

**Town and Country Planning Act 1990 – Section 78 Town and County  
Planning (Development Management Procedure) (England) Order  
2015 Town and Country Planning (Inquiries Procedure) (England) Rules 2002**

**Statement of Case  
for Stop The Quarry Campaign – Rule 6 Party  
2024**

**Land at Lea Castle Farm, Wolverley Road, Broadwaters, Kidderminster,  
Worcestershire**

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

**Application reference: 19/000053/CM**

**Appellant's name: NRS Aggregates Ltd**

**Appeal reference: APP/E1855/W/22/331009**

**April 2024**

## Contents

1.0	Introduction.....	3
2.0	Stop The Quarry Campaign (STQC) .....	4
3.0	Planning History .....	5
4.0	Appeal Site and Surrounding Context.....	6
5.0	The Appeal Proposal.....	7
6.0	Planning Policy.....	9
7.0	STQC Case Against Proposal.....	10
8.0	Proposed Draft Planning Conditions and S106 Requirements.....	Error! Bookmark not defined.

**1.0 Introduction**

- 1.1 This Statement of Case is prepared on behalf of the local community by the Stop The Quarry Campaign (STQC) against the appeal of the planning application refused by Worcestershire County Council (WCC):
- Proposed sand and gravel quarry with progressive restoration using site derived and imported inert material to agricultural parkland, public access and nature enhancement (Planning Application Reference: 19/000053/CM).
- 1.2 NRS appealed against the decision to refuse planning permission, Inspector Harrington dismissed the appeal for reasons set out below. NRS sought judicial review of the appeal decision which was upheld, and the appeal decision struck down. The purpose of this statement and supporting documents is to set out the Rule 6 Party's case that the proposal remains unacceptable in both planning terms and by the local community who live in close proximity to the site. This appeal should be rejected.
- 1.3 This Statement of Case builds upon the objections submitted by STQC and its members submitted to the planning application and original appeal and now forming part of the evidence base to the appeal. This document does not seek to repeat all of the points made in those objections which will form the basis of evidence presented to the second inquiry.
- 1.4 This Statement of Case is supported by a draft Core Documents list which currently comprises the original basis for objections raised during the planning process to highlight both the inappropriate nature of the application and the large impacts that would be suffered by the local people by having a sand and gravel quarry at the centre of the local communities of Cookley, Wolverley and Broadwaters. The appellant has failed to engage with the local community at every stage of this process.
- 1.5 STQC will seek to agree a final Core Documents list with the Appellant and the Council.
- 1.6 No Statement of Common Ground has been offered or agreed by STQC.
- 1.7 STQC encourages the Inspector to consider this planning application in light of Inspector Normington's findings and to examine the reasons for the initial refusal. Whilst STQC agrees with the grounds for refusal, as stated above, STQC believe there are additional reasons to refuse this appeal.

**2.0 Stop The Quarry Campaign (STQC)**

2.1 STQC was formed with the following aims;

- To oppose the planned Quarry at Lea Castle
- To establish an organisation of like-minded individuals for the express purpose of furthering the social, economic and environmental interests with regard to the use of the site at Lea Castle
- To support our community by taking action when needs are identified
- Ensure all funds raised are used to benefit and enhance the community

2.2 The campaign has an adopted constitution and runs a public general meeting in line with the constitution. The committee is an elected body and meets on a monthly basis to enact the aims of the local community.

2.3 STQC has over 5,000 members made up from the local community.

2.4 STQC is not publicly funded and relies on minimal donations from members and supporters. STQC has no funds to retain consultants and legal representation, this is a grass roots, local community campaign, representing the views of the local community.

2.5 At the previous inquiry an unprecedented number of local people were willing to give evidence and be cross examined as well as attending the event over two weeks some distance from the site and resident's homes, with no public transport connection.

