

NRS Aggregates Ltd

Proposed Sand and Gravel Quarry and Restoration Scheme

For Land at Lea Castle Farm

Near Wolverley

Worcestershire

Request for Scoping Opinion

April 2018

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Lea Castle Farm

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Land north of Wolverley Road (now known as Lea Castle Farm), Preferred Area Status within Third Stage Minerals Local Plan

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1. INTRODUCTION

- 1.1 This document is a request for a Scoping Opinion from Worcestershire County Council in accordance with Section 15 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017 for the development of a sand and gravel quarry together with its progressive restoration on land at Lea Castle Farm, near Wolverley, Worcestershire. (The proposed site). Please see Appendix A Drawing No. KD.LCF.001- Location Plan. It has been prepared by Kedd Limited on behalf of NRS Ltd who would be the operators of the site.
- 1.2 The proposed site has been appropriately promoted within the Worcestershire Minerals Local Plan. Worcestershire County Council being the Minerals Planning Authority responsible for making decisions on planning applications for mineral development in Worcestershire. It is noted that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Discussions regarding the site have been on-going with the County for the past 2 years whilst geological and environmental monitoring and assessment works have been taking place.
- 1.3 The sites appropriateness for mineral extraction was considered by Worcestershire County Council with public consultations and statutory bodies input within 2016/2017 and was allocated a Preferred Area Status within the Third Stage Consultation of the Worcestershire Minerals Local Plan (Reference Land North of Wolverley Road – D026-2397). Please see Appendix B.
- 1.4 Preferred Area Status being defined as “areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extractions”.
- 1.5 Worcestershire County Council have called for and are considering a Fourth Stage Consultation to address the short fall in mineral sites and available mineral tonnages within the County.
- 1.6 As required by Section 15(2) of the Environmental Impact Assessment (EIA) regulations in respect of a request for a Scoping Opinion this document includes;
- A plan sufficient to identify the land
 - A brief description of the nature and purpose of the development, including its location and technical capacity
 - An explanation of the likely significant effects of the development on the environment and
 - Other such information or representations as the person making the request may wish to provide or make.

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- 1.7 The requirement for an EIA is set out in an EU directive (Council Directive 85/3337/EEC) and is transposed into English and Welsh law by section 71A of the Town and Country Planning Act 1990, as amended. The procedure for carrying out an EIA is regulated by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA regulations).
- 1.8 The characteristics of the proposed development have been assessed against Schedule 1 of the EIA Regulations 2017. Schedule 1 of the Regulations outlines a range of development types for which Environmental Impact Assessment will automatically be required.
- 1.9 Part 19 of Schedule 1 concerns mineral development. Part 19 states EIA requirements are triggered when:
- “Quarries and open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction where the surface of the site exceeds 150 hectares.”*
- 1.10 This document also provides a brief history of the site, known environmental designations, geology, a description of the proposed development involving sequential phased working and progressive restoration along with an initial analysis of potential environmental effects which could result due to the development.
- 1.11 Specialist consultants have been employed in respect of each of the individual and interconnected environmental topics. Work’s will be coordinated by Kedd Limited within the EIA process and submitted within a planning application and Environmental Statement.

2.0 SCOPING PLANS

- 2.1 The report is accompanied by the following plans which are contained within Appendix A of this document.
- Site Location Plan- – KD.LCF.001- This drawing illustrates the geographical context of the site within its local area
 - Current Situation - KD.LCF.002- Shows the current arrangements at the site with the existing contours, internal and perimeter vegetation/ features and potential extent of the overall site application boundary.
 - Proposed Phasing – KD.LCF.003- This illustrates the conceptual location of the proposed development on a single plan including the site access, plant site, and progressive phased mineral and subsequent restoration areas.

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- Concept Restoration - KD.LCF.004- Illustrates the concept for the overall completed site restoration integrating into its immediate surroundings.

3.0 THE SITE AND ITS CONTEXT

3.1 Application Site

The site is located approximately 0.35 km north of Kidderminster (Broadwaters) and some 0.7 km east of Wolverley and 0.375 km south west of Cookley. It lies immediately north of the A4189 Wolverley Road and west of the A449 Wolverhampton Road.

