

From: Aldridge, Steven
Sent: 14 June 2021 06:56
To: Robin Smithyman
Subject: Lea Castle Farm Quarry - Regulation 25

Dear Robin,

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

Further to your emails dated 30 April 2021, regarding the above proposal. I have now reviewed this information and liaised with the County Council's Principal Solicitor and Head of Planning and Transport Planning and can confirm that the submitted information, namely your response regarding Dormouse, Public Rights of Way and Tree T22, would constitute "any other information" under Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and, therefore, must be treated in the same way as information required by the Mineral Planning Authority under Regulation 25 of the Environmental Impact Assessment Regulations. In view of this, the Mineral Planning Authority will need to re-consult on the submitted information.

I note the information regarding Public Rights of Way has been submitted in draft and you are awaiting a response from the County Footpath Officer. I have chased and will continue to do so. However, once you have firmed up your proposals regarding any Public Rights of Way amendments, you should amend any corresponding documents and drawings that it would impact. For example Public Rights of Way are shown on the 'Concept Restoration' would need to be amended. The following drawings may also require reviewing: 'Initial Works', 'Phases 1 to 5 Working and Restoration' drawings and 'Final Working' drawing. Chapter 16 'Rights of Way' of the Environmental Statement should be reviewed and updated as necessary to reflect the amended proposals should as updating the length of Rights of Way and being clear what are proposed to be permissive or to be designated formal Public Rights of Way on the definitive map. The drawing titled: 'Current and Proposed Public Rights of Way' in Technical Appendix J – Leisure and Recreation' would need to be updated / superseded. The Non-Technical Summary should also be updated to reflect any of the subsequent Environmental Statement amendments including the plans e.g. the new Public Rights of Way drawing, but also any other superseded plans should be updated within it, such as the Concept Restoration, as these drawings are embedding in the document.

You appear to have provided a response to the comments raised by Worcestershire Wildlife Trust, County Ecologist, County Landscape Officer, County Footpath Officer, North Worcestershire Water Management, Wyre Forest District Council Tree Officer, Woodland Trust, and Hereford and Worcester Gardens Trust (HWGT). However, you do not appear to have provided a response / clarification regarding the following matters raised:

In response to the County Landscape Officer and HWGT, you have stated: *"I can confirm that the remaining avenue trees will be protected in full accordance with BS 5837:2012"*. Can you please clearly clarify / confirm that the topsoil bund shown on drawing titled: 'Phase 5 Working and Restoration', which appears to lie very close to the line of the avenue would not impact the avenue of trees? Should it require to be removed to accord with BS 5837:2012, then please amend this accordingly on the plans.

You have provided a response to Wyre Forest District Council's Tree Officer, but it is not clear to me whether you have specifically addressed the following points raised:

- *"The extraction phase 2 boundary is within the RPA of T19. There is a note that this will be changed to be outside the RPA, but I need to highlight this to ensure it is changed if permission is granted.*
- *The boundary of phase 2 is around 50% of T23. Granted it is outside the RPA, but it's right on the edge and I have serious concerns about the protection of the tree during the extraction process.*
- *I also have concerns about the protection of the trees T12 to 21 (most of which have a TPO) during the works. If permission is granted there will need to be a watertight AMS and a Arb Consultant retained for the phases 1 to 3 to prevent unnecessary damage to the trees"*.

You do not appear to have provided a response to the British Horse Society, namely:

- *"We request that the term 'multi-user routes' be removed from the documentation as this is not a legal term (often misconstrued as being for pedestrians and cyclists only) and could bring into question maintenance responsibilities. We seek assurance that the surface materials and dimensions to be applied to the routes meet requirements for shared use of equestrians, pedestrians and cyclists. The BHS guidance is available via: <https://www.bhs.org.uk/advice-and-information/free-leaflets-and-advice>*
- *p. 4 "It is proposed to install a section of PROW in advance of any mineral extraction i.e. at the start of the initial works phase. A second section of PROW being added running parallel, further west, at final restoration." Please confirm timescales and which routes this refers to.*
- *p.4 Response to comment regarding proposed route adjacent to A449 for exit points. Horse riders should be included in considerations for access to and from the site as well as walkers and cyclists.*
- *Document 85a Appendix C - Footpaths 623(B) and 622(C) are not shown on this plan as 'Proposed Upgraded PROW'. Footpaths 623(B) and 622(C) as well as 624B are to be upgraded. This would then correspond with Appendix M. BW 626B is already BW but shown as 'Proposed upgraded PROW'".*

Given that the submitted information has triggered a re-consultation under Regulation 25 of the Environmental Impact Assessment Regulations. Please can you confirm if you wish to add anything to the information submitted to date, over and above the requested information / the points I have outlined above?

Kind regards

Steve

Steven Aldridge

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