



worcestershire
county council

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

SCOPING OPINION

**PROPOSED SAND AND GRAVEL QUARRY AND RESTORATION SCHEME FOR
LAND AT LEA CASTLE FARM, NEAR WOLVERLEY, WORCESTERSHIRE**

Site Area: Approximately 45 hectares

Grid Ref: (E) 384070 (N) 2279015

Contents

Background	3
Introduction	3
Consultation	4
The Proposal.....	5
Site.....	6
Environmental Statement Structure.....	8
Population and Human Health	9
Noise, Vibration, Dust and Lighting	11
Transport Movement and Access.....	12
Ecology and Biodiversity	15
Soil Resource and Agricultural Land Classification	18
Water Environment	18
Air Quality	21
Cultural Heritage and Archaeology	21
Landscape and Visual Impact	24
Climate.....	26
Cumulative Effects	26
Other Matters	27
Adoption.....	35
Appendices	36

Background

1. Worcestershire County Council, as County Planning Authority (CPA), received a request from Kedd Limited on behalf of NRS Aggregates Limited on 30 April 2018 to adopt a scoping opinion for the above proposed development.
2. Prior to submission of this Scoping Opinion Request, the applicant assessed their proposal against Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (from herein on referred to as the EIA Regulations 2017). The screening concluded that the proposal would be subject to Environmental Impact Assessment (EIA) due to exceeding the threshold of 25 hectares for quarries identified in Part 19 of Schedule 1.
3. This scoping opinion request will inform the Environmental Statement (ES) that will accompany the future planning application for the scheme.

Introduction

4. On 30 April 2018, under Regulation 15 (1) of the above EIA Regulations 2017, Kedd Limited on behalf of NRS Aggregates Limited (the Applicant) requested that the CPA prepare a Scoping Opinion for the above proposed development. The applicant's request included a Request for a Scoping Opinion Report with associated drawings. This Scoping Opinion should be read alongside the applicant's request document (see Appendix 1), the consultation responses (see Appendix 2) received from the relevant consultation bodies, and public comments (see Appendix 3).
5. The Scoping Opinion sets out what information the CPA considers should be included in the ES for the proposed development. This Scoping Opinion will allow the developer to be clear about what the CPA considers to be the main effects of the proposed development, and therefore, the topics which the ES should focus on.
6. EIA is not merely the production of the ES, but the totality of the environmental information provided in that statement, including any further information and all consultation responses to it. The ES submitted by the applicant is not itself the EIA, but is a step in an evaluation procedure. An ES comprises a document, or series of documents, which provides certain specified information for the purpose of assessing the likely impact upon the environment of the development proposed to be carried out.
7. In accordance with Regulation 15 (6) of the above EIA Regulations 2017 before adopting a Scoping Opinion the CPA shall take into account:-
 - Any information provided by the application about the proposed development;
 - The specific characteristics of the particular development;
 - The specific characteristics of development of the type concerned; and
 - The environmental features likely to be affected by the development.

8. The Scoping exercise should provide a ground plan for subsequent steps by making a preliminary assessment of:-
- The project's potential impacts on component receptors estimated from the project description (including its size, construction requirements, operational features and secondary developments such as access roads) and the nature of components and receptors;
 - The impact area/zone within which impacts are likely to be effective, estimated from the impact types and the nature of the surrounding area and environmental components, e.g. impacts on air or water may be effective at considerable distances from the project site;
 - Possible mitigation measures;
 - The need and potential for monitoring;
 - The methods and levels of study needed to obtain reliable baseline information that can be used to evaluate the baseline conditions, make accurate impact predictions and formulate adequate mitigation measures and monitoring procedures.
9. This opinion has been prepared by the CPA with all reasonable skill, care and diligence. It is based on information provided to the CPA by the applicant and the comments and opinions resulting from consultation with the applicant and other consultation bodies prior to adopting this opinion.
10. The opinion is made freely available to members of the public.
11. The fact that the CPA has given this opinion shall not preclude it from subsequently requiring the developer to submit additional information and evidence (in terms of the ES) in connection with any submitted development application to the CPA, in accordance with Regulations 15 (9) and 25 of the EIA Regulations 2017.

Consultation

12. Under Regulation 15(4) of the EIA Regulations 2017, the CPA has a duty to carry out consultation on the Request for a Scoping Opinion Report submitted by the applicant. The following bodies were consulted on the Request for a Scoping Opinion Report. The responses received to the consultation can be found in Appendix 2:-
- Wyre Forest District Council
 - Wyre Forest District Council Conservation Officer
 - Wyre Forest District Council Countryside Services
 - Wolverley and Cookley Parish Council
 - British Horse Society
 - Councillor Ian Hardiman
 - Councillor Rob Adams
 - Councillor Paul Denham
 - County Public Rights of Way

- County Archaeology
- County Ecology
- County Highways
- County Landscape
- County Minerals and Waste Planning Policy
- County Public Health
- County Sustainability
- The Campaign to Protection Rural England
- Earth Heritage Trust
- Environment Agency
- Natural England
- Forestry Commission
- Garden History Society
- Hereford and Worcester Garden Trust
- Historic England
- Lead Local Flood Authority
- Line Search Before You Dig
- North Worcestershire Water Management
- Open Space Society
- Public Health England
- Ramblers Association
- The Woodland Trust
- Worcestershire Regulatory Services
- Worcestershire Wildlife Trust

13. The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and members of the public and how they are, or are not, addressed in the ES.

The Proposal

14. The proposed development is for a sand and gravel quarry together with its progressive restoration on land at Lea Castle Farm, near Wolverley, Worcestershire.

15. The proposal would involve mineral extraction across an area measuring approximately 30 hectares.

16. The applicant states that investigation of the site for potential mineral resource in 2015 identified a reserve area of approximately 3 million tonnes of sand and gravel. The applicant states that the EIA will assess a proposed potential output of approximately 300,000 tonnes per annum, which they state could provide ten years of supply.

17. The applicant states that the works would be phased to minimise areas of disturbed ground at any one point in time.

18. In terms of the proposed phasing, the applicant states that the following would occur:

- Phase 1 soils would be stripped and stored to place a temporary screen bund on the western boundary of the site. The soils and overburden from Phase 1 would facilitate a programme of progressive mineral extraction through phases 1, 2, 3, and final extraction of the plant site area.
- 'As dug' material would be conveyed to the plant site via dump truck for processing with the sequential restoration of disturbed land combining both imported inert restoration material to create restoration formation levels on to which indigenous site soils would be placed.
- Approximately 60,000 m³ per annum of imported inert material would be used for the restoration scheme.
- The applicant states that detailed phasing work and restoration schemes would be submitted as part of any planning application together with detailed volumetrics associated with soil and overburden stripping movement and placement.

19. Access to the site is proposed directly off the B4189 Wolverley Road in the south eastern area of the site. The applicant states that this route would provide direct access to the A449 and on to Kidderminster and Stourbridge.

20. The applicant states that the restoration strategy for the site would be for the land to return to agricultural use, together with enhanced landscape planting and potential biodiversity gains. A section of Public Right Of Way (no. WC-624) would require temporary diversion for approximately 2 weeks, and would be restored back on its original alignment.

Site

21. The site is located approximately 2.3 kilometres to the north of the centre of Kidderminster, 0.7 kilometres to the east of Wolverley, and 0.37 kilometres to the south west of Cookley.

22. The site is located immediately to the north of the B4189 Wolverley Road and immediately to the west of the A449 Wolverhampton Road.

23. The site measures approximately 45 hectares in area and is mainly comprised of agricultural land within the historic parkland setting of Lea Castle, which was built around 1762 and demolished in 1945.

24. The site is bounded to the south west, west, and north west by woodland. The irregularly shaped northern boundary is mainly comprised of agricultural fields interspersed with farm buildings and residential properties. The eastern boundary is comprised of the A449, beyond which lie agricultural fields. The southern boundary is comprised of a wall adjacent to the B4189, individual areas of vegetation and trees, and residential properties.

