CIEEM guidance (Guidelines for Ecological Impact Assessment in the UK and Ireland, 2nd Ed, January 2016). They advise that practice and reporting should be compliant with BS42020:2013 (Biodiversity: Code of Practice for Planning and Development).

98. They request that the application documents consider locally important sites in accordance with Worcestershire County Council's Planning Validation Document, including the Staffordshire and Worcestershire Canal and River Stour Local Wildlife Sites and Grassland Inventory sites including Cookley Rough.

99. They note the proximity of the site to the Wyre Forest Biodiversity Delivery Area. They request the application and detailed restoration strategy draw appropriate reference to the Worcestershire Biodiversity Action Plan (BAP) and Biodiversity Delivery Area priorities. They comment that it is widely recognised that mineral

extraction poses significant opportunities to contribute towards BAP objectives. The CPA expects these objectives to be reflected in a meaningful way within the final restoration strategy. They comment that it is their preference that priority habitats to be created are established within manageable blocks as these will be more sustainable to manage long-term economically. Ribbon grassland will likely have greater maintenance costs with low ecological value unless designed specifically as an ecologically connective feature.

100. In terms of baseline information, they direct the applicant to Worcestershire County Council's Worcestershire Habitat Inventory website, particularly with reference to the spatial extent and distribution of priority habitat networks and the opportunities which mineral site restoration strategies can realise in order to contribute towards their coherence and resilience.

101. They direct the applicant to the Green Infrastructure Requirements in the Emerging Minerals Local Plan and the Worcestershire Green Infrastructure (GI) Framework document 1. In particular, the Hagley Hinterland Environmental Character Area where the GI objectives are to 'restore environmental quality', specifically Wyre Forest's acidic grassland and woodland habitats. They direct the applicant to the Technical Research Paper: Biodiversity and Mineral Sites in Worcestershire, Guidance for the Sustainable Management of Biodiversity Action Plan Habitats at Worcestershire Mineral Sites, specifically Appendix 2 'Habitat Creation Toolbox' for creation and maintenance of habitats.

102. They recommend a Green Infrastructure Concept Plan is prepared for the site and submitted in support of the application to provide sufficiently detailed treatment demonstrating cohesion between, and long term positive management, of GI assets within each of the GI themes.

103. They request an assessment of alternatives, including the 'no project' option is provided within the ES.

104. They request a strategy to evaluate the viability and effectiveness of primary, secondary and tertiary mitigation measures for any forecast likely significant environmental effects. An environmental mitigation measure monitoring and reporting framework should be articulated within the ES. This framework should address frequency, duration, methodology, roles, reporting and intervention triggers, and contingencies in the event mitigation measures do not achieve set thresholds of success over a reasonable aftercare period.

Natural England

105. They comment that they agree with the list of themes requiring assessment as described at section 5.5 of the Scoping Report. They attach Natural England's further detailed advice on the scope of the EIA for this development at Annex A to their letter, located in Appendix 2 of this Opinion.

The Environment Agency (EA)

106. They comment that the site is of limited sensitivity regarding biodiversity and habitats. However, the opportunity for innovative restoration schemes should not be ignored. The site provides opportunity to provide exemplar Green and Blue infrastructure post extraction and provides net habitat betterment contributing

towards greater landscape connectivity. This could include permanent and ephemeral wetland habitats to provide wider connectivity with Stourvale and Puxton Marshes and Hurcot and Podmore Pools. They welcome further discussion with the CPA and applicant about this.

Worcestershire Wildlife Trust

107. They comment that they note the site falls within open agricultural countryside and that it contains some semi-natural habitats that may be of value (both in their own right and in terms of species they may hold). They are pleased to see ecology is included in the list of issues to be considered in the EIA.
108. They recommend the ES considers a broader ecological envelope than just the red line boundary given the proximity of nearby high-value ecological receptors. They comment that commentary on likely offsite impacts on the Local Wildlife Site watercourses, nearby woodlands and species will be important.

109. They comment that specific issues that appear likely to be relevant within the site include direct habitat loss (hedges, trees, potentially grassland), hydrological impacts resulting from void creation and impacts on species (badgers, bats, birds, dormice and possibly reptiles and amphibians) that may be utilising habitats on or adjacent to the working areas.

110. They comment that a site wide Preliminary Ecological Appraisal, supported by a background data search from the Worcestershire Biological Records Centre, should inform specialist surveys in line with guidance in BS42020:2013 Biodiversity – Code of practice for planning and development and the relevant methodologies. The potential for ecological impacts arising from noise, vibration, dust and light pollution should be considered along with direct habitat loss or changes resulting from landform alterations (slope and aspect changes etc.) and drainage implications. They comment that if these matters are fully considered in the ES, the CPA should be in receipt of sufficient ecological information to be able to determine the application in line with the relevant law and guidance.

111. They comment that in view of the comments set out above, they expect any permission that the CPA may be minded to grant to include conditions covering a Construction and Environment Management Plan (CEMP) and Landscape Environment Management Plan (LEMP). These will depend on the outcome of surveys.

