



# The Planning Inspectorate

Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [Environmentalservices@planninginspectorate.gov.uk](mailto:Environmentalservices@planninginspectorate.gov.uk)

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Mr Liam Toland  
Heaton Planning Ltd  
Heatons, The Arc  
6 Mallard Way  
Pride Park  
Derby  
DE24 8GX

Your Ref:

Our Ref: APP/E1855/W/22/3310099

Date: 13 January 2023

**Sent by email:**

[liam@heatonplanning.co.uk](mailto:liam@heatonplanning.co.uk)

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Dear Mr Toland

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 ('THE EIA REGULATIONS')**

**Appeal by: NRS Aggregates Ltd**

**Site Address: Lea Castle Farm, Wolverley Road, Broadwaters, Kidderminster, Worcestershire**

We refer to the above appeal which commenced on 07 November 2022.

The development proposed consists of proposed sand and gravel quarry with restoration using site derived and imported inert material to agricultural parkland, public access and nature enhancement. By virtue of Regulation 5 of the EIA Regulations the development proposed is EIA development.

The content of the Environmental Statement (ES) accompanying the planning application that is the subject of the above appeal has been considered, having regard to Regulation 2(1) and Schedule 4 of the EIA Regulations.

Following examination of the ES, the Secretary of State notifies you by this letter, pursuant to Regulation 25 of the EIA Regulations, that, to comply with Schedule 4 of those regulations (Information for inclusion in environmental statements) the appellant is required to supply the following further information:

- A statement providing commentary on the biodiversity future baseline scenario and confirming that the current baseline data remains representative based on walkover survey data **Reason:** The latest biodiversity survey data is from April 2019 and maybe unrepresentative of the current baseline.

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- A statement providing commentary on the likely future baseline scenario for noise and confirming why the current baseline data remains representative or the provision of updated survey data. **Reason:** The latest noise survey data is from July 2018 and maybe unrepresentative of the current baseline and the assessment also lacks consideration of the future baseline position; and
- A revised non-technical summary (NTS) incorporating all of the elements referred to above.

We would draw your attention to court cases which have stressed the need for all the relevant environmental information in an ES to be comprehensive and easily accessible.

You can access Regulation 25 of the EIA Regulations at the following direct link:  
<http://www.legislation.gov.uk/ukxi/2017/571/regulation/25/made>

Although it is not a statutory requirement, in the interests of transparency and openness the appellant may wish to publicise the availability of the further information in accordance with Regulations 25(3), 25(4) and 25(8) of the EIA Regulations. Please can you advise the local planning authority if the further information is publicised.

We would be grateful if you could inform us, **within 2 weeks** of the date of this letter, how long you anticipate it will take to prepare this further information, so that an expected submission date can be identified. Please send your response for the attention of the Environmental Services Team using the contact details at the head of this letter.

In order to support the smooth facilitation of our service we strongly advise that you correspond via the email address at the head of this letter rather than by post.

A copy of this letter has been sent by email to Worcestershire County Council.

Yours sincerely,

*Richard Hunt*

**Richard Hunt**  
**Operations Lead – Environmental Services Team**  
**(Signed with the authority of the Secretary of State)**

Cc: Steven Aldridge, Worcestershire County Council

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is:

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