

REPLY TO 'RESPONSE FROM WOLVELEY AND COOKLEY PARISH COUNCIL'

Dear Mr Aldridge

Re: Land at Lea Castle Farm

Application Ref: 19/000053/CM

Grid Ref: (E) 383959, (N) 278992

Applicant: NRS Aggregates Ltd

Proposal: Proposed sand and gravel quarry with progressive restoration using site derived and imported inert material to agricultural parkland, public access and nature enhancement

Location: Land at Lea Castle Farm, Wolverley Road, Broadwaters, Kidderminster, Worcestershire

This document is a specific reply to the consultation **Response from Wolverley and Cookley Parish Council.**

The format used to address these matters being a summary statement below each of the individual items raised in their Response.

“Wolverley and Cookley Parish Council, after waiting almost two years for the formal planning application following the scoping opinion document (18/000023/SCO), and after listening for two years to resident’s objections at Public Question Time, considered the full planning application and non-technical summary at their meeting 3rd March 2020 and resolved unanimously NOT to support the quarry application.

Whilst the Parish Council recognise the need for quarry’s to extract minerals and indeed fully support the County Council’s need for a properly adopted waste and minerals plan, the proposed location of the quarry is completely inappropriate development within the green belt and there are no very special circumstances to justify it and therefore it should not be supported.”

RESPONSE: The Parish Council recognises the need for quarries to extract mineral but consider the proposed Lea Castle Farm site is inappropriate development within the Green Belt.

In respect of Green Belt, it should be noted that the National Planning Policy Framework (NPPF) outlines that mineral extraction is not considered inappropriate in the Green Belt provided that it preserves openness and does not conflict with the purpose of including land within the Green Belt (Paragraph 146).

In terms of openness, 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. Visual mitigation and enhancement measures integrated

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into the development proposals and 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.

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.

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 the case of Lea Castle Farm and duration, the plant and extraction operations associated with the proposed development are temporary, for 10 years, and the effects would be 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.

In following the approach to considering minerals development in the Green Belt, 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.

“The entire site lies within the heart of the green belt and the adverse effect on the openness of the green belt would be immense and not justifiable. There will be at least 600 houses on the former Lea Castle Hospital site, with the Progressive Alliance’s plan proposing a further 800 houses, all removing green belt land from the Parish. There are a further 91 new houses at Weavers Chase now being occupied and 54 at the former Sion Hill School site, soon to be occupied.”

RESPONSE: The Parish Council do not consider that the site is appropriate on the basis that new housing, schools, shops and supporting local infrastructure have either been granted planning permission and /or are being promoted within the local area. Notwithstanding the existing building and maintenance works that require sand and gravel within Kidderminster and its wider hinterland the specific location of the proposed quarry in a contained setting has the opportunity to supply these mineral resources locally with accompanying sustainability benefits including minimising transportation distances.

The existing alternative sources of sand and gravel are generally located within the south and west of the county. 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, circa 10 miles east of Kidderminster.

As set out above, the proposed development would pose no permanent harm to the Green Belt with the restoration of the site ensuring the long-term openness of the Green Belt.

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"There are 5 schools, 2 Nurseries, Nursing Home, Caravan Park and Sports Ground within close proximity of the proposed Quarry."

RESPONSE: Within the local area, the school, nurseries, nursing home, caravan park and sports ground are set away from the proposed phased mineral extraction and proposed plant site. Intervening landform, vegetation structure, roads and distance minimizing the potential for adverse effects from the proposed development. Potential effects from the proposals being considered in respect of noise, dust, air quality, disturbance to amenity, visual and highways, have been assessed. Mitigation measures have been designed into the proposals including lowering the plant site below existing ground levels, temporary soil screening / attenuation bunds and traffic routing. No temporary or permanent significant effects have been identified.

"Also in the proposed Quarry boundary is a house and thriving equestrian business."

The existing equestrian business opportunities / routes available to it, is heavily constrained by a lack of immediate / local bridleway access, with a single route within the Site, connecting Castle Road to Wolverley Road. The application will significantly aid the OPPORTUNITIES of the equestrian business by creating ~ 2 km of new / upgraded bridleways, prior to any mineral extraction on Site, rising to 2.3 km upon final restoration. These routes being a permanent component of the scheme, with access available to both the equestrian centre and public alike. The new and updated routes joining and expanding the local bridleway network.