Wyre Forest District Council's Countryside Manager

112. They comment that the site is in proximity to SSSIs and other wildlife sites. The SSSIs have complex and dependent hydrology that might be impacted upon by mining. At least one SSSI is dependent on low nutrient conditions that could be negatively impacted by particulate deposition that an open cast mining operation could create.

113. They comment that Dormice are known to be in proximity to this location and the mining operation could impact on the available habitat and dispersal routes of this protected species. Bat species with low levels of light tolerance are known to exist in the area. The lighting of the mineral working may have some potential impact on forage and distribution of the species.

Soil Resource and Agricultural Land Classification

114. The CPA agrees that soil resource and agricultural land should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

115. They comment that they agree an Agricultural Land Appraisal is required.

Wolverley and Cookley Parish Council

116. They comment that there is no detail on what type of material would be imported with reference to item 4.2 of the scoping request report (60,000m^3 per year), and how this will affect the environment.

Water Environment

117. The CPA agrees that hydrogeological and hydro geographic water matters should be included in the ES. The following comments should be taken into account and addressed in the ES:

The Environment Agency (EA)

118. They comment that the site is located on a Principal Aquifer of the Wildmoor Sandstone Formation within the Source Protection Zone 3 of the Cookley Water Supply. The hydrogeological setting at this location is sensitive and will need careful assessment in any resultant ES. Quarrying physically removes the aquifer and usable groundwater resources within aquifers, which can lead to severe impacts on the water environment as groundwater flows can alter. Particularly if watercourses derive base flows from the same source of groundwater, or wetlands rely on this water for their existence.

119. They comment that the natural baseline conditions can change significantly from quarrying activities. Assessments will be needed and mitigation where appropriate to reduce any risks to the water environment to a minimum. They have concerns where quarries are worked sub-water table to enable sand and gravel extraction. Dewatering by pumping can lower the water table and impact surrounding water features, such as watercourses, ponds, springs and wetlands which rely on the same groundwater source.

120. They comment that there are several watercourses in the area which may derive baseflows from groundwater in these deposits. These should be considered as part of any ongoing appraisal. A Water Features Survey (WFS) should identify those sources on the ground within a designated radius of the proposed site which could be at risk.

121. They recommend a Hydrogeological Impact Assessment (HIA) should be undertaken. All aspects of the water environment should be considered. Thus should include a WFS and quantitative assessment of potential impacts to the water environment from the proposal.

122. They consider the quantitative assessment through the HIA should be a priority within the EIA. The HIA is required to assess the full potential of any quantitative impacts on the water environment which could take place from the activity of quarrying, notably from any dewatering activity in voids. They recommend an appropriately qualified hydrogeological consultant undertakes the HIA work.

123. They suggest the HIA should assess 4 points, which can be found on page 2 of their response contained within Appendix 2 of this Opinion.

124. Regarding Groundwater Quality Protection, they comment that certain activities taking place within and around a quarry environment can give rise to water quality pollution issues. These include:

- The potential for fuels to contaminate local groundwater supplies if not stored and used correctly. Vehicle accidents are a common cause for oil and fuel release into the environment. Management strategies should be put in place to manage such events.

- The potential for onsite sewerage facilities to pollute water if harmful effluents are discharged into the environment without an appropriate discharge consent permit.

- The potential for gravel workings to affect groundwater quality in the surrounding aquifer, creating turbidity in the water. The EA would like to know if the mineral product is to be washed on site (using groundwater), and where this water would be discharged to. Further detail should be provided as to where and how this water will be treated and discharged.

- The potential for the deterioration in the ecological value or physico-chemical quality of any watercourse as a result of the development. The EA require the operator to demonstrate that this will not occur.

125. They comment that regarding Landfill locations, the EA will normally object to any proposed landfill in groundwater SPZ1 in Statement E1 of their response. For all other proposed landfill site locations, a risk assessment must be conducted based on the nature and quantity of waste and the natural setting and properties of the location. Where the risk assessment demonstrates that active long-term site management is essential to prevent long-term groundwater pollution, the EA will object to the following sites:

- Those below the water table in any strata where the groundwater provides an important contribution to river flow, or other sensitive receptors.
- Those within SPZ2 or 3, or in a principal aquifer.

126. They comment that the EIA should assess opportunities to deliver Water Framework Directive (WFD) objectives. A WFD screening should be carried out to inform the EIA. The development should seek opportunities to help maintain and improve WFD status. No development should be permitted if it will result in the deterioration in the quality of the water-bodies.

127. They expect that where existing watercourse channels within and near to the development site have been straightened, culverted and/or deepened by previous land use (primarily to aid agricultural activities), the watercourse should be naturalised and 'opened up' as part of the development.

128. They comment that WFD Waterbody information for this catchment is available from their area 'Customers and Engagement' team at Enquiries_Westmids@environment-agency.gov.uk and their Catchment Data Explorer tool at: http://environment.data.gov.uk/catchment-planning/OperationalCatchment/3456

129. They comment that local level actions and decision making can help secure improvements to the water environment. This is known as the 'catchment-based approach' and has been adopted to deliver requirements under the WFD.

