

From: Kirsten Huizer <Kirsten.Huizer@nwwm.org.uk>
Sent: 09 December 2020 09:13
To: Aldridge, Steven
Subject: FW: Further Information (Regulation 25) - Land at Lea Castle Farm, Kidderminster, Worcestershire - Ref: 19/000053/CM

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Steve,

I have reviewed the additional information submitted for this application, in particular:

- Letter BCL Hydro dated 18th September 2020 addressing main hydrological concerns raised by the Environment Agency, Natural England and myself (document 83 on planning website)
- Drawing KD.LCF.032 (surface water drainage) appended to this letter (document 83 / 85b)
- Drawing KD.LCF.031 (restoration plan) appended to this letter, which I understand is identical to KD.LCF.010A (document 83 / 85a)
- Amended restoration sections (document 96)
- Aftercare strategy as found on the planning website (document 89)

The letter addresses the concerns raised by multiple consultees regarding the potential for the development to negatively impact the water dependent SSSIs in the vicinity of this site. It advises that the site is located down hydraulic gradient of the protected areas in the Blakedown Brook valley (Hurcott and Podmore Pool SSSI and Hurcott Pasture SSSI) and hence will not be contributing to flows through these protected sites. The protected sites in the Stour Valley (Stourvale Marsh SSSI and Puxton Marsh SSSI) are separated from the site by the River Stour and/or Staffordshire and Worcestershire Canal. Based on this hydrological setting, the vertical standoff to the water table at the Site and the proposed retention/returning of incident rainfall to the aquifer within the confines of the Site via the proposed soakaway areas, there is considered negligible potential for the development to result in negative impact at these locations.

The letter also goes into detail regarding the concerns raised regarding the potential for the development to increase the risk of ground water pollution in the area. The Environment Agency in their consultation response (31st March 2020) included a detailed condition for a monitoring program. It appears that the applicant is willing to accept this condition, but questions whether this needs to be a pre-commencement condition as the concerns are related to the infilling of the site only. The letter also sets out that the potential for degradation of water quality due to inert fill placement will be governed by regulation through the Environmental Permitting process as an application for an Environmental Permit will be required prior to importation of fill material. I assume the Environment Agency will comment upon those aspects as this falls within their remit and concerns their suggested condition.

An additional drawing has been prepared to provide detail with regard to the Surface Water Management proposals for the Site. Three soakaway areas are designated within the restoration landform. The intention is to construct each of these soakaway areas so they will remain in continuity with the in situ aquifer below. Each soakaway area is located within a gentle bowl feature within the restoration landform, enclosed by an approximate 2m high rise in ground elevation to the western boundary (the lowest elevation flank). Further information regarding the soakaway areas (sizing and how the continuity with the aquifer will be guaranteed) has not been submitted, but I do not believe that this information would necessarily be required at this moment in the application process. Details of the Surface Water Management proposals can be conditioned once the principles have been agreed.

The letter provides the requested clarification on runoff 'exceedance' overland flow routes. It also answers my question regarding phasing, by stating when each of the soakaway areas is to be installed. I assume that this includes the installation of the connecting drainage features.

One of the things I raised in my original consultation response was the consideration of above ground SuDS as opposed to buried drainage features originally proposed. The letter details that open water ditches are now proposed to capture surface runoff and transfer this to the three soakaway areas. It is not clear to me what is exactly proposed: The text refers to open water ditches, and drawing KD.LCF.032 includes linear features discharging to the soakaway areas that could be interpreted as traditional ditches, however the cross sections submitted do not indicate any traditional ditch features? If traditional, well defined ditches are proposed then I do wonder how this will sit with the proposed future agricultural use as it appears that the ditches would bisect the restored areas. If discrete, shallow depressions in the landscape are envisaged instead then I wonder how their presence will be maintained for the future as ploughing and other agricultural practises tend to level out local depressions over time.

The submitted information details that the responsibility for maintenance of the soakaway areas will revert to the landowner following completion of the restoration and aftercare period. I assume the same is true for the ditches. Especially if shallow depressions are envisaged in the restored landform then I wonder how their continued existence can be guaranteed? I doubt that the upkeep of these features is something that we could enforce using our enforcement powers under the Land Drainage Act for instance.