25. The site is located within the vicinity of several residential and commercial properties. The nearest properties include South Lodge and Broom Lodge on the southern boundary, Castle Barns and Lea Castle Equestrian Centre on the northern boundary, and residential properties at Brown Westhead Park on the western boundary.
26. The site is located wholly within the Green Belt.
27. A Public Right Of Way (no. WC-624) runs across the western section of the site. Bridleway no. WC-626 runs on a north-south alignment from the southern boundary to the centre of the site, and then to the north eastern corner of the site along existing tracks.
28. There are a number of Listed Buildings within the vicinity of the site. The Grade II Listed North Lodges and Gateway of Lea Castle lies approximately 275 metres to the north east of the site. The Grade II Listed Sion Hill House lies approximately 260 metres to the south west of the site. The Grade II Listed Wolverley Court is located approximately 545 metres to the west of the site. The majority of the site is located within the Sionhill House Bartholomew Park and Garden.
29. The Staffs and Worcs Canal Conservation Area is located approximately 625 metres to the west of the site. The Wolverley Conservation Area is located approximately 700 metres to the west of the site.
30. A number of Sites of Special Scientific Interest (SSSIs) are located within the vicinity of the site:
- Stourvale Marsh SSSI is located approximately 930 metres to the south of the site
 - Puxton Marshes SSSI is located approximately 1080 metres to the south of the site
 - Hurcott Pasture SSSI is located approximately 665 metres to the south east of the site
 - Hurcott and Podmore pools SSSI is located approximately 660 metres to the south of the site
31. A number of Local Wildlife Sites (LWSs) are located within the vicinity of the site:
- The River Stour LWS is located approximately 520 metres to the west of the site
 - The Gloucester Coppice LWS is located approximately 330 metres to the north west of the site
 - The Staffs and Worcs Canal LWS is located approximately 450 metres to the west of the site
 - The Wolverley Marsh LWS is located approximately 680 metres to the west of the site
 - The Wolverley Court Lock Carr LWS is located approximately 610 metres to the south west of the site
 - The Puxton Marsh LWS is located approximately 800 metres to the south west of the site
 - The Hurcott and Podmore Pools (Pastures) LWS is located approximately 670 metres to the south of the site

- The Island Pool LWS is located approximately 1.3 kilometres to the north east of the site
 - The Caunsall Marsh LWS is located approximately 1.4 kilometres to the north east of the site
32. Gloucester Coppice Ancient Semi Natural Woodland is located approximately 310 metres to the north west of the site.
33. There are 30 trees with Tree Preservation Orders (TPOs) located across the site.
34. The south eastern corner of the site is located in Source Protection Zone 3.
35. The site is categorised as Best and Most Versatile Agricultural Land.
36. The site is located in Flood Zone 1 (a low risk zone).

Environmental Statement Structure

37. The CPA directs the applicant to Schedule 4 of the EIA Regulations 2017, which requires information for inclusion in ES's. This shall include a description of the reasonable alternatives studied which are relevant to the proposed project and its specific characteristics (for example in terms of the development design, technology, location, size and scale), and an indication of main reasons for selecting the chosen option, including a comparison of the environmental effects; the data necessary to identify and assess its main environmental effects. There must also be a non-technical summary of the information, and the statement may contain other specified matters by way of explanation or amplification.
38. Regulation 18(5) requires the applicant to ensure that the ES is prepared by competent experts, and that the ES must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of such experts. The CPA considers that this statement should be appended to the applicant's ES and detail all experts involved in its preparation, together with their relevant expertise or qualifications.
39. In determining and establishing the significance of any impact within the ES, transparent methodologies based on defined, up-to-date and recognised standards, legislation, policy and expert opinion should be utilised. The methodologies for surveys and studies required to inform the ES should be agreed with the relevant consultees. The ES should be explicit and specifically include reference to:-
- The methodologies utilised;
 - Assumptions and underlying rationale;
 - Fact, interpretation of facts, opinions, judgements based on facts;
 - Characteristics and dimensions of the impacts, i.e. nature, magnitude, extent, timing, duration, reversibility, likelihood and significance; and

- Confidence limits associated with predictions, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
40. The ES will need to establish accurate baseline information and provide analysis of the impacts for the lifecycle of the project. The CPA considers that it is essential that the whole lifecycle of the development is assessed by the EIA - pre-construction, construction, operation and decommissioning where relevant (if a finite life cycle is envisaged). The environmental baseline should be established through consultation by the applicant with the relevant consultees.
41. The ES should describe the measures envisaged to avoid, prevent, reduce or if possible offset any identified significant adverse effects on the environment, and where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). Mitigation measures should not be developed in isolation as they may relate to more than one topic area. The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment should be taken into account as part of the assessment. For each topic the ES should also set out impact and mitigation monitoring measures proposed to be undertaken.
42. The CPA considers that the following should be covered in individual sections within the ES:-
- Population and Human Health
 - Noise, Vibration, Dust and Lighting
 - Transport Movement and Access
 - Ecology and Biodiversity
 - Soil Resource and Agricultural Land Classification
 - Water Environment
 - Air Quality
 - Cultural Heritage and Archaeology
 - Landscape and Visual Impact
 - Climate
 - Cumulative Effects

Population and Human Health

43. The CPA considers that population and human health should be included in the ES. The CPA agrees that a recreational users assessment should be included in the ES and contained within this section. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

44. They comment that they recommend an initial Health Impact Assessment screening on the proposed development, and that the applicant should consider carrying out a consultation exercise with local residents using a model or map of the application site identifying which measures the applicant will put in place to protect the health and amenities of local residents.

45. They comment that Brown Westhead Park and Playing fields are located around 100 metres to the west of the site and that a caravan and camping site is near to these playing fields. Consideration should be given to loss of public rights of way, access, recreation and open space.
46. They comment that the developer should detail what provision is in place for mitigating the health effects on people who use the playing areas and public rights of way, potentially creating new playing fields in alternative locations.
47. They comment that there are a number of residential properties in general proximity to the site and that these may be adversely affected by site traffic, noise and dust, as well as potential run-off from dangerous substances extracted on site.
48. They comment that consideration should be given to mental health issues, such as stress and anxiety which may affect those in the vicinity of the site, or those who are losing accessibility to green spaces for recreation.
49. They comment that the site borders a housing estate at Sion Hill, Broadwater, and housing at Cookley and Wolverley. There are two primary schools and a nursery near to the site (St. Oswalds C of E Primary and Heathfield Knoll, and First Steps Nursery). Care homes are also in the vicinity. Consideration should be given to the health impact on those who are vulnerable including young children, elderly people, and those with pre-existing health conditions (especially respiratory). Consideration should also be given to safe routes (including walking) to schools which may be affected by extra site traffic.
50. They comment that mineral extraction can have an impact on health due to various chemicals used in the mining process, and potentially damaging compounds and metals removed from the ground. The developer should consider the health impacts on those directly employed in the minerals industry and the subsequent effects that may be felt more widely, for example by family and friends (not limited to health).
51. They comment that plans to restore the site can be long term depending on the amount of minerals removed from the site, but this will not mitigate the immediate effects on residents or employees.

Public Healthy England (PHE)

52. They comment that the applicant should provide sufficient information to allow the potential impact of the development on public health to be fully assessed. They consider the ES should contain a dedicated section addressing Health.
53. They comment that the summation of other matters relating to Health (air quality, emissions to water, waste, contaminated land etc.) into a specific section the ES provides a focus to ensure public health is given adequate consideration.
54. Key information should be summarised including risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

55. They attached an appendix to their response which outlines generic areas that should be addressed in the EIA, which is located in Appendix 2 of this Opinion. Any assessments undertaken should be proportionate to the potential impacts of the proposal. In cases where the applicant decides a particular assessment is not required, or where a qualitative rather than quantitative methodology is required, a rationale should be provided to fully explain and justify this decision in the ES.
56. They comment that they are happy to assist the applicant should they wish to discuss their proposals in view of their advice.