130. They comment that the site falls within Worcestershire Middle Severn sandstone groundwater body. Specifically, groundwater body reference GB40901G300800. This currently has 'Poor Overall Status' with an ambition to reach 'Good' by 2027. The proposal should seek opportunities to provide betterment and highlight the importance of assessing WFD in the ES.

131. Regarding Flood Risk, they comment that the site is located in Flood Zone 1 (low risk zone) and would not intend making bespoke comment on the flood risks to and from the development. They recommend early liaison with the Lead Local Flood Authority to discuss surface water management of the site during and post extraction. They highlight that climate change allowances were updated recently and have attached an area climate change allowance guide for the applicant's information. They advocate exploring opportunities to provide net flood risk betterment.

132. They welcome the opportunity to discuss the site at an early stage. The issues are complex and the scope for betterment post extraction vast. Early collaborative discussions would be beneficial.

North Worcestershire Water Management (NWWM)

133. They comment that the site is located within the catchments of the Stour and the Blakedown Brook, which is a tributary of the Stour. The site does not contain many natural or manmade surface water drainage features suggesting the area is predominantly drained via infiltration. Infiltrated water slowly recharges the wetland SSSIs present in the valleys to the west (Stour: Puxton and Stourvale Marsh) and to the east (Blakedown Brook: Hurcott and Podmore Pools).

134. They comment that the scoping report states the development lies 30-40 metres above the local ground water table and that presumably no or only limited dewatering will be required.

135. They request that the Hydrological, Hydrogeological and Flood Risk Assessments should cover the following as a minimum:

- Hydrology and Hydrogeology of the site and the interaction with the surrounding areas (including the water dependent SSSIs)

- Flood risk on the site and the effects of the development on flood risk off site.

- Effects of the proposal during the operational phase (including dewatering) and following restoration (the effect of imported inert materials)

- Methods to safeguard ground and surface water.

136. They request the application will be accompanied by a surface water drainage strategy (standalone or incorporated into the Hydrological, Hydrogeological and Flood Risk Assessment. This should set out how surface water will be dealt with during the operational phase and following restoration. They comment that they would seek compliance with the non-statutory technical standards for Sustainable Drainage Systems (SuDS) – Defra 2015.

Air Quality

137. The CPA agrees that air quality should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

138. They comment that advice from Worcestershire Regulatory Services should be taken regarding air quality.

Wolverley and Cookley Parish Council

139. They comment that the inert material used to infill could dramatically affect the local air quality.

140. They comment that the dust generated and the nature of the particulates will represent a risk to local air quality, particularly to lungs.

141. They comment that the NPPF is clear that a planning authority must ensure there are no unacceptable adverse impacts on human health. Assurance on this will need to be provided.

Worcestershire Regulatory Services – Air Quality

142. They comment that the Scoping document appears to adequately address potential Air Quality and Climate issues. They agree that the ES should include impact assessments for both.

Cultural Heritage and Archaeology

143. The CPA agrees that cultural heritage and archaeology should be included in the ES.

144. The following comments should be taken into account and addressed in the ES:

County Archaeologist

145. They comment that there are no known or recorded heritage assets or archaeological interest within the application area, with the exception of a World War II grass landing strip. The presence of unrecorded, as yet unknown, below-ground heritage assets (archaeological remains) cannot be discounted. Stray finds of archaeological material including a silver denarius of Vitellius (AD-69-69) have been made in the application area.

146. They comment that on this basis, the EIA needs to fully investigate and understand these impacts. A heritage statement should be produced describing the significance of any heritage assets affected by the proposal, including any contribution made by their setting. The level of detail should be proportionate to the importance of the asset and no more than is sufficient to understand the potential impact of the proposal on their significance.

147. The heritage statement should include an assessment of the impact of the development on the setting of any designated heritage assets in the vicinity of the application area including, but not limited to the following assets:

- Grade II listed Sion Hill Court (NHLE 1100640) to the south
- Grade II Listed North Lodges (NHLE 1296589) to the northeast.

148. The heritage statement should also incorporate the results of a geophysical survey and field evaluation (trial trenching at 4% of the application area), which will provide information on the presence or absence, extent, date and local, regional or national significance of any archaeological remains, including palaeoenvironmental deposits.

149. They comment that in the event of planning permission being granted, in accordance with Paragraph 141 of the NPPF, where archaeological remains are found to be present within the application site that cannot be proposed in-situ then further archaeological works would be required to mitigate the impact of the development on the threatened remains. These works should be secured by a suitably worded condition.

150. They also comment that any archaeological investigations should comply with specifications agreed in advance with Worcestershire Archive and Archaeology Service and conform to the Chartered Institute for Archaeology's Standard and Guidance.

Wyre Forest District Council

151. They comment that the comments of the Conservation Officer should be noted and that there is some discrepancy between the scoping report and the Conservation Officer's response. The Conservation Officer's comments are located in Appendix 2 of this Opinion.