**3.0 Planning History**

- 3.1 Historically, the site formed a part of the c.220ha grounds of Lea Castle, which was built around 1762 and demolished in 1945.
- 3.2 Planning permission was granted at Lea Castle Farm in May 1997 (WFDC ref.WF/0648/96) for the conversion of barns into eight dwellings, the erection of garages, construction of driveways, parking areas and new sewage treatment plant along with alterations to the existing access. In July 2001 planning permission was granted (WFDC ref. WF/0437/01) for the change of use of barns to 11 dwellings with the associated erection of garages, construction of hardstandings and new access drive.
- 3.3 A planning application for the construction of two golf courses at Lea Castle Farm was first submitted to WFDC in March 1999. The application included the proposed construction of one 18-hole and one 9-hole golf courses, the erection of a clubhouse with ancillary facilities, the construction of a new vehicular access onto Castle Road, new driveways and parking facilities, a golf practice area, and the diversion of a public footpath. The application (WFDC ref. WF/0260/99) was refused at Planning Committee on 14th March 2000 and a subsequent appeal was withdrawn. However, an application (WFDC ref. WF/0211/01) was permitted by Committee on 17th July 2001 for ‘construction of two new golf courses (18 hole and 9 hole), new clubhouse and ancillary facilities, new access to Castle Road, Cookley, new driveways and parking facilities, golf practice area and diversion of public footpaths’.
- 3.4 The planning permission for the construction of golf courses at the application site was not implemented. Similarly, neither permission for the conversion of barns to residential uses at the site were implemented. The July 2001 permission (WF/0437/01) remains the most recent significant permission issued for the application site.

**4.0 Appeal Site and Surrounding Context**

- 4.1 STQC will describe the appeal site and surroundings in respect of its local context and importance, sitting in historic grounds, lying between the two settlements and housing estate that makes up the parish, adjacent to a conservation area and other heritage assets and tourist attraction and providing valuable open space and recreation value. The site contains a number of trees benefiting from Tree Protection Orders due to their value.
- 4.2 The site is opposite Lea Castle Village Strategic Allocation where the vision is to create a new sustainable village of around 1,400 new dwellings to generate a new village centre with its own local shop, primary school and perhaps a GP surgery in order for the development to provide for the needs of the new community and minimise impact on nearby social infrastructure. Housing will be provided to cater for all sections of the community with a mix of dwelling types, sizes and tenures. It is envisaged that Lea Castle Village will also provide land for employment uses as well as new and upgraded sports pitches. All of this will be provided in an extensive woodland/landscape setting.

## 5.0 The Appeal Proposal

- 5.1 This section of the Statement of Case sets out the case made by the Appellant and the reasons STQC reject this appeal.
- 5.2 The proposed development is for sand and gravel extraction together with progressive “restoration” over approximately 26 hectares of land at Lea Castle Farm from two areas – western and eastern areas. The western area measures approximately 12.5 hectares and the eastern area measures approximately 13.5 hectares, although the full extent of the red line application boundary is about 46 hectares.
- 5.3 Vehicular access to the application site would be via a proposed new access and internal haul road onto the Wolverley Road (B4189) in the south-eastern area of the site. This access would provide access to Wolverhampton Road (A449) towards Kidderminster and Stourbridge. It is understood site vehicle movements to and from Wolverley Village will be prohibited a suitable, as such a lawful condition or S106 Agreement is required to ensure this as traffic impact on roads and the village have not been assessed.
- 5.4 The Appeal Proposal makes provision for the initial work to establish a new temporary access onto the B4189 Wolverley Road and Plant Site and subsequent extraction of sand and gravel and solid sand and its distribution. Extraction is said to be concurrent with restoration of extracted areas utilising both in situ site soils and overburden and imported inert materials.
- 5.5 A total of circa 3 million saleable tonnes of sand and gravel will be extracted across an initial works period and five subsequent phases over the course of approximately 10 years. The mineral comprising circa 1.57 million tonnes of sand and gravel and 1.43 million tonnes of solid sand. The mineral will be transported to the plant site for processing utilising both dump trucks and a conveyor system. This scheme is said to have been designed based on an annual processed tonnage of 300,000 saleable tonnes. This is said to provide a source of mineral to supply the building and construction industries with aggregates for products such as building sand, mortar sand, drainage materials and concreting sand and gravel supplying local and Midland markets.
- 5.6 The plant site is proposed to comprise the following:
- The processing plant;
  - Office and weighbridge and wheel wash;
  - Stocks of product;
  - 2 cylinders for a silt management/water cleansing system; and
  - Staff and visitor car parking.
- 5.7 The footprint of the operational processing plant site area would measure approximately 3.8 hectares and would be located about 7 metres below existing ground levels (plant site located at approximately 63.5 metres Above Ordnance Datum (AOD) and existing ground level at approximately 70.5 metres AOD, and surrounded by a soil storage / visual screening bund, which would measure approximately 3 metres high to the south and north and between 4 to 5 metres to the west, with higher ground to the east (up to

approximately 80 metres AOD). An overburden bund (overburden is unsaleable materials such as clay or un-saleable silty sand that lies above the mineral) would be located within the north of the processing plant site area measuring approximately 6 metres high.