Wyre Forest District Council

57. They comment that the effects and benefits regarding recreation should be assessed in the ES.
58. They comment that a Health Impact Assessment (HIA) is required and that any assessments should take into account the District Council's plans for growth as part of their Local Plan Review.

Wolverley and Cookley Parish Council

59. They comment that there are five local schools near the proposed site. Children walk along the path adjacent to the wall on Wolverley Road and will be affected by noise, air quality and safety aspect.
60. They comment that children from Heathfield School opposite the site will be affected by noise and air pollution whilst playing.
61. They comment that Wolverley and Cookley have many local businesses that will be affected. The Caravan Park could be affected by noise, dust and air pollution and reduced visitor numbers due to its proximity. They comment that the Brown Westhead football pitches would be affected in a similar manner.
62. They comment that the Lea Castle Equestrian Centre, at the heart of the development would be most impacted.

Noise, Vibration, Dust and Lighting

63. The CPA agrees with the applicant that noise and dust should be included in the ES. In addition, the CPA considers vibration and lighting should be addressed in this chapter. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

64. They comment that noise and vibration could be generated by drilling and blasting operations, from excavation activities, loading and unloading of rock, crushing and conveying operations. Vehicle movements may reach levels that are hazardous to health.

65. They comment that noise pollution can have a direct impact on the local population and is likely to be a significant area of concern. This carries direct and indirect potential negative health impacts.

Wyre Forest District Council

66. They comment that consideration needs to be taken of existing properties, approved properties and future expansion as part of the Council's Local Plan Review, particularly around the Lea Castle Hospital Site.

Wolverley and Cookley Parish Council

67. They comment that they have serious concerns over the level of noise that will result from JCB diggers, dump trucks, crushing, sorting, lorry loading/unloading and machinery inside the site. They are also concerned at noise from trucks entering and exiting the site.
68. They comment that noise disturbance will be considerable and it will need to be known if noise levels will be acceptable, and whether they affect properties close to the proposed development. They comment that an independent report should be undertaken on noise.

Worcestershire Regulatory Services – Noise, Vibration, Dust and Lighting

69. They comment that the scoping document appears to adequately address potential Dust and Noise issues and agree that the ES should include impact assessments for both. They also comment that section 7.2 of the scoping document mentions vibration and lighting. They consider these issues should also be addressed in the ES.

The Campaign to Protect Rural England

70. They comment that the site comes very close to the back of houses in Brown-Westhead Park, Wolverley. The residents ought to be protected from the noise inherent in mineral extraction.

Transport Movement and Access

71. The CPA agrees that transport and highways should be included in the ES. The following comments should be taken into account and addressed in the ES:

County Public Health Officer

72. They comment that the local highway network will experience additional traffic movements affecting the flow of traffic and air quality. They request the applicant takes measures to limit the effects on the local transport network from extra traffic.

Wyre Forest District Council

73. They comment that they agree a Transport Assessment is required. The new access point will also need to be considered from a cultural heritage perspective and addressed in the EIA.

Wolverley and Cookley Parish Council

74. They comment that the application would result in heavy traffic on the B4189 Wolverley Road. The proposed site access off the B4189 into the site is on the brow of a hill in an unrestricted area and would be dangerous.
75. They comment that the number and types of vehicles or equipment should be detailed.
76. They comment that the proposal for Footpath no. 624b running through Phases 1 and 2 of the site should be set out.

The British Horse Society

77. They comment that as part of the restoration scheme, bridleway access provision should be created around the periphery of the site to provide much needed safe off road access for horse riders. This would link into the existing bridleway providing riders with a choice of rides.

County Footpaths Officer

78. They comment that the application appears to affect PROW nos. WC-622 and WC-624, and Bridleway nos. WC-625 and WC-626. They enclose a map for the applicant's information.
79. They comment that there appear to be minor discrepancies between the plans submitted by the applicant and the definitive lines of the footpaths. The most significant is the missing link section between PROWs WC-624 and WC-623. The applicant should contact the County Footpaths Officer for a full PROW search.
80. They comment that vehicular access to, and within, the site, appears to be in part via the PROWs. Under Section 34 of the Road Traffic Act 1988, any person who, without lawful authority drives a motor vehicle on a footpath / bridleway / restricted byway commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use the public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter.
81. They comment that the County Council is responsible for maintaining the rights of way to a standard suitable for their public use as a footpath, not for maintaining a surface to be suitable for private vehicular use.
82. They comment that any application should include:
- Identification of all public rights of way on their definitive lines and how these will be protected and enhanced during the works and on restoration.
 - details of any diversion temporary or permanent required.
 - detail of how footpath WC-624 will be retained following the installation of screening bunds.
 - details of how public safety along the any public rights of way retained on their line during the quarrying works will be ensured.

83. They comment that the applicant should also be aware of the following obligations towards PROWs:

- No disturbance of, or change to, the surface of the paths or part thereof should be carried out without our written consent.
- No diminution in the width of the rights of way available for use by the public.
- Buildings materials must not be stored on the rights of way.
- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the rights of way.
- No additional barriers are placed across the rights of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
- The safety of the public using the rights of way is to be ensured at all times.
- If the development cannot be carried out without temporarily closing the public rights of way for the safety of the public during construction, application should be made at least 6 weeks in advance to the Mapping Team of the Countryside Service at Worcestershire County Council.

84. They comment that the applicant should note that all PROWs crossing or adjoining the proposed development site must be marked on the plan to be submitted with the planning application. They should make clear how the potential development will impinge on PROWs.

85. They comment that the applicant should note Policy RST3 of the Worcestershire County Structure Plan, which aims to ensure development does not reduce the utility, convenience, recreational value, attractiveness, and historic significance of PROWs.

86. They comment that the applicant should also be aware of the Department of Environment Circular 1/09 (part 7) which explains that the effect of development on a PROW is a material consideration in the determination of applications for planning permission. The grant of planning consent does not entitle developers to obstruct a PROW.

87. They comment that the Definitive Map is a minimum record of PROWs and does not preclude the possibility that unrecorded PROWs may exist, nor that higher rights may exist than those shown.

County Highways Officer

88. They comment that the Highways Authority has no opinion on whether the development constitutes EIA or not. They note that the applicant has identified that a Transport Assessment (TA) will be needed. They agree with this approach.

89. They comment that the applicant should agree the scope of the TA with the County Highways Authority well in advance of the application being submitted to ensure a suitable evidence base is provided to justify the proposal.

The Campaign to Protect Rural England

90. They comment that there are public footpaths running across or near the site, whose setting will be impacted by such a development.

The Ramblers Association

91. They comment that they wish to see an analysis of how the PROWs will be affected. They request knowing whether the method of working will require the closure of Bridleways WC-625 and WC-626, and Footpath WC-624. If closures are thought to be necessary, they request temporary diversions.
92. They request information on the impact of lost riding routes on local horse riders and nearby riding establishments. They question whether restorations can be utilised as an opportunity to enhance walking and riding in the area.

Ecology and Biodiversity

93. The CPA agrees that biodiversity should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wolverley and Cookley Parish Council

94. They comment that the proposal covers a biodiverse area where many animals and fungi are likely to be affected. A full investigation will be required. The site also contains a number of trees which need to be protected.
95. They comment that the site is described as 'acid sand' which provides a unique habitat for various flora and fauna which would be lost forever.

County Ecologist

96. They concur that the proposal constitutes an EIA scheme. They welcome detailed consideration of Ecology as part of the ES.
97. They comment that they support the proposal to undertake an Ecological Impact Assessment (EclA) in line with current CIEEM guidance (Guidelines for Ecological Impact Assessment in the UK and Ireland, 2nd Ed, January 2016). They advise that practice and reporting should be compliant with BS42020:2013 (Biodiversity: Code of Practice for Planning and Development).
98. They request that the application documents consider locally important sites in accordance with Worcestershire County Council's Planning Validation Document, including the Staffordshire and Worcestershire Canal and River Stour Local Wildlife Sites and Grassland Inventory sites including Cookley Rough.
99. They note the proximity of the site to the Wyre Forest Biodiversity Delivery Area. They request the application and detailed restoration strategy draw appropriate reference to the Worcestershire Biodiversity Action Plan (BAP) and Biodiversity Delivery Area priorities. They comment that it is widely recognised that mineral

extraction poses significant opportunities to contribute towards BAP objectives. The CPA expects these objectives to be reflected in a meaningful way within the final restoration strategy. They comment that it is their preference that priority habitats to be created are established within manageable blocks as these will be more sustainable to manage long-term economically. Ribbon grassland will likely have greater maintenance costs with low ecological value unless designed specifically as an ecologically connective feature.