152. The Conservation Officer identifies impacts that will occur to the significance of assets as a result of the proposal and identifies mitigation measures. They also comment that a desk based archaeological assessment to identify above ground and potential below ground archaeology will be required. An archaeological assessment should accompany or be incorporated into a Heritage Statement submitted with the planning application.

153. They comment that a full Heritage Impact Assessment should be undertaken along with an Archaeological Assessment. The Archaeological Assessment should be scoped with the County Archaeologist, which may include Geophysical, as well as intrusive investigations.

Wolverley and Cookley Parish Council

154. They comment that the proposed access would break through a historical 19th Century wall. This is a local landmark and will be greatly affected by the proposal. Quarrying works could damage the structural integrity of this wall.

The Wolverley and Cookley Historical Society

155. They comment that the proposal would create such a change in the landscape that it would not be recognised as the historic site it is.

156. They comment that the neo-gothic castle was built by the Knights and surrounded by parkland. The grounds could have been in picturesque taste according to *Survey of Parks and Gardens: Lockett 1997*. The area defined as 'former parkland' is included in part of phases 2 and 3 on the proposal plan.

157. They comment that there remains a C19th wall that defines the boundary of the mansion house demolished in 1945. The wall has served as a focus for community races with lodges serving as entrances at the end of long straight driveways at the northern and southern gates. They feel that these structures help to characterise the heritage of the two villages and should be viewed in context with the whole parkland. They comment that a drop in ground level during and post extraction could lead to destabilising a long stretch of the wall.

158. They note the intention to break through the wall to create the site access which would destroy a considerable length of the historic C19th wall.

159. They comment that there are well used public footpaths along the driveways and between the areas marked phase 1 and 2. They are shown as early on the tithe map of 1837. Medieval documents refer to a settlement at The Lea, which was undoubtedly in the area of Lea Castle.

Historic England

160. They comment that the quarry could have an impact on several designated heritage assets and their settings in the area around the site. They expect the ES to contain an assessment identifying heritage assets which could be affected, the elements contributing to their significance (including setting), likely impacts of the development on the elements, and any resulting benefit, loss or harm to their significance. The assessment should consider the impact from quarrying activities and any restoration works, including works introducing a different land use, management, or landscape than the existing.

161. They comment that the assets include, but aren't limited to, the Wolverley and Staffordshire Canal Conservation Areas to the west and northwest of the site, as well as several Grade II Listed Buildings.

162. They comment that the assessment should give full consideration to the potential impact associated activities (construction, maintenance, traffic, noise,

light) might have on perceptions, understanding and appreciation of the heritage assets in the area. The assessment should consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

163. They expect the ES to consider the potential impacts on non-designated features of historic, architectural, archaeological and artistic interest. They request any archaeological assessment should consider the potential impact to Palaeolithic sediments and artefacts within the area, as well as organic deposits and palaeochannels.

164. They comment that should there be potential for waterlogged archaeology, the assessment would need to cross reference with any hydrological studies being undertaken to ensure this is taken into account.

165. They recommend consultation with the Worcestershire Historic Environment Record, the Historic Environment Advisor at Worcestershire County Council's Archive and Archaeology Service, and the Conservation Officer at Wyre Forest District Council. They are best for advising on local issues and priorities, how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment, the nature and design of any required mitigation measures, and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Landscape and Visual Impact

166. The CPA agrees that landscape and visual matters should be included in the ES.

167. In addition, the CPA recommends that the applicant includes annotated 3D visualisations of the application site in its existing form, the proposed quarry form (including phasing), and the proposed restoration form. Such visualisations would be in line with industry best practice as demonstrated at the 2018 Mineral Products Association/Royal Town Planning Institute Mineral Planning Conference 2018. 3D visualisations would also be invaluable for communicating the above surface impacts of the proposed development to the public and other interested parties.

168. The following comments should be taken into account and addressed in the ES.

Wyre Forest District Council

169. They comment that they agree that a Landscape and Visual Impact Assessment (LVIA) should be carried out and that the CPA should consider employing a suitably qualified consultant to assess any submission.

Wolverley and Cookley Parish Council

170. They comment that the proposed bunds may not hold together and will look unsightly. There will also be a clear view of the quarry from the A449 as there is no bund proposed.

The Campaign to Protect Rural England

171. They comment that the site involves a hilltop and that there will be a substantial landscape impact from the development.

County Landscape Officer

172. They that the ES should will include a Landscape and Visual Impact Assessment (LVIA) in accordance with GLVIA 3rd ed. The Assessment should consider the following:

173. The site is within the broad landscape character type Sandstone Estatelands. It is important to note the site is located within a transitional landscape that moves from a more typical Sandstone Estatelands character east of the site, towards a post-medieval historic landscape character of mixed irregular fields, meadows and woodland, influence in part by the Stour Valley.

174. The site is located within an area of former medieval designed landscape adding another layer of inherited landscape character. This includes distinctive structural features and historic buildings, the settings of which will be affected by the proposed quarry.

175. They request that the LVIA address the nuances of the landscape setting to accurately assess sensitivity, impact, mitigation and define restoration opportunities.