- 5.8 The actual planning application is impossible to appreciate. It covers many dozens of documents, which have been amended a number of times. STQC will seek to describe what it understands is being proposed and what can be controlled by development management powers. Similarly, the ES has been amended and updated forming several separate documents which cannot be read as a single document.
- 5.9 Cumulative impact of the above harm has not been considered correctly nor has impact in cumulation with other development nearby been addressed. Part 5 of Schedule 4 the EIA Regulations requires a description of the likely significant effects of the development on the environment resulting from, inter alia; the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources.
- 5.10 Part II of Schedule 4 of the EIA Regulations requires the applicant to provide an outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects. Reasonable alternatives cover for example in terms of development design, technology, location, size and scale studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
- 5.11 One of the commitments established by IEMA in its EIA Quality Mark scheme is that practitioners commit to ensuring that EIAs refer to any development alternatives considered during the process and that the influences of such alternatives on the scheme are transparently set out.
- 5.12 The EIA does not address alternative locations to meet any need for aggregates; an assessment required to also show why there are exceptional circumstances for choosing a Green Belt site to meet any need. No alternative methods of extraction or soil storage are addressed.



**6.0 Planning Policy**

The Development Plan

6.1 The relevant statutory Development Plan for the appeal comprises:

- The Worcestershire Minerals Local Plan (adopted July 2022) (CD11.03);
- Worcestershire Waste Core Strategy Development Plan Document 2012 – 2027 (Adopted November 2012) (CD11.04); and
- Wyre Forest District Local Plan 2016 – 2036 (Adopted April 2022) (CD11.05).

6.2 It is noted that Reason for Refusal 1 relates to Policy 2 of the County of Hereford and Worcester Minerals Local Plan (Adopted April 1997),

6.3 STQC will assess the relevant provisions of the Development Plan, including its consistency with current national policy, in evidence.

National Planning Policy Framework (NPPF)

6.4 STQC will refer to the NPPF and in particular policies in respect of Green Belt and minerals development.

National Planning Practice Guidance (PPG)

6.5 STQC will refer to relevant elements of the PPG as required within evidence. The above documents will be included within the Core Documents list with the Council's agreement.

6.6 STQC may refer to other planning applications, appeal decisions and case law where relevant to the Appeal Proposal. These will be agreed with all parties and copies will be provided as Core Documents.

## 7.0 First Appeal Decision

- 7.1 Inspector Normington dismissed the original appeal on the grounds that, *“the appeal site plays an extremely important Green Belt role. In this inappropriate development scenario, I consider that the other considerations comprising the benefits of the proposed sand and gravel extraction, and the other material planning benefits that I have identified above, would not outweigh the harm to the openness of the Green Belt that I have found in this case.”*
- 7.2 The decision was overturned as it was found Inspector Normington had erred in considering there was a legal duty to provide Biodiversity Net Gain (BNG) and reduced the weight he applied to the benefits of BNG provided by the proposed restoration. He then went on to state the harm and benefits were “finely balanced”.
- 7.3 Inspector Normington correctly pointed out that Green Belt policy (NPPF paragraph 153) required benefits to clearly outweigh harm. When referring to the balance, Inspector Normington did not say the benefits and harm were *evenly* balanced and accordingly go on to follow the precautionary principle in dismissing the appeal. The requirement for benefits to clearly outweigh harm must mean that the balance must definitely point in one direction. Even where the benefits of BNG given greater weight due to disregarding the legal requirement this would not indicate the balance clearly showed the benefits outweighed harm to the Green Belt and other harm.

## 8 STQC Case Against Proposal

### Plan-led Process

- 8.1 The planning system in England is “plan-led”. This means what can be built and where is set out in plans including;
- Local plans are prepared by LPAs. They set out their vision and framework for the future development of and land use in their area. A local plan identifies what development is needed, where it should go, and what land is protected.
- 8.2 STQC will set out the current policy position in respect of
- The Worcestershire Minerals Local Plan 2018 – 2036 (MLP) (adopted July 2022)<sup>11</sup>;
  - The Waste Core Strategy for Worcestershire 2012 – 2027 (WCS) (adopted November 2012)<sup>12</sup>; and
  - The Wyre Forest District Local Plan 2016 – 2036 (WFDLP) (adopted April 2022)<sup>13</sup>.
- 8.3 STQC will also refer to the Mineral Site Allocations Development Plan Document (DPD) which is being prepared to allocate specific sites and preferred areas. STQC will refer to the sustainability criteria used to identify appropriate sites, and the suitability of the appeal site in this context.

