

**From:** Levine, Cody  
**Sent:** 20 April 2022 10:32  
**To:** Development Control team  
**Subject:** RE: Further Information (Regulation 25) - Land at Lea Castle Farm, Kidderminster, Worcestershire - Ref: 19/000053/CM

Dear Steve

Thank you for this consultation. As you're aware, a shadow Habitats Regulations Assessment (sHRA) has been prepared by the applicant (Heatons, February 2022) and this study concluded that the proposed development is not predicted to pose any Likely Significant Effects on the qualifying interests of scoped Habitat Sites.

Subsequently, an independent HRA has been undertaken on behalf of the County Planning Authority (Geckoella Ltd, April 2022) and made a further evaluation of the scheme's potential to cause Likely Significant Effect on either the Habitat Sites scoped into study, or upon any habitats deemed 'functionally linked' to these designated sites.

This HRA has also identified that the proposed development, acting either 'alone' or 'in combination' with other plans and projects, is not predicted to cause any Likely Significant Effects upon either Habitat Sites or their functionally linked habitats.

In reaching these conclusions, this 'Stage 1' HRA has not considered mitigation measures, and so I believe it is compliant with the requirements established by the Sweetman case (CJEU C-323/17 People Over Wind and Peter Sweetman vs Coillte Teoranta).

I see no reason to contest the findings of these studies and so, subject to confirmation by Natural England on the HRAs conclusions, I believe the CPA now has sufficient ecological information on which to base its determination.

I've previously shared proposed and draft condition wording and, as you're aware, these have been updated in light of the applicant's Biodiversity Net Gain proposals. These HRA findings will not, as far as I can see, require any further modification of these draft conditions.

I hope this information is of help but please don't hesitate to contact me if you have any questions.

Regards  
Cody

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**From:** Development Control team <DevControlTeam@worcestershire.gov.uk>  
**Sent:** 17 March 2022 10:45  
**To:** Levine, Cody <CLevine@worcestershire.gov.uk>  
**Subject:** Further Information (Regulation 25) - Land at Lea Castle Farm, Kidderminster, Worcestershire - Ref: 19/000053/CM

Dear Cody,

**Re-Consultation on a Planning Application (County Matter)  
Town & Country Planning Act 1990 (as amended)  
The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

**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 and subsequently in November 2020 and August 2021.

Following the consideration of the comments that were received on the application and Environmental Statement, the Mineral Planning Authority wrote to the applicant on 27 January 2022 requesting further information in respect of the Environmental Statement. On 2 March 2022 the applicant wrote to Worcestershire County Council submitting the requested further information in relation to the Environmental Statement regarding ecology and biodiversity (Habitat Regulations Assessment). The County Council are now seeking comments on this further information.

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](http://www.worcestershire.gov.uk/eplanning) using the application reference 19/000053/CM until **21 April 2022**. When searching by application reference, please ensure that the full application reference number, including the suffix are entered into the search field.

I would be grateful to receive any comments that you may wish to make on the further information / application by **21 April 2022** by email or by post to the address below. If this is not possible then please let me know. If you have already commented on this application, and if I do not hear from you by this date I will assume your comments remain unchanged.

***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**

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