176. They request Worcestershire County Council is consulted in advance of the LVIA's production to agree view points for the assessment.

177. They comment that the Stour and Staffordshire and Worcestershire Canal Corridor is a strategic Green Infrastructure (GI) link that should inform further refinements of the restoration strategy for the site. This should include opportunities to create, enhance and connect with existing landscape assets providing an east-west framework of connected habitats linked to the strategic corridor.

The Ramblers Association

178. They comment that the landscape between Cookley and Kidderminster at Lea Farm is attractive with blocks of woodland surrounding the site and a pleasant rolling, somewhat hilly nature. The site is used for quiet informal leisure purposes with a number of PROWs across and around it well used by people from local communities. The site is highly visible from higher ground to the north east but not particularly prominent from Wolverley Road. The site is screened by woodland from the west and north west. The site is within the West Midlands Green Belt.

179. They comment that for the reasons above, the ES must address short and long term impacts on the landscape and leisure uses carried out upon it. They are concerned to know how extraction will damage the curving slopes of the land and whether the restoration will provide a new landscape compatible with the old. They are concerned that it should be demonstrated how extraction will affect the surrounding blocks of woodland which must be protected from any reductions in

the level of the water table and dust. They are concerned the table relating to potential effects avoids making an assessment in the case of landscape. They anticipate very damaging short or long term effects.

180. They request detailed restoration proposals be provided which are respectful of the existing landscape character and the Green Belt status of the land.

Climate

181. The CPA considers that climate should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

182. They comment that they agree climate needs consideration through the assessments outlined in the applicant's scoping request report.

Worcestershire Regulatory Services – Climate

183. They comment that the Scoping document appears to adequately address potential Air Quality and Climate issues. They agree that the ES should include impact assessments for both.

Cumulative Effects

184. The CPA agrees that cumulative effects should be included in the ES. The applicant should assess the cumulative effects from several developments in Worcestershire.

185. Individually, these developments may be insignificant, but when considered together, they could amount to a significant cumulative effect.

186. The following developments should be considered in the ES:

- Proposed Allocations set out in Wyre Forest District Council's Local Plan Review 2016-2034 *Preferred Options Document,* dated June 2017. These proposed allocations are identified in Part C and Appendix A of the document.
- Planning Permission 17/0205/OUTL FORMER LEA CASTLE HOSPITAL PARK GATE ROAD KIDDERMINSTER DY103PT: Outline planning application to include up to 600 dwellings (C3), up to 3,350sqm of Class B1 employment uses, 150sqm of Class A1/A3/D1 uses (local shop/café/community space), public open space, ecological mitigation, drainage works, infrastructure and ancillary works. Detailed approval is sought for access arrangements, to include the main access from Park Gate Road, secondary access from The Crescent and limited access to a small number of properties from Axborough Lane, with all other matters reserved.

Other Matters

187. The CPA considers that the applicant should address the matters and comments raised below by consultees and the public within their ES and the planning application.

Planning Policy Context and Analysis

188. The CPA considers that a Planning Statement should accompany the planning application submission and should assess the proposed development against the Development Plan and other material considerations. In this respect the current Development Plan consists of the adopted Worcestershire Waste Core Strategy, Saved Policies of the adopted County of Hereford and Worcester Mineral Local Plan, adopted Wyre Forest District Council Core Strategy (2006-2026), adopted Wyre Forest District Council Site Allocations and Policies Local Plan 2006-2026, and adopted Kidderminster Central Area Action Plan 2006-2026. Consideration should also be given to the Emerging Minerals Local Plan for Worcestershire and the Emerging Wyre Forest District Council Local Plan 2016-2034, but at the time of writing this Scoping Opinion, limited weight should be attached to these.

189. The CPA recommends that the ES should summarise the relevant planning policies and guidance, and that a supporting Planning Statement considers the relevant planning policies and guidance in detail. Many ES's contain an extensive analysis of planning policies and argue that a proposal is in compliance with the policies, however, it is considered that this advocacy role is in conflict with the impartiality that should characterise an ES. Such detailed analysis should, therefore, be confined to a separate Planning Statement, and the ES should deal with the planning policy issues that relate specifically to the environmental impact of the development proposals, for example where policy identifies an environmental receptor, such as ecological designation or requires the provision of a particular mitigation measure.

190. The CPA would like to draw your attention to the following planning policies:-

- Policy WCS 5: 'Landfill and disposal' of the adopted Worcestershire Waste Core Strategy;

- Saved Policy 2: 'Other Sand and Gravel Deposits' of the adopted County of Hereford and Worcester Mineral Local Plan;

- Draft Policy MLP 5 'North West Worcestershire Strategic Corridor' of the Emerging Minerals Local Plan for Worcestershire (Worcestershire's Minerals Local Plan – Third Stage Consultation) DRAFT

191. In addition to the above, an updated Local Aggregates Assessment using 2016 data is due to be published very shortly so it is recommended that the applicant makes use of this.