### Harm to Green Belt

- 8.4 Inspector Normington identified what he saw as,
- The appeal site and its immediate environs will likely form the remaining area of Green Belt between settlements.
  - The important role that this area of Green Belt performs given its spatial position between existing and proposed built development
  - This spatial position, and the contained nature of the appeal site, emphasises its importance in fulfilling Green Belt purposes.
  - This site plays an extremely important Green Belt function in this location to which he attached considerable weight.
  - The concept of openness of the Green Belt “is not narrowly limited to the volumetric approach. The word ‘openness’ is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case.
  - There is not a clear distinction between openness and visual impact.
  - It is a reasonable expectation that in assessing openness the likely visual impacts of development on the openness of the Green Belt should be considered.
  - The bunds would have a greater adverse impact on the openness of the Green Belt.
  - The placement and retention of Bunds 1-5 in a prominent central position within the site for up to 11 years represents a significant period.

- The erection, maintenance and dismantling of the bunds has an impact on openness, in addition to their ongoing presence in the landform, for shorter or longer periods.
- The restoration of each phase will likely take some time to achieve a restored visual appearance with the consequence that considerable areas of the site may appear as a ‘disturbed’ landscape until the proposed planting reaches some degree of maturity
- In forming the predominant Green Belt landholding between Kidderminster, Wolverley and Cookley, the appeal site provides a visual perception of openness between these settlements.
- As a consequence of the extent of the proposed extraction operations at any one time and the associated bund provision, the proposed development would exceed the paragraph 150 threshold for mineral extraction/engineering operations concerning the preservation of the openness of the Green Belt.
- The proposed scheme would not preserve the important spatial and visual components of the openness of the appeal site.
- The proposed development before me would not preserve the openness of the Green Belt

8.5 Inspector Normington’s conclusions in respect of Green Belt were,

*“the appeal scheme would not preserve the openness of the Green Belt. Consequently, the exception for mineral extraction would not apply. Therefore, the proposal would be inappropriate development in the Green Belt, which is by definition harmful to the Green Belt.”*

8.6 These findings were not challenged as being unreasonable.

8.7 In respect of harm to the Green Belt Inspector Normington highlighted his concern with regard to supply of inert material to accomplish the proposed restoration and corresponding harm to the Green Belt.

*“is not possible for me to conclude with any degree of certainty whether or not there is a realistic possibility of the required 60,000m<sup>3</sup> of inert fill per annum being sustained to ensure the deliverability of the phased working and restoration within 11 years of the commencement of the development. Any shortfall in achieving the required annual level of inert fill to achieve the phased working and restoration could result in the need to extend the duration of operations beyond the current envisaged 11 years. It is therefore not unreasonable to conclude that there is a risk that the harm to the openness of the Green Belt could extend beyond the indicated time period. Whilst this concern does not constitute a determinative reason to dismiss this appeal, it does add to my concerns regarding the effect on the openness of the Green Belt. “*

8.8 STQC will submit evidence in respect of the potential supply of inert waste and the capacity to accommodate this waste. STQC share Inspector Normington’s concern that the harm to the GB and local amenity will be significantly longer than 10 years.

#### Net Gain for Biodiversity

- 8.9 The appeal site is entirely open countryside with an extremely high biodiversity quotient. Any BNG to which weight is attached to in a decision must be secured by legal agreement to provide the levels of benefit claimed. STQC are sceptical that the current site can provide the levels of claimed BNG claimed.
- 8.10 If Inspector Normington’s decision is to be reversed in that significantly greater weight is to be given to the proposed BNG provision to outweigh harm to the Green Belt and other harm then these benefits must be secured through a Section 106 Agreement.

#### Other Harm

- 8.11 In undertaking the balancing exercise for inappropriate development in the Green Belt other harm must be taken into consideration. STQC identified a number of matters where it considered harm to arise. At the Inquiry evidence was presented by the Appellant that this harm did not breach statutory maxima. Inspector Normington’s decision notice also referred to his findings being based on the absence of any other technical evidence. STQC have very limited resources and are unable to fund technical research into these matters. However, the local community consider these matters have not been fully appreciated in terms of harm that would arise.