100. In terms of baseline information, they direct the applicant to Worcestershire County Council's Worcestershire Habitat Inventory website, particularly with reference to the spatial extent and distribution of priority habitat networks and the opportunities which mineral site restoration strategies can realise in order to contribute towards their coherence and resilience.
101. They direct the applicant to the Green Infrastructure Requirements in the Emerging Minerals Local Plan and the Worcestershire Green Infrastructure (GI) Framework document 1. In particular, the Hagley Hinterland Environmental Character Area where the GI objectives are to 'restore environmental quality', specifically Wyre Forest's acidic grassland and woodland habitats. They direct the applicant to the Technical Research Paper: Biodiversity and Mineral Sites in Worcestershire, Guidance for the Sustainable Management of Biodiversity Action Plan Habitats at Worcestershire Mineral Sites, specifically Appendix 2 'Habitat Creation Toolbox' for creation and maintenance of habitats.
102. They recommend a Green Infrastructure Concept Plan is prepared for the site and submitted in support of the application to provide sufficiently detailed treatment demonstrating cohesion between, and long term positive management, of GI assets within each of the GI themes.
103. They request an assessment of alternatives, including the 'no project' option is provided within the ES.
104. They request a strategy to evaluate the viability and effectiveness of primary, secondary and tertiary mitigation measures for any forecast likely significant environmental effects. An environmental mitigation measure monitoring and reporting framework should be articulated within the ES. This framework should address frequency, duration, methodology, roles, reporting and intervention triggers, and contingencies in the event mitigation measures do not achieve set thresholds of success over a reasonable aftercare period.

Natural England

105. They comment that they agree with the list of themes requiring assessment as described at section 5.5 of the Scoping Report. They attach Natural England's further detailed advice on the scope of the EIA for this development at Annex A to their letter, located in Appendix 2 of this Opinion.

The Environment Agency (EA)

106. They comment that the site is of limited sensitivity regarding biodiversity and habitats. However, the opportunity for innovative restoration schemes should not be ignored. The site provides opportunity to provide exemplar Green and Blue infrastructure post extraction and provides net habitat betterment contributing

towards greater landscape connectivity. This could include permanent and ephemeral wetland habitats to provide wider connectivity with Stourvale and Puxton Marshes and Hurcot and Podmore Pools. They welcome further discussion with the CPA and applicant about this.

Worcestershire Wildlife Trust

107. They comment that they note the site falls within open agricultural countryside and that it contains some semi-natural habitats that may be of value (both in their own right and in terms of species they may hold). They are pleased to see ecology is included in the list of issues to be considered in the EIA.
108. They recommend the ES considers a broader ecological envelope than just the red line boundary given the proximity of nearby high-value ecological receptors. They comment that commentary on likely offsite impacts on the Local Wildlife Site watercourses, nearby woodlands and species will be important.
109. They comment that specific issues that appear likely to be relevant within the site include direct habitat loss (hedges, trees, potentially grassland), hydrological impacts resulting from void creation and impacts on species (badgers, bats, birds, dormice and possibly reptiles and amphibians) that may be utilising habitats on or adjacent to the working areas.
110. They comment that a site wide Preliminary Ecological Appraisal, supported by a background data search from the Worcestershire Biological Records Centre, should inform specialist surveys in line with guidance in BS42020:2013 Biodiversity – Code of practice for planning and development and the relevant methodologies. The potential for ecological impacts arising from noise, vibration, dust and light pollution should be considered along with direct habitat loss or changes resulting from landform alterations (slope and aspect changes etc.) and drainage implications. They comment that if these matters are fully considered in the ES, the CPA should be in receipt of sufficient ecological information to be able to determine the application in line with the relevant law and guidance.
111. They comment that in view of the comments set out above, they expect any permission that the CPA may be minded to grant to include conditions covering a Construction and Environment Management Plan (CEMP) and Landscape Environment Management Plan (LEMP). These will depend on the outcome of surveys.

Wyre Forest District Council's Countryside Manager

112. They comment that the site is in proximity to SSSIs and other wildlife sites. The SSSIs have complex and dependent hydrology that might be impacted upon by mining. At least one SSSI is dependent on low nutrient conditions that could be negatively impacted by particulate deposition that an open cast mining operation could create.
113. They comment that Dormice are known to be in proximity to this location and the mining operation could impact on the available habitat and dispersal routes of this protected species. Bat species with low levels of light tolerance are known to exist in the area. The lighting of the mineral working may have some potential impact on forage and distribution of the species.

Soil Resource and Agricultural Land Classification

114. The CPA agrees that soil resource and agricultural land should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

115. They comment that they agree an Agricultural Land Appraisal is required.

Wolverley and Cookley Parish Council

116. They comment that there is no detail on what type of material would be imported with reference to item 4.2 of the scoping request report (60,000m³ per year), and how this will affect the environment.

Water Environment

117. The CPA agrees that hydrogeological and hydro geographic water matters should be included in the ES. The following comments should be taken into account and addressed in the ES:

The Environment Agency (EA)

118. They comment that the site is located on a Principal Aquifer of the Wildmoor Sandstone Formation within the Source Protection Zone 3 of the Cookley Water Supply. The hydrogeological setting at this location is sensitive and will need careful assessment in any resultant ES. Quarrying physically removes the aquifer and usable groundwater resources within aquifers, which can lead to severe impacts on the water environment as groundwater flows can alter. Particularly if watercourses derive base flows from the same source of groundwater, or wetlands rely on this water for their existence.

119. They comment that the natural baseline conditions can change significantly from quarrying activities. Assessments will be needed and mitigation where appropriate to reduce any risks to the water environment to a minimum. They have concerns where quarries are worked sub-water table to enable sand and gravel extraction. Dewatering by pumping can lower the water table and impact surrounding water features, such as watercourses, ponds, springs and wetlands which rely on the same groundwater source.

120. They comment that there are several watercourses in the area which may derive baseflows from groundwater in these deposits. These should be considered as part of any ongoing appraisal. A Water Features Survey (WFS) should identify those sources on the ground within a designated radius of the proposed site which could be at risk.

121. They recommend a Hydrogeological Impact Assessment (HIA) should be undertaken. All aspects of the water environment should be considered. This should include a WFS and quantitative assessment of potential impacts to the water environment from the proposal.

122. They consider the quantitative assessment through the HIA should be a priority within the EIA. The HIA is required to assess the full potential of any quantitative impacts on the water environment which could take place from the activity of quarrying, notably from any dewatering activity in voids. They recommend an appropriately qualified hydrogeological consultant undertakes the HIA work.

123. They suggest the HIA should assess 4 points, which can be found on page 2 of their response contained within Appendix 2 of this Opinion.

124. Regarding Groundwater Quality Protection, they comment that certain activities taking place within and around a quarry environment can give rise to water quality pollution issues. These include:

- The potential for fuels to contaminate local groundwater supplies if not stored and used correctly. Vehicle accidents are a common cause for oil and fuel release into the environment. Management strategies should be put in place to manage such events.
- The potential for onsite sewerage facilities to pollute water if harmful effluents are discharged into the environment without an appropriate discharge consent permit.
- The potential for gravel workings to affect groundwater quality in the surrounding aquifer, creating turbidity in the water. The EA would like to know if the mineral product is to be washed on site (using groundwater), and where this water would be discharged to. Further detail should be provided as to where and how this water will be treated and discharged.
- The potential for the deterioration in the ecological value or physico-chemical quality of any watercourse as a result of the development. The EA require the operator to demonstrate that this will not occur.