I note that the letter states that with the inclusion of the above ground drainage and gradient of the restored landform areas, the recommendation for subsurface drainage made within the HHIA is no longer expected to be required. Notwithstanding this, the submitted aftercare strategy (document 89) still refers to land drains. It states "that given the permeability of the gravelly soil profile and in-situ material it is not considered that underdrainage installation will be required. After restoration and monitoring of ground conditions for at least two years as well as consultation with the landowner / manager, if it is considered that under-drainage is required a commitment in principal is given to undertake appropriate land drainage." If land drains were to be provided then these would need to fall out into somewhere, with the most likely place being the aboveground ditches, discharging to the soakaway areas. I assume that the ditches/soakaway areas have however not been designed with any additional discharge from land drainage systems in mind. This concerns me as the installation of land drainage by itself at a future date is something that to my knowledge would not normally require planning permission or any other form of permission, and can therefore be actioned without appropriate amendments being incorporated elsewhere on the site, therefore potentially compromising the proposed surface water drainage scheme, which might result in the rainfall no longer being managed within the site boundary in extreme events.

I believe further information and discussion is required regarding the nature of the proposed open water ditches (well defined traditional ditches or shallow depressions?) and how the continued existence and maintenance of the surface water drainage features on the site can be secured. I would also ask whether the in principle commitment to install land drains can be removed so that any installation would require further assessment as to whether the surface water drainage features installed would require amendments to ensure that rainfall can continue to be managed within the site boundary including in extreme events. I would ask that these aspects will be agreed as part of the current application process so meaningful conditions can be attached to a future approval.

Best wishes,

Kirsten



Kirsten Huizer

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Our vision is to reduce flood risk while protecting and enhancing the water environment and encouraging sustainable water management

From: Development Control team <DevControlTeam@worcestershire.gov.uk>
Sent: 19 November 2020 13:09
To: North Worcestershire Water Management Enquiries <Enquiries@nwwm.org.uk>
Cc: Kirsten Huizer <Kirsten.Huizer@nwwm.org.uk>; LLFAconsultee <LLFAconsultee@worcestershire.gov.uk>
Subject: External Email : Further Information (Regulation 25) - Land at Lea Castle Farm, Kidderminster, Worcestershire - Ref: 19/000053/CM

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Dear Sir/Madam,

Re-Consultation on a Planning Application (County Matter)
Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Environmental Impact Assessment) Regulations 2017
The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020

Submission of Further Information in respect of the Environmental Statement relating to the following planning application

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

On 10 January 2020 NRS Aggregates Ltd applied to Worcestershire County Council for planning permission for the above proposal. You will recall I consulted you on the above application for planning permission in February 2020.

Following the consideration of the comments that were received on the application and Environmental Statement, the County Council wrote to the applicant in June 2020 requesting further information in respect of the Environmental Statement. On 27 October 2020 the applicant submitted the requested further information, and the County Council are now seeking comments on this further information in relation to a number of matters including: water environment, ecology and biodiversity, landscape, agricultural land classification and soils, cultural heritage, transport movement and access, rights of way, and restoration and aftercare.

The applicant is seeking planning permission to extract approximately 3 million tonnes of sand and gravel over a total of 6 phases. The land would be progressively restored using site derived and imported inert material to agricultural parkland, public access and nature enhancement. The applicant estimates the development would take approximately 11 years to complete.

A copy of this further information together with the planning application, the plans, the Environmental Statement, the Non-Technical Summary and other documents submitted with the application can be inspected online at: www.worcestershire.gov.uk/eplanning using the application reference 19/000053/CM until **4 January 2021**. When searching by application reference, please ensure that the full application reference number, including the suffix are entered into the search field. **Please note:** when viewing the County Council's Planning Application Website you may wish to use an internet search engine such as Google Chrome, Firefox or Microsoft Edge for improved performance and functionality compared to Microsoft Internet Explorer.

I would be grateful to receive any comments that you may wish to make on the further information / application by **4 January 2021** by email or by post to the address below. If this is not possible then please let me know.

Due to the coronavirus (COVID-19) pandemic the majority of Council staff are working remotely. We have made arrangements for letters sent via the postal service to be distributed to the appropriate officer. Where possible, we encourage all comments / correspondence to be submitted by email or online using the above link.

Please note that all correspondence regarding any planning application will be available for inspection by the applicant and any interested third parties.

Please do not hesitate to contact me if you have any queries.

Kind regards

Steve

Steven Aldridge

Team Manager – Development Management

Worcestershire County Council

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