#### Noise

- 8.12 In respect of noise, Inspector Normington found,  
*“Consequently, operations at the proposed quarry would not cause any significant impact at the permitted and proposed residential developments.”*

#### Dust

- 8.13 In respect of dust, Inspector Normington found,  
*“the appeal proposals would not result in unacceptable levels of dust on the amenity of nearby existing or proposed sensitive land uses,”*
- 8.14 That is not to say the effect of noise and dust would have no impact and create no harm. No weight was attached to this less than unacceptable level of harm in the decision.
- 8.15 In respect of dust and health, Inspector Normington found,  
*“the proposal would be unlikely to have a significant adverse effect on public health with reference to air quality”*
- 8.16 In the case of dust and health weight, albeit only limited weight, was attributable to the perception of harm to public health.

#### Public Rights of Way

- 8.17 In respect of Public Rights of Way (PRoW), Inspector Normington found,

*there are no substantive and compelling grounds for me to conclude that the proposal would be demonstrably detrimental to the interests of horse riders of an extent that would contribute to a sustainable reason to dismiss the appeal.*

*The scheme would render some of the local PRow network less attractive whilst the site is being worked as a consequence of the proximity of some of the screening bunds which would cause the loss of some views along walking routes.*

*I consider that for the duration of the operation the proposed development would have an adverse effect on the PRow network but this would be of minor significance and would not constitute a reason to dismiss this appeal on those grounds.*

STQC argued that there was significant harm to PRow on these grounds. STQC also argued that the Appellant had misunderstood, misquoted or sought to rely on expert witnesses incorrectly. There was significant debate on this point and STQC has engaged further with some of this witnesses, particularly with regard to Bridleways. STQC will demonstrate significant harm to public access to the site during the development and will further produce additional evidence to show that there is no gain whatsoever in benefit for the use of Bridleways at the end of the scheme.

#### Highway Safety and Amenity

8.18 STQC's concern regarding HGV vehicle movements is partly in respect of additional HGV traffic through Wolverley Village, along Wolverley Road, crossing the canal bridge, along narrow carriageways, and close to narrow pavements used by vulnerable groups. The provision of right in/left out access will not address this matter. STQC would want to see far stronger provisions to prevent movements through Wolverley of development traffic.

#### Heritage

8.19 Lea Castle Farm and the Lea Castle parkland estate are a very valuable local heritage asset. The estate was created from the wealth of the iron forges located on the adjacent River Stour and which lead to the evolution of Wolverley and Cookley. The parkland estate contains designated heritage assets and undesignated assets whose value will be destroyed by the proposal.

8.20 The lack of intervisibility between the appeal site and the Canal Conservation Area does not mean the proposal will have no harmful impact on the designated heritage asset. The site, at part, comes very close to the Conservation Area and the operation will be harmful to the intrinsic qualities of the asset. The collective value of the parkland, lodges, wall, entrance boulevard is very important to residents and should be considered as a whole. There is clear intervisibility between the Listed Lodge and the appeal site which will be impacted upon.

8.21 STQC does not accept that there is no significant impact on what is an historic park land landscape, and does not accept that this would not be a temporary impact. The removal of circa 3M tonnes of materials

being replaced with only circa 1M tonnes can only mean that the landscape is changed, to the detriment of the area, permanently, with a resulting basin rather than rolling hillside. STQC believes that there is limited chance of full restoration being achieved and that the overall landscape if it were, is unacceptable to the local area. This make the development clearly harmful.

#### Local Economy

- 8.22 The inquiry heard evidence from local business people and the headmaster of Heathfield Knoll private school on the effects of the quarry on local business. In respect of the school, Inspector Normington recognises the relevance of perception of harm however, dismisses the idea that the proposal as a detractor would result in the loss of income to the school with the risk to jobs and the future of the school. This was evidence that was presented by the headmaster, with no expert rebuttal.
- 8.23 STQC agrees with the findings of the Council that there is unacceptable risk to the local economy. STQC have provided it's own expert findings on this matter which have been ignored by the Appellant. The Appellant has failed to even examine the local economy beyond its own enterprise, not providing any expert consideration of this matter.
- 8.24 Any jobs on site will transfer or replace similar jobs elsewhere with no net increase in employment and will be temporary.
- 8.25 A large number of jobs are supported in the local area in the tourist and service industry. These are based on the quality of the of the local environment.
- 8.26 Net Gain for Biodiversity  
The appeal site is entirely open countryside with an extremely high biodiversity quotient. The proposal will not result in a meaningful, if any, net gain.