192. The applicant is also advised to take into account the response from Wyre Forest District Council to the CPA's Mineral's Local Plan Consultation, which is located in Appendix 2 of this Opinion. The response sets out the District Council's

concerns regarding proposed mineral extraction north and south of Wolverley Road, which could have a detrimental impact by virtue of dust, noise, and disturbance for the duration of the period of extraction on residents in the Lea Castle area, and development of the site here. There is also concern at impacts on the Listed North Lodges structures and the Locally Listed structures at the northern and southern entrances to the former Wolverley Castle respectively, and on the Staff and Worcs Canal Conservation Area. The applicant will need to demonstrate how the proposal either preserves or enhances the Conservation Area.

Wyre Forest District Council

193. They comment that they have significant concerns over the development but understand that the consultation relates to the scoping request under the EIA Regs and not on the merits of the case.

194. They comment that they agree that the proposal is EIA development.

Councillor Ian Hardiman

195. He comments that he has some concerns regarding the proposal but that he will consider any application with an open mind. His concerns relate to the proximity of the quarry proposal to the 600 new homes recently granted outline planning permission by Wyre Forest District Council at the Lea Castle (former hospital) site.

196. Councillor Marcus Hart and Councillor Ian Hardiman (joint letter).

197. They comment that they have a number of concerns about the proposal in terms of the effects on the green belt, open countryside, highways infrastructure, noise, and environmental issues, and will be articulating these as it progresses through the process.

198. They comment that they will ensure they do not have a pre-determined mind whilst articulating concerns raised by their communities. They comment that they will judge this application on its merits or otherwise at the appropriate time.

Wolverley and Cookley Parish Council

199. They comment that they are totally opposed to the proposal and feel that it would have a devastating effect on the ancient parish of Wolverley and Cookley.

200. They comment that the proposed bunds are limited and do not cover the whole site so do not protect residents on Wolverley Road and Brown Westhead.

201. They request details of the proposed operating times and any proposals for artificial lighting.

202. They comment that proposals for restoration of the landscape are unacceptable because they are not phased.

203. They comment that the proposal will have an impact on local house prices and deter new residents onto the proposed housing developments at Sion Hill and Lea Castle.

The Campaign to Protect Rural England

204. They comment that they object to the application.

205. They comment that the site lies in the Green Belt in a strategic gap between Kidderminster and the villages of Wolverley and Cookley. The gap is being eroded by permission being granted for the redevelopment of Lea Castle Hospital, which will result I sprawl that will join Kidderminster and Cookley. The countryside along the B4189 currently appears very open, despite the proximity of developed areas.

206. They comment that one of the options in the last consultation on Wyre Forest's Green Belt Review suggested taking a further area out of the Green Belt between Lea Castle and Kidderminster, which would be a significant encroachment into the open countryside. This area of Green Belt is already being severely encroached upon by development of various kinds and is in danger of ceasing to be countryside at all.

207. They comment that they appreciate mineral extraction is a special case to which usual Green Belt rules against development do not apply. Several of the five purposes of Green Belt are impacted by any development in the Protected Area.

Public Comments

208. 72 letters were received from 69 members of the public commenting on the Scoping Opinion Request. Their comments are summarised below:

- Objection to the proposal.

- Object on the grounds that the proposal would be unacceptable in a village setting.

- Objection because of the negative landscape and visual impact of the proposal. The site is high up and there are views of it from all around. Visual impact will be from as far away as Cookley, Wolverley, Sion Hill, Broadwaters and the eastern end of Hurcott Road. The site is also very visible from two roads circling it; the visual impact will be huge.

- Object on the grounds that the proposal would be inappropriate in an area with unique geological and historic features, and because the proposal would destroy an area of historic interest.

- Object on the grounds that the proposal would be detrimental to the neighbourhood of Cookley, the environment, the Greenbelt, and the impact on an existing quiet rural village in outstanding rural countryside.

- Concern that the identity of Cookley village is being attacked from all sides from housing and a quarry development. The character of the local neighbourhood must be considered as it will be changed dramatically. Cookley and Wolverley are quiet villages that aren't appropriate for heavy industry.

- Object on the grounds that the proposal would be located near a young family.

- Object on the grounds that the proposal would lead to devastation of greenbelt habitats. Objection against the proposal's impact on the greenbelt and its openness. Construction of new buildings, facilities and roads etc. on greenbelt land is neither desirable nor permissible. The greenbelt would be destroyed over the mining period.

- Object on the grounds that the proposal would be too close to existing properties in Cookley.

- Object on the grounds that the proposal would be within 200 metres of a number of residential properties, a rule existing presumably for health grounds. If one property is within 200 metres, the site should not be considered.

- Object on the grounds that the proposal would remove a well-used Public Footpath in Cookley, as well as concern at the impact on the footpath running through the site. These footpaths are used by people for keeping fit, which should be a priority issue for the Council.

- Object on the grounds that the proposal would impact two public rights of way (624B and 626B) across the site, 622C and 625B along the borders of the site, and 623B within a metre of the site. Noise, pollution, heavy vehicles and machinery will render the footpaths unpleasant and probably unusable. There would be enormous visual impact to these heavily used routes. Many children use the public rights of way to get to school so thought would need to be given to alternatives.