125. They comment that regarding Landfill locations, the EA will normally object to any proposed landfill in groundwater SPZ1 in Statement E1 of their response. For all other proposed landfill site locations, a risk assessment must be conducted based on the nature and quantity of waste and the natural setting and properties of the location. Where the risk assessment demonstrates that active long-term site management is essential to prevent long-term groundwater pollution, the EA will object to the following sites:

- Those below the water table in any strata where the groundwater provides an important contribution to river flow, or other sensitive receptors.
- Those within SPZ2 or 3, or in a principal aquifer.

126. They comment that the EIA should assess opportunities to deliver Water Framework Directive (WFD) objectives. A WFD screening should be carried out to inform the EIA. The development should seek opportunities to help maintain and improve WFD status. No development should be permitted if it will result in the deterioration in the quality of the water-bodies.

127. They expect that where existing watercourse channels within and near to the development site have been straightened, culverted and/or deepened by previous land use (primarily to aid agricultural activities), the watercourse should be naturalised and 'opened up' as part of the development.
128. They comment that WFD Waterbody information for this catchment is available from their area 'Customers and Engagement' team at Enquiries_Westmids@environment-agency.gov.uk and their Catchment Data Explorer tool at: <http://environment.data.gov.uk/catchment-planning/OperationalCatchment/3456>
129. They comment that local level actions and decision making can help secure improvements to the water environment. This is known as the 'catchment-based approach' and has been adopted to deliver requirements under the WFD.
130. They comment that the site falls within Worcestershire Middle Severn sandstone groundwater body. Specifically, groundwater body reference GB40901G300800. This currently has 'Poor Overall Status' with an ambition to reach 'Good' by 2027. The proposal should seek opportunities to provide betterment and highlight the importance of assessing WFD in the ES.
131. Regarding Flood Risk, they comment that the site is located in Flood Zone 1 (low risk zone) and would not intend making bespoke comment on the flood risks to and from the development. They recommend early liaison with the Lead Local Flood Authority to discuss surface water management of the site during and post extraction. They highlight that climate change allowances were updated recently and have attached an area climate change allowance guide for the applicant's information. They advocate exploring opportunities to provide net flood risk betterment.
132. They welcome the opportunity to discuss the site at an early stage. The issues are complex and the scope for betterment post extraction vast. Early collaborative discussions would be beneficial.

North Worcestershire Water Management (NWWM)

133. They comment that the site is located within the catchments of the Stour and the Blakedown Brook, which is a tributary of the Stour. The site does not contain many natural or manmade surface water drainage features suggesting the area is predominantly drained via infiltration. Infiltrated water slowly recharges the wetland SSSIs present in the valleys to the west (Stour: Puxton and Stourvale Marsh) and to the east (Blakedown Brook: Hurcott and Podmore Pools).
134. They comment that the scoping report states the development lies 30-40 metres above the local ground water table and that presumably no or only limited dewatering will be required.
135. They request that the Hydrological, Hydrogeological and Flood Risk Assessments should cover the following as a minimum:
- Hydrology and Hydrogeology of the site and the interaction with the surrounding areas (including the water dependent SSSIs)

- Flood risk on the site and the effects of the development on flood risk off site.
- Effects of the proposal during the operational phase (including dewatering) and following restoration (the effect of imported inert materials)
- Methods to safeguard ground and surface water.

136. They request the application will be accompanied by a surface water drainage strategy (standalone or incorporated into the Hydrological, Hydrogeological and Flood Risk Assessment. This should set out how surface water will be dealt with during the operational phase and following restoration. They comment that they would seek compliance with the non-statutory technical standards for Sustainable Drainage Systems (SuDS) – Defra 2015.

Air Quality

137. The CPA agrees that air quality should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

138. They comment that advice from Worcestershire Regulatory Services should be taken regarding air quality.

Wolverley and Cookley Parish Council

139. They comment that the inert material used to infill could dramatically affect the local air quality.

140. They comment that the dust generated and the nature of the particulates will represent a risk to local air quality, particularly to lungs.

141. They comment that the NPPF is clear that a planning authority must ensure there are no unacceptable adverse impacts on human health. Assurance on this will need to be provided.

Worcestershire Regulatory Services – Air Quality

142. They comment that the Scoping document appears to adequately address potential Air Quality and Climate issues. They agree that the ES should include impact assessments for both.

Cultural Heritage and Archaeology

143. The CPA agrees that cultural heritage and archaeology should be included in the ES.

144. The following comments should be taken into account and addressed in the ES:

County Archaeologist

145. They comment that there are no known or recorded heritage assets or archaeological interest within the application area, with the exception of a World War II grass landing strip. The presence of unrecorded, as yet unknown, below-ground heritage assets (archaeological remains) cannot be discounted. Stray finds of archaeological material including a silver denarius of Vitellius (AD-69-69) have been made in the application area.
146. They comment that on this basis, the EIA needs to fully investigate and understand these impacts. A heritage statement should be produced describing the significance of any heritage assets affected by the proposal, including any contribution made by their setting. The level of detail should be proportionate to the importance of the asset and no more than is sufficient to understand the potential impact of the proposal on their significance.
147. The heritage statement should include an assessment of the impact of the development on the setting of any designated heritage assets in the vicinity of the application area including, but not limited to the following assets:
- Grade II listed Sion Hill Court (NHLE 1100640) to the south
 - Grade II Listed North Lodges (NHLE 1296589) to the northeast.
148. The heritage statement should also incorporate the results of a geophysical survey and field evaluation (trial trenching at 4% of the application area), which will provide information on the presence or absence, extent, date and local, regional or national significance of any archaeological remains, including palaeoenvironmental deposits.
149. They comment that in the event of planning permission being granted, in accordance with Paragraph 141 of the NPPF, where archaeological remains are found to be present within the application site that cannot be proposed in-situ then further archaeological works would be required to mitigate the impact of the development on the threatened remains. These works should be secured by a suitably worded condition.
150. They also comment that any archaeological investigations should comply with specifications agreed in advance with Worcestershire Archive and Archaeology Service and conform to the Chartered Institute for Archaeology's Standard and Guidance.

Wyre Forest District Council

151. They comment that the comments of the Conservation Officer should be noted and that there is some discrepancy between the scoping report and the Conservation Officer's response. The Conservation Officer's comments are located in Appendix 2 of this Opinion.
152. The Conservation Officer identifies impacts that will occur to the significance of assets as a result of the proposal and identifies mitigation measures. They also comment that a desk based archaeological assessment to identify above ground and potential below ground archaeology will be required. An archaeological assessment should accompany or be incorporated into a Heritage Statement submitted with the planning application.

153. They comment that a full Heritage Impact Assessment should be undertaken along with an Archaeological Assessment. The Archaeological Assessment should be scoped with the County Archaeologist, which may include Geophysical, as well as intrusive investigations.

Wolverley and Cookley Parish Council

154. They comment that the proposed access would break through a historical 19th Century wall. This is a local landmark and will be greatly affected by the proposal. Quarrying works could damage the structural integrity of this wall.

The Wolverley and Cookley Historical Society

155. They comment that the proposal would create such a change in the landscape that it would not be recognised as the historic site it is.

156. They comment that the neo-gothic castle was built by the Knights and surrounded by parkland. The grounds could have been in picturesque taste according to *Survey of Parks and Gardens: Lockett 1997*. The area defined as 'former parkland' is included in part of phases 2 and 3 on the proposal plan.

157. They comment that there remains a C19th wall that defines the boundary of the mansion house demolished in 1945. The wall has served as a focus for community races with lodges serving as entrances at the end of long straight driveways at the northern and southern gates. They feel that these structures help to characterise the heritage of the two villages and should be viewed in context with the whole parkland. They comment that a drop in ground level during and post extraction could lead to destabilising a long stretch of the wall.