#### Character and Appearance

- 8.27 The supposed restoration of the site is totally unacceptable and can not be assured. The proposal does not 'restore' the parkland to its original condition. STQC has experience, very nearby of what this 'restoration' will amount to; a featureless moon scape, crater, replacing naturally landscaped, rolling hills. STQC will describe their impression of the existing landscape, the visual impact of the proposal and the impact of the 'restoration' scheme.
- 8.28 Inspector Normington accepted the proposal would result in a change in topography and landform to the historic parkland land form which still exists and is recognisable. His view was that the site has a medium sensitivity to change. STQC disagree with this analysis based partly on the historic understanding on the landform. Inspector Normington did however feel the effect could be medium adverse. STQC strongly disagree that the proposed restoration reflects the existing landform and that this would be anything but a significant change and a significant effect.
- 8.29 Two trees protected by Tree Preservation orders for their value will be lost and others will be in danger of being harmed.

- 8.30 STQC do not consider it to be appropriate to compare the visual impact of the bunds to terraced house in this Green Belt, open countryside location.
- 8.31 While paragraph 217 (e) of NPPF requires restoration to high environmental standards Inspector Normanton does not state that the restoration is in excess of this inherent policy requirement, he says (incorrectly in the view of STQC) that the parkland would be restored back to parkland with enhanced planting. There is no basis therefore for affording the landscape restoration any weight as they do not go above the inherent policy requirement.
- 8.32 Inspector Normanton goes no further than saying the proposal would not,  
*“have a significant adverse effect on the character and appearance of the site and the surrounding landscape of an extent to sustain the dismissal of this appeal on those grounds. Nor would any visual receptor receive significant adverse visual effects during the proposed development of an extent that would be materially detrimental to living conditions.”*
- 8.33 STQC believe that the Local Planning Authority were correct to refuse on the ground they used. Further, STQC believe that there were other significant factors that should have also led the Council to refuse planning permission and which should lead the Secretary of State to dismiss this appeal.
- 8.34 Planning application (ref: 19/000053/CM) was considered at the Planning and Regulatory Committee of Worcestershire County Council Local Planning Authority on 24th May 2022 and was refused. In any event the Secretary of State had flagged the case of interest showing his concern that the application should not proceed without his input as noted in the officer’s report:  
*“However, this Council may not grant planning permission until the Secretary of State has notified the Council that he does not intend to call in the application for his own determination.”*
- 8.35 The Officer’s Report to Committee identified 15 key issues to be considered in determining the application. STQC’s case is that all of these should have formed the basis of refusal and should weigh against the proposal in this appeal. STQC support the nine reasons for refusal and will bring their own evidence on these matters. In respect of the other matters, STQC will also bring their own evidence on why these matters make the proposal unacceptable and should lead to dismissal of this appeal.
- 8.36 The decision notice issued by WCC on 27<sup>th</sup> May 2022 refused the application for the following reasons:
1. *“Contrary to Policy 2 (Other Sand and Gravel Deposits) of the County of Hereford and Worcester Minerals Local Plan (Adopted April 1997) (Saved Policies);*
  2. *Unacceptable impact on openness of the Green Belt;*
  3. *Unacceptable impact on residential amenity and local schools;*
  4. *Unacceptable impact on the local economy;*
  5. *Loss of 2 Tree Preservation Order (TPO) trees;*



6. *Unsuitable bridleway next to the Wolverhampton Road (A449);* 7. *Unacceptable impact on highways;*
8. *Unacceptable general impact on environment and wildlife; and*
9. *Unacceptable impact on health of local population.”.*

8.37 STQC agrees with the reasons for refusal and sets out the arguments for this below. For the Inquiry we will deliver proofs of these points and in some cases expert witnesses to these proofs. STQC nor local residents have been given any justification for the Council's withdrawal of reasons for refusal.

8.38 STQC believe that the expert reports and technical work carried out for this planning application were generally flawed, a light touch and biased. Further, STQC believe there was a lack of diligence and short sightedness on behalf of the some of the statutory consultees. STQC believes that these experts did not give proper consideration to matters and did not use the techniques available to them in reaching their conclusions. Their representations at the planning meeting did not stand up to scrutiny and they had not shown the diligence their jobs demand.