- 3.1.1 The proposed application site occupies approximately 45 Hectares of land with a maximum elevation of 80 m above Ordnance Datum (aOD) in the centre of the site, falling to 65 m aOD in the west and 55 m aOD in the east. It is predominantly contained land within an internal agricultural setting. See Drawing No. KD.LCF.002 – Current Situation. The actual proposed area of mineral extraction covering ~ 30 Hectares within the overall site.
- 3.1.2 The site formed a part of the ~220 Ha grounds of Lea Castle built around 1762 and demolished in 1945.
- 3.1.3 There are areas of woodland to the western, south and north western boundaries of the site and a small number of individual avenue trees adjacent to a site internal Public Rights of Way (PROW) and scattered throughout the local landscape. A wall defines the southern boundary along with small blocks of woodland/shrubland and hedgerows with sporadic vegetation and a fence line to the east.
- 3.1.4 There are a limited number of residential properties and businesses within the immediate area of the proposed site. The closest properties being those at South Lodge, Broom Cottage, Castle Barns, Lea Castle Equestrian Centre and properties off Brown Westhead Park.
- 3.1.5 Access to the site is to be gained via the A4189 Wolverley Road to the south eastern area of the site. This route providing direct access to the Wolverhampton Road and on to Kidderminster and Stourbridge.

3.2 Geology

In late 2015 Greenfield Associates (Geological Consultants) were asked to assess the sites potential for a mineral resource. Investigations comprising published geological maps, and borehole drilling combined with trial pitting by NRS and subsequent evaluation has identified a reserve area of approximately

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3 million tonnes of Sand and Gravel. It is intended that the EIA will assess a potential output of 300,000 tonnes per annum which could provide ten years of supply.

3.3 Environmental Designations

The site area itself is not known to be constrained by any environmental designations in respect of the type of development being proposed. The site and its local area does lie within Green Belt and there are listed buildings within its wider area including Church of St John the Baptist, Grade II*, with two memorials Grade II listed along with the Grade II North Lodges of Lea Castle, Wolverley Court- Grade II, Knight House Grade II* and Sionhill House – Grade II.

3.4 The site is not located within a Flood Risk Area within the Environment Agency's Flood Plan Map and along with a lot of the County, located within the Countryside Stewardship Water Quality Priority Area (England) – of medium priority. Land within the site may also be categorised in part as Best and Most Versatile Agricultural Land. No other environmental designations are known at this stage.

3.5 Planning History

It is understood that the site comprised a part of proposals in 1999/2000 considering a change of use to a golf course. This development did not take place. The site was promoted within the emerging Worcestershire Minerals Local Plan- Third Stage Consultation where it was assessed and considered appropriate to be allocated 'Preferred Area Status' under the title of Land North of Wolverley Road (submission reference DO26-2397). Representations were also made in respect of the fourth Call for Sites. It is understood that this Fourth call was required as there is currently and for the foreseeable future a significant shortfall in mineral supply within the County.

4.0 THE PROPOSED DEVELOPMENT

4.1 Phased Development Scheme

The basis of the Phased Development Scheme is to extract mineral and restore the site in an efficient and timely manner to minimise areas of disturbed ground at any one point in time and to allow the flexibility to mitigate/ reduce any potential adverse effects associated with the development. For example, the initial works phase will involve the stripping and temporary storage of soils to both lower ground levels and screen via temporary bunding the proposed plant site. See Drawing No. KD.LCF.003

4.2 Phase 1 soils will be stripped and stored to place a temporary screen bund on the western boundary of the site. The removal of the soils and overburden

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from Phase 1 would facilitate a programme of progressive mineral extraction through phases 1,2,3 and final extraction of the plant site area with 'as dug' material being 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 will be placed. This would be achieved through a combination of direct placement of sequentially stripped soils and the progressive removal from temporary storage bunds of soil when mitigation measures are no longer required. It is envisaged that approximately 60,000 m³ per annum of imported inert material will be utilised within the restoration scheme.

4.3 The restoration strategy for the site is illustrated on Drawing No. KD.LCF .004. The restored landform reflecting both current site and local area elements and features will be designed, with land use returning to agricultural use together with enhanced landscape planting and potential biodiversity gains. A section of PROW ref FP 624 (B) which will require temporary diversion for approximately two weeks will be restored back on its original alignment during the process.