"This development will have a major impact on the green belt and this area of the Parish and the Parish Council feel that the Quarry will have a negative effect on the cumulative impact of the green belt and will have a significant environmental impact on the ecology of the area."

RESPONSE: Detailed Ecological survey has been carried out and assessments made to confirm that there will be no significant adverse effect on ecology. The proposed ecological enhancement works associated with the scheme will provide a diverse matrix of integrated habitats which have been assessed by Heatons Ecological Consultant as resulting in an increase in habitat biodiversity units of 87.21% following the implementation of the proposed restoration scheme. The level suggested by the Department For Food and Rural Affairs being a 10% net gain for biodiversity. This is a significant benefit of 87.21%, including ~ 7.5 Ha of acidic grassland, a National Biodiversity Target Habitat, and potential associated species and planting of over 9,750 native trees and shrubs.

Progressive restoration 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 and the proposed development would pose no permanent harm to the Green Belt with the restoration of the site ensuring the long-term openness of the Green Belt.

"The Parish Council are exceptionally concerned regarding the substantial vehicle movements that the quarry would bring, 154 HGV's and 22 cars per day on the applicant's own assessment increasing nitrogen dioxide (NO2) levels in an already recognised pollution hotspot area."

RESPONSE: Based upon the concerns raised by the Parish Council and local residents at the public

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consultation events, an Air Quality Survey was carried out by EnviroCentre. This report assessing the potential emissions generated by existing and additional traffic and the subsequent impact on the local ambient air quality at residential and public areas located within the vicinity of the main road network. Predicted models were produced based upon the proposals and it is assessed that no significant change in nitrogen dioxide and particulate matter concentrates, would occur at any sensitive receptors, on comparison of the 'with' and 'without' development scenarios.

"The scoping opinion clearly showed a proposed entrance only to be used from an easterly direction, the full planning application shows a new proposed entrance which allows vehicle movement from both directions which leads to great concern that additional traffic will come through Wolverley Village."

RESPONSE: Details of the proposed site access are contained within paragraph 3.15 of the Scoping Report. Access to the site is to be gained via the A4189 Wolverley Road to the south eastern area of the site.

"The Parish Council feel that this area of the network is already very busy at peak times, which will become busier as houses are developed on the Lea Castle Hospital site and therefore do not feel it could cope with the additional traffic a quarry would bring."

RESPONSE: A review of the existing highways and the proposed development was undertaken by The Hurlstone Partnership Limited. The assessment concluding that there is vehicle capacity to accommodate the temporary increase in movements associated with the proposed quarry development, and that access arrangements will comply with health and safety criteria. This includes the potential cumulative effect of the Lea Castle housing site development. The addition of a No Right Hand Turn for HGVs onto Wolverley Road, providing additional mitigation.

"The Parish Council are also concerned about the noise and disruption to local residents of both Wolverley and Cookley as the site borders a number of residential properties, schools, recreation facilities and tourist attractions. The independent noise assessment undertaken by the applicant's themselves shows that the calculated noise level in many locations is very close to the suggested Site Noise Limit with several properties within 1db of the site noise level limits. No noise level assessment was undertaken at Heathfield School or First Steps Nursery, both directly opposite the site."

RESPONSE: The Noise Assessment undertaken by WBM Acoustic Consultants has found the proposal to be acceptable in terms of noise, with the development considered to be capable of operating without significant increase in noise on identified sensitive receptors located off site.

Site noise calculations have been undertaken for the seven receptor locations corresponding to the locations that are closest to the proposed extraction / infilling area and the processing plant site. A noise receptor location point was taken at the Public Right of Way path position of 62 2(C) (referred to as Location 3. Heathfield Knoll in the Noise Assessment Report), in the vicinity of Heathfield School and First Steps Nursery. This location being ~15m to the north of Wolverley Road. The school being located opposite on the other side of the road.

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With the implementation of mitigation measures, the assessment has found that the site can operate in accordance with national planning guidance.

"The Parish Council are extremely concerned about the Ecological Impact. The Ecological Impact Assessment included in the Planning Application states significant long term negative impact on Roosting Bats, Breeding Birds and Invertebrates and shorter term negative impact on other species. Also Significant negative impact on hedgerows and trees, including removal of TPOs T8, T9, T10, T22 and T26."