158. They note the intention to break through the wall to create the site access which would destroy a considerable length of the historic C19th wall.

159. They comment that there are well used public footpaths along the driveways and between the areas marked phase 1 and 2. They are shown as early on the tithe map of 1837. Medieval documents refer to a settlement at The Lea, which was undoubtedly in the area of Lea Castle.

Historic England

160. They comment that the quarry could have an impact on several designated heritage assets and their settings in the area around the site. They expect the ES to contain an assessment identifying heritage assets which could be affected, the elements contributing to their significance (including setting), likely impacts of the development on the elements, and any resulting benefit, loss or harm to their significance. The assessment should consider the impact from quarrying activities and any restoration works, including works introducing a different land use, management, or landscape than the existing.

161. They comment that the assets include, but aren't limited to, the Wolverley and Staffordshire Canal Conservation Areas to the west and northwest of the site, as well as several Grade II Listed Buildings.

162. They comment that the assessment should give full consideration to the potential impact associated activities (construction, maintenance, traffic, noise,

light) might have on perceptions, understanding and appreciation of the heritage assets in the area. The assessment should consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

163. They expect the ES to consider the potential impacts on non-designated features of historic, architectural, archaeological and artistic interest. They request any archaeological assessment should consider the potential impact to Palaeolithic sediments and artefacts within the area, as well as organic deposits and palaeochannels.
164. They comment that should there be potential for waterlogged archaeology, the assessment would need to cross reference with any hydrological studies being undertaken to ensure this is taken into account.
165. They recommend consultation with the Worcestershire Historic Environment Record, the Historic Environment Advisor at Worcestershire County Council's Archive and Archaeology Service, and the Conservation Officer at Wyre Forest District Council. They are best for advising on local issues and priorities, how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment, the nature and design of any required mitigation measures, and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Landscape and Visual Impact

166. The CPA agrees that landscape and visual matters should be included in the ES.
167. In addition, the CPA recommends that the applicant includes annotated 3D visualisations of the application site in its existing form, the proposed quarry form (including phasing), and the proposed restoration form. Such visualisations would be in line with industry best practice as demonstrated at the 2018 Mineral Products Association/Royal Town Planning Institute Mineral Planning Conference 2018. 3D visualisations would also be invaluable for communicating the above surface impacts of the proposed development to the public and other interested parties.
168. The following comments should be taken into account and addressed in the ES.

Wyre Forest District Council

169. They comment that they agree that a Landscape and Visual Impact Assessment (LVIA) should be carried out and that the CPA should consider employing a suitably qualified consultant to assess any submission.

Wolverley and Cookley Parish Council

170. They comment that the proposed bunds may not hold together and will look unsightly. There will also be a clear view of the quarry from the A449 as there is no bund proposed.

The Campaign to Protect Rural England

171. They comment that the site involves a hilltop and that there will be a substantial landscape impact from the development.

County Landscape Officer

172. They that the ES should will include a Landscape and Visual Impact Assessment (LVIA) in accordance with GLVIA 3rd ed. The Assessment should consider the following:

173. The site is within the broad landscape character type Sandstone Estatelands. It is important to note the site is located within a transitional landscape that moves from a more typical Sandstone Estatelands character east of the site, towards a post-medieval historic landscape character of mixed irregular fields, meadows and woodland, influence in part by the Stour Valley.

174. The site is located within an area of former medieval designed landscape adding another layer of inherited landscape character. This includes distinctive structural features and historic buildings, the settings of which will be affected by the proposed quarry.

175. They request that the LVIA address the nuances of the landscape setting to accurately assess sensitivity, impact, mitigation and define restoration opportunities.

176. They request Worcestershire County Council is consulted in advance of the LVIA's production to agree view points for the assessment.

177. They comment that the Stour and Staffordshire and Worcestershire Canal Corridor is a strategic Green Infrastructure (GI) link that should inform further refinements of the restoration strategy for the site. This should include opportunities to create, enhance and connect with existing landscape assets providing an east-west framework of connected habitats linked to the strategic corridor.

The Ramblers Association

178. They comment that the landscape between Cookley and Kidderminster at Lea Farm is attractive with blocks of woodland surrounding the site and a pleasant rolling, somewhat hilly nature. The site is used for quiet informal leisure purposes with a number of PROWs across and around it well used by people from local communities. The site is highly visible from higher ground to the north east but not particularly prominent from Wolverley Road. The site is screened by woodland from the west and north west. The site is within the West Midlands Green Belt.

179. They comment that for the reasons above, the ES must address short and long term impacts on the landscape and leisure uses carried out upon it. They are concerned to know how extraction will damage the curving slopes of the land and whether the restoration will provide a new landscape compatible with the old. They are concerned that it should be demonstrated how extraction will affect the surrounding blocks of woodland which must be protected from any reductions in

the level of the water table and dust. They are concerned the table relating to potential effects avoids making an assessment in the case of landscape. They anticipate very damaging short or long term effects.

180. They request detailed restoration proposals be provided which are respectful of the existing landscape character and the Green Belt status of the land.

Climate

181. The CPA considers that climate should be included in the ES. The following comments should be taken into account and addressed in the ES:

Wyre Forest District Council

182. They comment that they agree climate needs consideration through the assessments outlined in the applicant's scoping request report.

Worcestershire Regulatory Services – Climate

183. They comment that the Scoping document appears to adequately address potential Air Quality and Climate issues. They agree that the ES should include impact assessments for both.

Cumulative Effects

184. The CPA agrees that cumulative effects should be included in the ES. The applicant should assess the cumulative effects from several developments in Worcestershire.

185. Individually, these developments may be insignificant, but when considered together, they could amount to a significant cumulative effect.

186. The following developments should be considered in the ES:

- Proposed Allocations set out in Wyre Forest District Council's Local Plan Review 2016-2034 *Preferred Options Document*, dated June 2017. These proposed allocations are identified in Part C and Appendix A of the document.
- Planning Permission 17/0205/OUTL FORMER LEA CASTLE HOSPITAL PARK GATE ROAD KIDDERMINSTER DY103PT: Outline planning application to include up to 600 dwellings (C3), up to 3,350sqm of Class B1 employment uses, 150sqm of Class A1/A3/D1 uses (local shop/café/community space), public open space, ecological mitigation, drainage works, infrastructure and ancillary works. Detailed approval is sought for access arrangements, to include the main access from Park Gate Road, secondary access from The Crescent and limited access to a small number of properties from Axborough Lane, with all other matters reserved.

Other Matters

187. The CPA considers that the applicant should address the matters and comments raised below by consultees and the public within their ES and the planning application.

Planning Policy Context and Analysis

188. The CPA considers that a Planning Statement should accompany the planning application submission and should assess the proposed development against the Development Plan and other material considerations. In this respect the current Development Plan consists of the adopted Worcestershire Waste Core Strategy, Saved Policies of the adopted County of Hereford and Worcester Mineral Local Plan, adopted Wyre Forest District Council Core Strategy (2006-2026), adopted Wyre Forest District Council Site Allocations and Policies Local Plan 2006-2026, and adopted Kidderminster Central Area Action Plan 2006-2026. Consideration should also be given to the Emerging Minerals Local Plan for Worcestershire and the Emerging Wyre Forest District Council Local Plan 2016-2034, but at the time of writing this Scoping Opinion, limited weight should be attached to these.

189. The CPA recommends that the ES should summarise the relevant planning policies and guidance, and that a supporting Planning Statement considers the relevant planning policies and guidance in detail. Many ES's contain an extensive analysis of planning policies and argue that a proposal is in compliance with the policies, however, it is considered that this advocacy role is in conflict with the impartiality that should characterise an ES. Such detailed analysis should, therefore, be confined to a separate Planning Statement, and the ES should deal with the planning policy issues that relate specifically to the environmental impact of the development proposals, for example where policy identifies an environmental receptor, such as ecological designation or requires the provision of a particular mitigation measure.