- Object on the grounds that the proposal would have negative environmental impact on top of the planned 1500 houses at Lea Castle. There is too much building work planned nearby. The proposal would also have health impacts on the new properties through dust pollution.

- Object on the grounds that the proposal would lead to additional traffic on an overcrowded road network, including the A449. Dozens of accidents and issues have occurred on the road for more than 40 years, which would be exacerbated by gravel-laden trucks and heavy plant entering and exiting the area. Notwithstanding the additional traffic due from the large housing estate at the former Lea Castle hospital site.

- Concern that no information has been given regarding the number and types of vehicles and equipment that would be needed Access routes within the site also need to be detailed.

- Object on the grounds that the proposal would lead to significant traffic problems when combined with the development at Lea Castle, which will effectively join Cookley to Kidderminster.

- Concern at the potential for cumulative effects of local development.

- Object on the grounds that there would be traffic chaos and danger near to Heathfield Knoll School. Objection against the impact on other nearby schools with already busy roads and limited footpaths.

- Concerns that the proposal would be accessed via the B4189, which is a very busy road with commuter traffic, no lighting and poor pavements.

- Objection to the proposed access onto the B4189 near the Wolverhampton road just below the brow of a hill on safety grounds. The speed limit is national and visibility is very poor at this point. Planners previously determined that the only safe access was at the point where Broom Cottage is located. Highways would have to fully investigate the proposed access.

- Concern that lorry drivers would seek out safer access routes to the site, taking them down public rights of way and tracks, endangering walkers, cyclists and horse riders.

- Concern that the proposal will generate unwanted noise, dust and vibrations.

- Object on the grounds that the proposal would lead to environmental issues relating to clean air for nearby communities, particularly Heathfield Knoll School and nearby residential properties. This could seriously affect the children of the school and their education.

- Object on the grounds that the proposal could shorten life through the health risks of the project. The proposal would also seriously affect the quality of life for local residents and their general health.

- Object on the grounds that the proposal would be large scale and hazardous near a residential area. Noise, dust and mud impacts would be unacceptable. Professional advice needs to be taken as to whether noise levels will be acceptable in the local area, and whether properties near the development would be inhabitable. The sand quarry at Sandy Lane near the M5 is used as an example of the filth created in wet conditions and dust in the dry.

- Object on the grounds that Cookley has already put up with one quarry in Wolverley and that it is unfair to revisit a second time.

- Concern at the consequences of large lorries and heavy machinery near residential properties.

- Object on the grounds that there are more suitable sites to be considered.

- Concern at what will happen when minerals have been extracted and the quarry is deemed 'empty'.

- Concern at what inert materials are proposed for replacing the removed minerals. 'Inert' materials would need substantial clarification and legal control to avoid a waste disposal site.

- Concern that very little information has been provided as to the methods of quarrying. It needs to be made clear whether quarrying will be even across the site in terms of the figure of 3 million tonnes, or whether some areas will be more

heavily affected than others. The applicant should provide this information in accessible format, for example the volume of material to be removed and how the depth of the quarry varies across the site.

- Concern as to why two fields to the west of the A449 have been included in the site, as well as woodland to the south of 'phase 2' and buildings to the south of the 'plant site'. These areas do not enter into the phased delivery plan. It needs to be made clear why these are included and whether they are intended for further extension of operations.

- Concern at whether lighting would be required and its effects on the local population and wildlife.

- Object on the grounds that the proposal would harm the general health, mental health, and well-being of horses at the old Lea Castle riding school, which sits at the middle of the site.

- Concern for the livelihood of the owner of the riding school at the centre of the site, and the caravan park.

- Objection at the knock on effect for business directly opposite the proposal. Objection at the wider negative economic impact in the area including on camping and tourism. The Lock pub, businesses in Cookley and Wolverley villages, the putting green and tea shop would be affected.

- Object on the grounds that the proposal would cause unacceptable harm to wildlife. The proposal covers a very biodiverse area and would affect animals, insects, birds, reptiles, butterflied, moths, plants, trees, mosses lichens, and fungi. Owls, pole cats (and related species), bats, hedgehogs, skylarks, thrushes, sparrows, lapwings, yellowhammers, and undoubtedly many other species have been seen or heard at the site. Adders are also thought to be present at the site. Muntjac would also be affected.

- Object because of the little consideration that has been shown to the local wildlife, including its thriving bird community with numerous birds from the red status of Birds of Conservation Concern list, including Lesser Spotted Woodpeckers, Skylarks, Starlings, Song Thrush and Sparrows. Birds on the amber list include House Martins and Kestrels. Kestrels are located on the proposed site and successfully breed every year. Buzzards would also be affected. Hedgehogs are also at the site in dwindling numbers. Badgers are seen across the site, possibly even with a sett in the proposed area. Bats live in a barn development and they are protected. The fields provide them with a feeding habitat and mining could have a detrimental impact on them. No number of nest boxes would protect them. Other roosts could also be located across the site. Some of this wildlife would be destroyed and never return.