4.4 Detailed phased working and restoration schemes will be submitted as part of any planning application along with detailed volumetrics associated with soil and overburden stripping movement and placement for restoration purposes.

5.0 POTENTIAL ENVIRONMENTAL EFFECTS

5.1 The progressive soil stripping, mineral extraction, transportation to the plant site for processing and sale combined with the importation of a small volume of inert material to be used in conjunction with in situ-soils and associated activity to restore the site have been considered to predict significant direct effects and any indirect, secondary, cumulative, trans boundary, short-term, medium- term, long-term, permanent and temporary, positive and negative effect on socio economic topics.

5.2 Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) sets out the information that should be included in an Environmental Statement, including the aspects of the environment likely to be significantly affected by the development. These include;

- Population and Human Health
- Biodiversity
- Land
- Soil
- Water
- Air
- Climate
- Material Assets and Cultural Heritage

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- Landscape

5.3 Part 5 of Schedule 4 states that the Environmental Statement should provide a description of the likely significant effects of the development on the environment resulting from, inter alia;

- a) The construction and existence of the development, including, where relevant, demolition works
- b) The use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
- c) The emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste
- d) The risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
- e) 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
- f) The impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change
- g) The technologies and the substances used

5.4 The issues listed below follow the format required by the EIA regulations, with the addition of sections on noise, transport, recreational uses and international, statutory and other designations. A summary of the potential predicted effects is set out in the table below.

Issue	Predicted Receptor/ Effect
Population and Human Health	None- The proposed development is not considered to result in any increase in local population. Potential amenity effect on residential/ receptors are considered within the issues below.
Biodiversity	Potential effect- The vast majority of land within the proposed mineral extraction area of the site is under agricultural use. There are very limited sections of hedgerows within the site with adjacent woodland blocks and grassland. There are also a small number of individual trees on site. There are no statutory designated areas designated for biological interest within the site boundaries. An Ecological Impact Assessment (EIA) will be undertaken in accordance with the ECIA guidelines set out by the Chartered Institute of Ecology and Environmental Management (CIECM).

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Soils	Potential effect- The potential planning application will comprise ~ 45 Hectares of agricultural land and it is possible that part of the land area will comprise Best and Most Versatile land characteristics. Accordingly, a soil resource and agricultural land classification will be undertaken.
Water	Limited potential- the proposed development site lies some 30-40 metres above the local ground water table. In accordance with good practice, however, a Hydrological, Hydrogeological and Flood Risk Assessment will be carried out.
Air	Potential limited effect- The types of materials to be stripped / excavated and handled as part of the proposals are unlikely to result in significant air quality/ dust emissions. To assess the potential impact to local residential properties and to recommend any standard industry controls/ mitigation measures and Air Quality and Dust Impact Assessment will be carried out using relevant research and best practice guidance, e.g. The Environmental Effects of Dust from Surface Mineral Workings, Mineral Industry Research Organisation/ MIRO and LAQM TG (09).
Climate	Very limited potential effect- the proposed operational development is temporary in nature. During this period there will be an issue in HGV movement associated with the proposals. The potential effects of which will be considered as part of highways, air and noise assessments. It is assessed that no further assessment of climatic facts will be considered.
Material Assessments and Cultural Heritage	Potential limited effect – it is believed that the site formed part of extensive grounds of Lea Castle, a house built in the 19 th Century for an industrialist. The house now demolished, and elements of the wider parkland/ deer park removed e.g. Broom Covert in the 1960's. A Grade II Listed North Lodge (gate house) remains ~ 280 m to the north of the site with the Grade II 18 th Century Sionhill House, south of the site. Appropriate Archaeological investigations will be undertaken.
Landscape	Potential effect – the site is located within the National Character Area 66 Mid Severn Sandstone Plateau, Worcestershire Landscape Character Assessment Landscape Character Type Sandstone Estatelands. Areas of the site are also visible from public rights of way and residential and business properties and roads. The site also forms a part of a wider landscape setting associated with the now