The assessment of ecological impacts, and related impacts have demonstrated that, providing that all mitigation and compensation measures detailed above are undertaken, impacts anticipated to ecological habitats and species will benefit to a greater extent than currently. All habitats will be replaced as part of the restoration strategy to the same habitats or habitats of higher ecological importance. The habitats of the highest importance will be retained throughout the proposals (i.e. the external boundary woodland). All legally protected species recorded on the Site will be protected throughout the duration of the works and mitigation, compensation and enhancement measures will be undertaken wherever necessary.

In total, 4 No. trees are proposed for removal to facilitate the development proposals, comprising T8, T9, T10 and T26. It is now proposed to retain T22 (a veteran tree) with the implementation of a buffer zone in line with Natural England's standing advice on veteran trees.

To help provide mitigation for the trees proposed for removal, the proposed restoration strategy includes the creation of planting of ~9,750 broad-leaved trees / shrubs and the planting of 170 parkland trees.

As part of the additional request for information from Worcestershire County Council, a Biodiversity Net Gain Calculation has been produced. This is a Natural England matrix which provides a way of measuring and accounting for biodiversity losses and gains resulting from development or landscape management change. The Biodiversity Net Gain or Loss is calculated using the difference between the pre-development and post development habitat data.

Based on the calculation conducted, the hedgerow biodiversity units represent an increase of 166.52% and the habitat biodiversity units represent an increase of 87.21% following the implementation of the proposed restoration scheme. Therefore, the proposals would result in a significant Biodiversity Net Gain, which addresses specific UKBAP priority habitats of Hedgerows, Woodland and Acidic Grassland. The matrix of habitats promoting species diversity and connectivity within and adjacent to the Site.

"The Historical Wall bordering the proposed site is damaged in several areas and the Planning Application Photo sheet 13 states "in need of repair". The wall bows outwards towards the path and the bricks are deteriorating along the length of the wall. Adjacent the wall is a single footpath which is used by children to walk to school (encouraged by the government) this causes a serious health and safety concern for the children as any vibration may cause collapse and no assessment of this has been undertaken."

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RESPONSE: Parts of the southern and eastern boundaries of the Site are bounded by a wall. Its structural integrity has been assessed and is considered safe. There are sections of the wall where upper brick courses have been removed. The landowner has confirmed that these sections will be repaired, separate to this application.

Within the application, it is proposed to provide additional / alternative multi use public access routes, providing access off and away from local adjacent roads. The majority of the routes being implemented prior to any mineral extraction.

"In addition, Wyre Forest District Council's own response to the Waste and Minerals Plan had concerns regarding the visual impact from various areas of the Parish and a detrimental impact on the setting of the Staffordshire and Worcestershire Canal Conservation Area for the duration of the period of extraction. They state that a planning application for mineral extraction at this site would need to demonstrate how the proposals either "preserve" or "enhance" the Conservation Area which is a fundamental requirement of the P(LBCA)A 1990, irrespective of any other NPPF or Local Plan guidance and failure to do this should result in the application being refused."

RESPONSE: Worcestershire Archaeology have re-appraised their assessment of the proposed development on the Staffordshire and Worcestershire Canal Conservation Area and confirm their original assessment that as a result of the topographical and landform differences, distance and vegetation structure, that the intrinsic character and the general amenity experience of being within the Conservation Area will be preserved during the temporary development period.

"The Parish Council also have concerns regarding restoration. The Restoration Scheme shows 3 million tonnes extraction and only 0.6 million inert fill which will have a significant impact on the landscape."

RESPONSE: The restoration scheme has been designed to integrate into surrounding undisturbed ground utilizing both in-situ soil and overburden and imported inert fill. Fill material will be placed to help establish restoration formation labels onto which the original soil profile will be replaced. Proposed average restored land gradients vary from 1 in 8 to 1 in 30. These land gradients replicating those within the existing site / local area.

"Whilst of course, being mindful this is temporary, it will be for at least 10 years and whilst we can only consider this application, who knows if consent were to be granted whether a future application came in to extend its life and how rigorously conditions would be enforced." – Wolverley and Cookley Parish Council

RESPONSE: The timescale and application approach taken is consistent with minerals applications and other types of temporary development. It is based upon the available mineral, operator extraction and predicted rates of sale and restoration.

In terms of the enforcement of conditions, Worcestershire County Council as minerals planning authority can carry out regular monitoring visits to active quarries and would stringently enforce compliance with planning conditions.