- Concern at the proposal's impact on the land at the site, which is thought to be 'acid sand' that supports particular flora and fauna including lichens, fungi and mosses, which do not survive in other areas. A full investigation is required. The removal and replacement of this soil with different soils would be extremely detrimental.

The 600,000 tonnes of backfill would significantly change the site and the types of flora and fauna it supports.

- Concern at the impact on trees with preservation orders scattered throughout the Lea Castle Estate. Many date back to the Lea Castle Estate and remain a visual reminder of Cookley and Wolverley's history.

- Concern at the impact on trees and hedgerows in the area in terms of their aesthetics, and because of the support they provide for wildlife, which appears to be in perfect balance with how it is thriving.

- Concern at the existing power lines going over the proposed area. What will happen to these?

- Object on the grounds that the proposal would lead to drainage issues and catastrophic impacts on the Stour river's tributaries. The impact from flooding issues as a result of excavation on Wolverley and Broadwaters would need to be calculated.

- Concerns that the proposal would lead to a significant increase in water run-off causing flooding issues for the new housing at Lea Castle Hospital, and exacerbating flooding issues along the river at Wolverley. Investigation needs to be made into the impact on the canal from flooding.

- Object on the grounds that the proposal would detrimentally impact the wall enveloping the Lea Castle Estate, an important local landmark. In addition, the environment of the Grade II Listed gatehouse to the north of the proposed site would be hugely affected. The structure should be checked by the conservation officer. The gatehouses at the other end of the site would also be affected in the same way.

- Objection to the impact of noise, pollution, water run-off, and traffic on Listed buildings and their setting within a half mile radius of the site.

- Object on the grounds that the proposal is the selfish pursuit of financial gain with no thought for the wellbeing of the community or the surrounding area. The proposal would only benefit two parties, the landowner and quarry operator, who aim to profiteer from a ridiculous scheme which will be at the detriment to many people.

- Object on the grounds that the proposal includes bunds, which would be an eyesore. The bunds would be unlikely to hold together considering the area's sandy soil. Surrounding areas would be damaged by the bunds washing away and blowing away in the wind.

- Object on the grounds that sleeping in the day time would not be possible for a respondent who works shifts.

- Object on the grounds that Broom Cottage will be badly affected by noise and dust, especially during phase 3 of the operations. The proposals will make it difficult to sell the property and the proposal could blight a respondent's remaining years.

- Request that the reports and professional opinions required for the proposal will need to be independent and have careful consideration as to who has paid for them, and whether all findings are published, or just those that suit the funder. All research should be as general as possible in nature because without research, it is impossible to know what the ecosystem holds in the area.

- Request that neighbours and local residents are informed of the proposal. Landowners bordering the site have not been notified. Anyone who would be affected by this development should be notified, including anyone within earshot, within visual range, local businesses, the school, and anyone with a property bordering the site. The mapping provided with the proposal needs to be checked for accuracy because a respondent's property does not show on it adjacent to the site.

Western Power Distribution

209. Western Power Distribution have assets within the red line boundary. They comment that all equipment on site should be assumed to be live until Western Power Distribution prove otherwise and provide the applicant with confirmation to this effect in writing. The applicant is advised to refer to the Line Search Before You Dig response from Western Power Distribution.

210. Please note that the adequacy of the ES is primarily a matter of judgement of the decision maker. It is strongly advised that you contact the CPA to discuss the adequacy of the draft ES and planning application once they have reached a stage at which such feedback would be useful. Please note that Worcestershire County Council do not currently charge for pre-application discussions / meetings.

211. We recognise that these comments are extensive, but consider them necessary to ensure that all the relevant information is submitted with the planning application for the proposed scheme.

212. If you wish to discuss any of the points raised in this Scoping Opinion, or any other matters relevant to the EIA, please do not hesitate to contact either Joshua Scholes – Planning Officer (Development Management) (Tel: 01905 844485), Steven Aldridge – Team Leader (Development Management) (Tel: 01905 843510), or Mark Bishop - Development Manager (Tel: 01905 844463).

Adoption

Date of Adoption of Scoping Opinion 29 June **2018**

Signed on behalf of the County Planning Authority:

M. Bishop

Mark Bishop
Development Manager

Appendices

Appendix 1 – Scoping Opinion Request

Appendix 2 – Consultation Responses:-

- Wyre Forest District Council
- Wyre Forest District Council Conservation Officer
- Wyre Forest District Council Countryside Services
- Wolverley and Cookley Parish Council
- British Horse Society
- Councillor Ian Hardiman
- Councillors Marcus Hart and Ian Hardiman
- County Public Rights of Way
- County Archaeology
- County Ecology
- County Highways
- County Landscape
- County Minerals and Waste Planning Policy
- County Public Health
- The Campaign to Protection Rural England
- Environment Agency
- Natural England
- Historic England
- Line Search Before You Dig
- Western Power Distribution
- Lead Local Flood Authority
- North Worcestershire Water Management
- Public Health England
- Ramblers Association
- Worcestershire Regulatory Services
- Worcestershire Wildlife Trust

Appendix 3 – Public Comments