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	demolished Lea Castle Property. A Landscape and Visual Impact Assessment will therefore be undertaken as part of the Environmental Statement in accordance with Guidelines for Landscape and Visual Impact Assessment Third Edition Landscape Institute and Institute of Environmental Management and Assessment.
Recreational Uses	Potential effect – There are both opportunities for informal recreational use through the site via the use of PROW and also formal equestrian-based activities. Brown Westhead Park and Playing fields are also located ~ 100 m to the west of the site. Potential effects will be identified and considered within the Environmental Statement.
Noise	Potential effect - there are residential properties in general proximity to the site and as such a noise study will review the advice relating to noise set out in National Planning Policy Framework (NPPF 2012) and the more detailed advice on noise at mineral working sites set out in the Planning Practice Guidance accompanying NPPF (PPG 2014, updated as web-based resource).
Transport	Potential effect - a new access will be introduced at a suitable location along the site frontage. The EIA will include a Transport Assessment to consider the implications of the scheme and the ability of the local highway network to accommodate the sites additional traffic movements with reference to anticipated markets, routes, existing traffic flows on the identified routes and the safety record of the routes.
International, statutory and other designations	No effect - no international designations cover the site.
Cumulative effect	Limited potential effect -An assessment will be made of the potential for cumulative effect which may result from incremental changes caused by other potential or present reasonably foreseeable developments/ activities together with the project.

5.5 Based upon initial works and the predicted potential environmental effects above it is proposed that the EIA /Environmental Statement associated with the proposed site development will comprise;

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- Ecological Impact Assessment
- Cultural Heritage/ Archaeological Investigations/ Assessment
- Landscape and Visual Impact Assessment
- Soil Resource and Agricultural Land Classification Survey
- Hydrological and Hydrogeological and Flood Risk Assessment
- Transport Assessment
- Noise Impact Assessment
- Dust and Air Quality Assessment
- Recreational Users Assessment
- Cumulative Impact Assessment.

5.6 It is customary in undertaking an EIA and preparing an ES to review planning policy at the national and local level as a context to the determination of the accompanying planning application. A general review of the planning policy in the context of the development plan will be set out within a Planning Statement which will accompany the application.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

6.1 The purpose of an EIA is to ensure that the environmental impacts of a proposed development are fully understood prior to granting consent. The procedure provides for the systematic assessment of environmental impacts, the development of measures to avoid and mitigate these effects and the incorporation of such measures into the design. This ensures that reliable information is available to the public and the planning authority during the decision-making process.

6.2 EIA involves a number of stages, which are broadly outlined below;

- Screening: It is considered whether the proposed development exceeds certain thresholds or will potentially result in likely significant environmental impacts that warrant an EIA.
- Scoping: The applicant seeks an opinion from the planning authority as to the issues that the EIA should address.
- Prediction: Specialists are engaged to undertake detailed reports on the relevant issues, to assess the impact of the proposal and to propose mitigation measures and amendments to the design, if necessary.
- Design: The project is reviewed and altered as appropriate
- Preparation of an Environmental Statement: An Environmental Statement (ES), including a Non-Technical Summary (NTS), detailing the impact of the proposed development and any mitigation measures, is prepared to inform the decision-making process. The ES is submitted with a planning application.

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- Consultation: The planning application process provided for consultation with statutory consultees and provides an opportunity for other parties to submit statements of objection or support, before the planning authority makes a decision on the application.
- Implementation: If the proposed development is granted consent, the required mitigation measures are implemented during the construction and operational stages of the development.

6.3 As outlined above, a request for a scoping opinion shall include:

- A plan sufficient to identify the land;
- The planning history and description of the site;
- A description of the nature and purpose of the development and of its possible effects on the environment;
- Such other information or representations as the person making the request may wish to provide or make.

6.4 Before adopting a scoping opinion, the planning authority shall take into account:

- The specific characteristics of the particular development;
- The specific characteristics of development of the type concerned;
- The environmental features likely to be affected by the development.

7.0 SCOPING REQUEST

7.1 The purpose of this Scoping Report is to outline the nature of the proposed development, and to identify topics and issues which appear to be appropriate for consideration as part of an EIA.

7.2 The proposal is for the extraction for ~3 million tonnes of a geologically confirmed sand and gravel resource on land at Lea Castle Farm, Near Wolverley, Worcestershire. The mineral would be worked over a period of ~10 years with the site restored progressively utilising both indigenous soils and overburden and approximately 600,000 tonnes of imported inert materials.