190. The CPA would like to draw your attention to the following planning policies:-

- Policy WCS 5: 'Landfill and disposal' of the adopted Worcestershire Waste Core Strategy;
- Saved Policy 2: 'Other Sand and Gravel Deposits' of the adopted County of Hereford and Worcester Mineral Local Plan;
- Draft Policy MLP 5 'North West Worcestershire Strategic Corridor' of the Emerging Minerals Local Plan for Worcestershire (Worcestershire's Minerals Local Plan – Third Stage Consultation) DRAFT

191. In addition to the above, an updated Local Aggregates Assessment using 2016 data is due to be published very shortly so it is recommended that the applicant makes use of this.

192. The applicant is also advised to take into account the response from Wyre Forest District Council to the CPA's Mineral's Local Plan Consultation, which is located in Appendix 2 of this Opinion. The response sets out the District Council's

concerns regarding proposed mineral extraction north and south of Wolverley Road, which could have a detrimental impact by virtue of dust, noise, and disturbance for the duration of the period of extraction on residents in the Lea Castle area, and development of the site here. There is also concern at impacts on the Listed North Lodges structures and the Locally Listed structures at the northern and southern entrances to the former Wolverley Castle respectively, and on the Staff and Worcs Canal Conservation Area. The applicant will need to demonstrate how the proposal either preserves or enhances the Conservation Area.

Wyre Forest District Council

193. They comment that they have significant concerns over the development but understand that the consultation relates to the scoping request under the EIA Regs and not on the merits of the case.

194. They comment that they agree that the proposal is EIA development.

Councillor Ian Hardiman

195. He comments that he has some concerns regarding the proposal but that he will consider any application with an open mind. His concerns relate to the proximity of the quarry proposal to the 600 new homes recently granted outline planning permission by Wyre Forest District Council at the Lea Castle (former hospital) site.

196. Councillor Marcus Hart and Councillor Ian Hardiman (joint letter).

197. They comment that they have a number of concerns about the proposal in terms of the effects on the green belt, open countryside, highways infrastructure, noise, and environmental issues, and will be articulating these as it progresses through the process.

198. They comment that they will ensure they do not have a pre-determined mind whilst articulating concerns raised by their communities. They comment that they will judge this application on its merits or otherwise at the appropriate time.

Wolverley and Cookley Parish Council

199. They comment that they are totally opposed to the proposal and feel that it would have a devastating effect on the ancient parish of Wolverley and Cookley.

200. They comment that the proposed bunds are limited and do not cover the whole site so do not protect residents on Wolverley Road and Brown Westhead.

201. They request details of the proposed operating times and any proposals for artificial lighting.

202. They comment that proposals for restoration of the landscape are unacceptable because they are not phased.

203. They comment that the proposal will have an impact on local house prices and deter new residents onto the proposed housing developments at Sion Hill and Lea Castle.

The Campaign to Protect Rural England

204. They comment that they object to the application.

205. They comment that the site lies in the Green Belt in a strategic gap between Kidderminster and the villages of Wolverley and Cookley. The gap is being eroded by permission being granted for the redevelopment of Lea Castle Hospital, which will result in sprawl that will join Kidderminster and Cookley. The countryside along the B4189 currently appears very open, despite the proximity of developed areas.

206. They comment that one of the options in the last consultation on Wyre Forest's Green Belt Review suggested taking a further area out of the Green Belt between Lea Castle and Kidderminster, which would be a significant encroachment into the open countryside. This area of Green Belt is already being severely encroached upon by development of various kinds and is in danger of ceasing to be countryside at all.

207. They comment that they appreciate mineral extraction is a special case to which usual Green Belt rules against development do not apply. Several of the five purposes of Green Belt are impacted by any development in the Protected Area.

Public Comments

208. 72 letters were received from 69 members of the public commenting on the Scoping Opinion Request. Their comments are summarised below:

- Objection to the proposal.
- Object on the grounds that the proposal would be unacceptable in a village setting.
- Objection because of the negative landscape and visual impact of the proposal. The site is high up and there are views of it from all around. Visual impact will be from as far away as Cookley, Wolverley, Sion Hill, Broadwaters and the eastern end of Hurcott Road. The site is also very visible from two roads circling it; the visual impact will be huge.
- Object on the grounds that the proposal would be inappropriate in an area with unique geological and historic features, and because the proposal would destroy an area of historic interest.
- Object on the grounds that the proposal would be detrimental to the neighbourhood of Cookley, the environment, the Greenbelt, and the impact on an existing quiet rural village in outstanding rural countryside.
- Concern that the identity of Cookley village is being attacked from all sides from housing and a quarry development. The character of the local neighbourhood must be considered as it will be changed dramatically. Cookley and Wolverley are quiet villages that aren't appropriate for heavy industry.
- Object on the grounds that the proposal would be located near a young family.

- Object on the grounds that the proposal would lead to devastation of greenbelt habitats. Objection against the proposal's impact on the greenbelt and its openness. Construction of new buildings, facilities and roads etc. on greenbelt land is neither desirable nor permissible. The greenbelt would be destroyed over the mining period.
- Object on the grounds that the proposal would be too close to existing properties in Cookley.
- Object on the grounds that the proposal would be within 200 metres of a number of residential properties, a rule existing presumably for health grounds. If one property is within 200 metres, the site should not be considered.
- Object on the grounds that the proposal would remove a well-used Public Footpath in Cookley, as well as concern at the impact on the footpath running through the site. These footpaths are used by people for keeping fit, which should be a priority issue for the Council.
- Object on the grounds that the proposal would impact two public rights of way (624B and 626B) across the site, 622C and 625B along the borders of the site, and 623B within a metre of the site. Noise, pollution, heavy vehicles and machinery will render the footpaths unpleasant and probably unusable. There would be enormous visual impact to these heavily used routes. Many children use the public rights of way to get to school so thought would need to be given to alternatives.
- Object on the grounds that the proposal would have negative environmental impact on top of the planned 1500 houses at Lea Castle. There is too much building work planned nearby. The proposal would also have health impacts on the new properties through dust pollution.
- Object on the grounds that the proposal would lead to additional traffic on an overcrowded road network, including the A449. Dozens of accidents and issues have occurred on the road for more than 40 years, which would be exacerbated by gravel-laden trucks and heavy plant entering and exiting the area. Notwithstanding the additional traffic due from the large housing estate at the former Lea Castle hospital site.
- Concern that no information has been given regarding the number and types of vehicles and equipment that would be needed. Access routes within the site also need to be detailed.
- Object on the grounds that the proposal would lead to significant traffic problems when combined with the development at Lea Castle, which will effectively join Cookley to Kidderminster.
- Concern at the potential for cumulative effects of local development.
- Object on the grounds that there would be traffic chaos and danger near to Heathfield Knoll School. Objection against the impact on other nearby schools with already busy roads and limited footpaths.

- Concerns that the proposal would be accessed via the B4189, which is a very busy road with commuter traffic, no lighting and poor pavements.
- Objection to the proposed access onto the B4189 near the Wolverhampton road just below the brow of a hill on safety grounds. The speed limit is national and visibility is very poor at this point. Planners previously determined that the only safe access was at the point where Broom Cottage is located. Highways would have to fully investigate the proposed access.
- Concern that lorry drivers would seek out safer access routes to the site, taking them down public rights of way and tracks, endangering walkers, cyclists and horse riders.
- Concern that the proposal will generate unwanted noise, dust and vibrations.
- Object on the grounds that the proposal would lead to environmental issues relating to clean air for nearby communities, particularly Heathfield Knoll School and nearby residential properties. This could seriously affect the children of the school and their education.
- Object on the grounds that the proposal could shorten life through the health risks of the project. The proposal would also seriously affect the quality of life for local residents and their general health.
- Object on the grounds that the proposal would be large scale and hazardous near a residential area. Noise, dust and mud impacts would be unacceptable. Professional advice needs to be taken as to whether noise levels will be acceptable in the local area, and whether properties near the development would be inhabitable. The sand quarry at Sandy Lane near the M5 is used as an example of the filth created in wet conditions and dust in the dry.
- Object on the grounds that Cookley has already put up with one quarry in Wolverley and that it is unfair to revisit a second time.
- Concern at the consequences of large lorries and heavy machinery near residential properties.
- Object on the grounds that there are more suitable sites to be considered.
- Concern at what will happen when minerals have been extracted and the quarry is deemed 'empty'.
- Concern at what inert materials are proposed for replacing the removed minerals. 'Inert' materials would need substantial clarification and legal control to avoid a waste disposal site.
- Concern that very little information has been provided as to the methods of quarrying. It needs to be made clear whether quarrying will be even across the site in terms of the figure of 3 million tonnes, or whether some areas will be more

heavily affected than others. The applicant should provide this information in accessible format, for example the volume of material to be removed and how the depth of the quarry varies across the site.

- Concern as to why two fields to the west of the A449 have been included in the site, as well as woodland to the south of 'phase 2' and buildings to the south of the 'plant site'. These areas do not enter into the phased delivery plan. It needs to be made clear why these are included and whether they are intended for further extension of operations.
- Concern at whether lighting would be required and its effects on the local population and wildlife.
- Object on the grounds that the proposal would harm the general health, mental health, and well-being of horses at the old Lea Castle riding school, which sits at the middle of the site.
- Concern for the livelihood of the owner of the riding school at the centre of the site, and the caravan park.
- Objection at the knock on effect for business directly opposite the proposal. Objection at the wider negative economic impact in the area including on camping and tourism. The Lock pub, businesses in Cookley and Wolverley villages, the putting green and tea shop would be affected.
- Object on the grounds that the proposal would cause unacceptable harm to wildlife. The proposal covers a very biodiverse area and would affect animals, insects, birds, reptiles, butterflies, moths, plants, trees, mosses lichens, and fungi. Owls, pole cats (and related species), bats, hedgehogs, skylarks, thrushes, sparrows, lapwings, yellowhammers, and undoubtedly many other species have been seen or heard at the site. Adders are also thought to be present at the site. Muntjac would also be affected.
- Object because of the little consideration that has been shown to the local wildlife, including its thriving bird community with numerous birds from the red status of Birds of Conservation Concern list, including Lesser Spotted Woodpeckers, Skylarks, Starlings, Song Thrush and Sparrows. Birds on the amber list include House Martins and Kestrels. Kestrels are located on the proposed site and successfully breed every year. Buzzards would also be affected. Hedgehogs are also at the site in dwindling numbers. Badgers are seen across the site, possibly even with a sett in the proposed area. Bats live in a barn development and they are protected. The fields provide them with a feeding habitat and mining could have a detrimental impact on them. No number of nest boxes would protect them. Other roosts could also be located across the site. Some of this wildlife would be destroyed and never return.
- Concern at the proposal's impact on the land at the site, which is thought to be 'acid sand' that supports particular flora and fauna including lichens, fungi and mosses, which do not survive in other areas. A full investigation is required. The removal and replacement of this soil with different soils would be extremely detrimental.

The 600,000 tonnes of backfill would significantly change the site and the types of flora and fauna it supports.

- Concern at the impact on trees with preservation orders scattered throughout the Lea Castle Estate. Many date back to the Lea Castle Estate and remain a visual reminder of Cookley and Wolverley's history.
- Concern at the impact on trees and hedgerows in the area in terms of their aesthetics, and because of the support they provide for wildlife, which appears to be in perfect balance with how it is thriving.
- Concern at the existing power lines going over the proposed area. What will happen to these?
- Object on the grounds that the proposal would lead to drainage issues and catastrophic impacts on the Stour river's tributaries. The impact from flooding issues as a result of excavation on Wolverley and Broadwaters would need to be calculated.
- Concerns that the proposal would lead to a significant increase in water run-off causing flooding issues for the new housing at Lea Castle Hospital, and exacerbating flooding issues along the river at Wolverley. Investigation needs to be made into the impact on the canal from flooding.
- Object on the grounds that the proposal would detrimentally impact the wall enveloping the Lea Castle Estate, an important local landmark. In addition, the environment of the Grade II Listed gatehouse to the north of the proposed site would be hugely affected. The structure should be checked by the conservation officer. The gatehouses at the other end of the site would also be affected in the same way.
- Objection to the impact of noise, pollution, water run-off, and traffic on Listed buildings and their setting within a half mile radius of the site.
- Object on the grounds that the proposal is the selfish pursuit of financial gain with no thought for the wellbeing of the community or the surrounding area. The proposal would only benefit two parties, the landowner and quarry operator, who aim to profiteer from a ridiculous scheme which will be at the detriment to many people.
- Object on the grounds that the proposal includes bunds, which would be an eyesore. The bunds would be unlikely to hold together considering the area's sandy soil. Surrounding areas would be damaged by the bunds washing away and blowing away in the wind.
- Object on the grounds that sleeping in the day time would not be possible for a respondent who works shifts.
- Object on the grounds that Broom Cottage will be badly affected by noise and dust, especially during phase 3 of the operations. The proposals will make it difficult to sell the property and the proposal could blight a respondent's remaining years.

- Request that the reports and professional opinions required for the proposal will need to be independent and have careful consideration as to who has paid for them, and whether all findings are published, or just those that suit the funder. All research should be as general as possible in nature because without research, it is impossible to know what the ecosystem holds in the area.
- Request that neighbours and local residents are informed of the proposal. Landowners bordering the site have not been notified. Anyone who would be affected by this development should be notified, including anyone within earshot, within visual range, local businesses, the school, and anyone with a property bordering the site. The mapping provided with the proposal needs to be checked for accuracy because a respondent's property does not show on it adjacent to the site.

Western Power Distribution

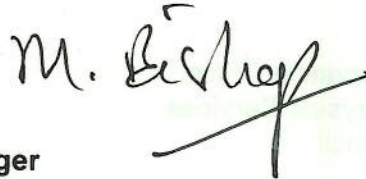
209. Western Power Distribution have assets within the red line boundary. They comment that all equipment on site should be assumed to be live until Western Power Distribution prove otherwise and provide the applicant with confirmation to this effect in writing. The applicant is advised to refer to the Line Search Before You Dig response from Western Power Distribution.
210. Please note that the adequacy of the ES is primarily a matter of judgement of the decision maker. It is strongly advised that you contact the CPA to discuss the adequacy of the draft ES and planning application once they have reached a stage at which such feedback would be useful. Please note that Worcestershire County Council do not currently charge for pre-application discussions / meetings.
211. We recognise that these comments are extensive, but consider them necessary to ensure that all the relevant information is submitted with the planning application for the proposed scheme.
212. If you wish to discuss any of the points raised in this Scoping Opinion, or any other matters relevant to the EIA, please do not hesitate to contact either Joshua Scholes – Planning Officer (Development Management) (Tel: 01905 844485), Steven Aldridge – Team Leader (Development Management) (Tel: 01905 843510), or Mark Bishop - Development Manager (Tel: 01905 844463).

Adoption

Date of Adoption of Scoping Opinion

29 June 2018

Signed on behalf of the County Planning Authority:



**Mark Bishop
Development Manager**

Appendices

Appendix 1 – Scoping Opinion Request

Appendix 2 – Consultation Responses:-

- Wyre Forest District Council
- Wyre Forest District Council Conservation Officer
- Wyre Forest District Council Countryside Services
- Wolverley and Cookley Parish Council
- British Horse Society
- Councillor Ian Hardiman
- Councillors Marcus Hart and Ian Hardiman
- County Public Rights of Way
- County Archaeology
- County Ecology
- County Highways
- County Landscape
- County Minerals and Waste Planning Policy
- County Public Health
- The Campaign to Protection Rural England
- Environment Agency
- Natural England
- Historic England
- Line Search Before You Dig
- Western Power Distribution
- Lead Local Flood Authority
- North Worcestershire Water Management
- Public Health England
- Ramblers Association
- Worcestershire Regulatory Services
- Worcestershire Wildlife Trust

Appendix 3 – Public Comments