7.3 The Environmental Impact Assessment will be prepared in accordance with Schedule 4 of the 2017 EIA Regulations and will include;

- A description of the location of the development;
- A description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
- A description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
- An estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light,

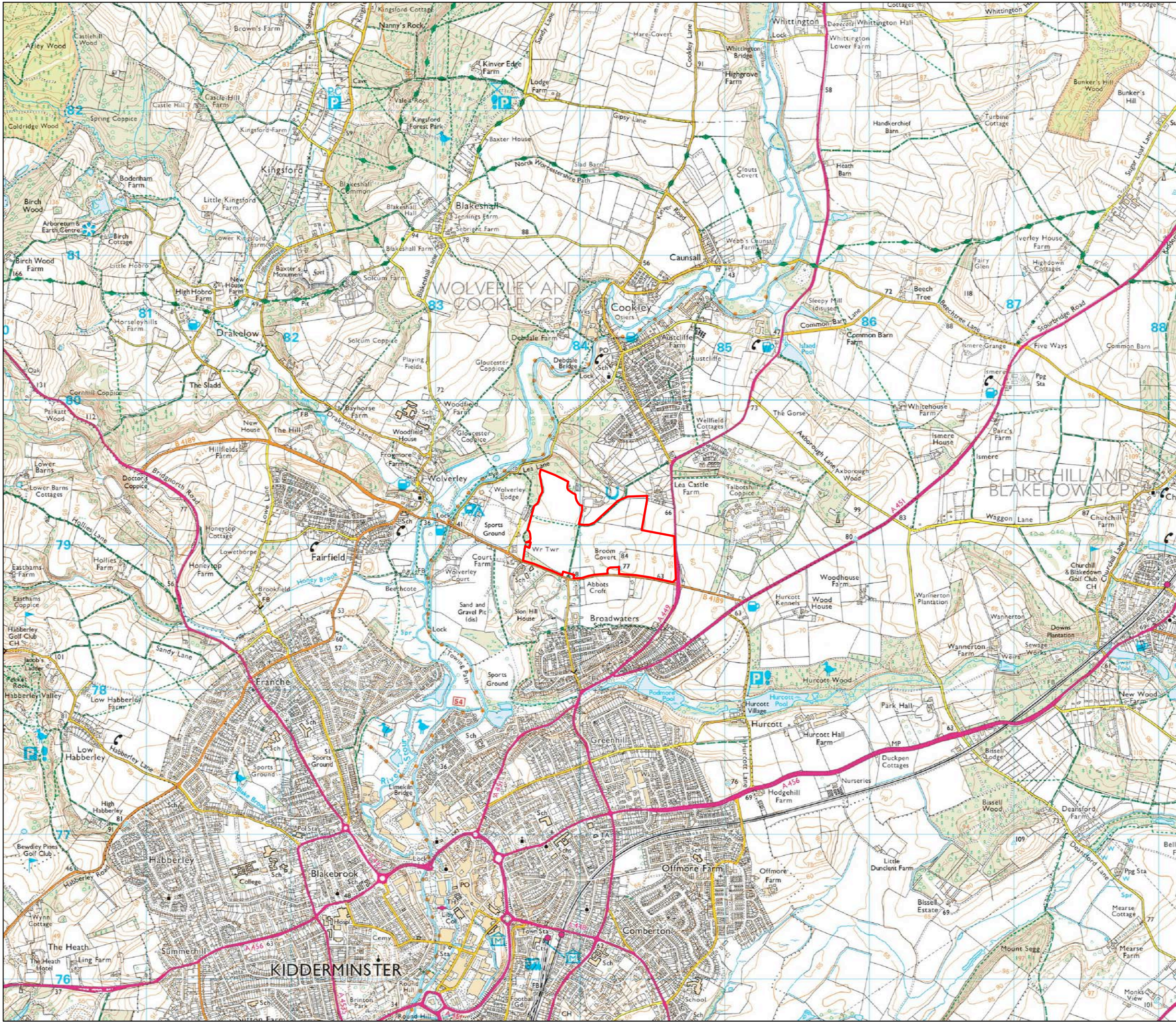
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heat, radiation and quantities and types of waste produced during the construction and operation phases.


- 7.4 The Report has sought to provide a considered and appropriate approach to identifying those issues which are deemed to require particular investigation. The information will hopefully be of assistance to Worcestershire County Council and its consultees in providing a formal opinion on the scope of the EIA.
- 7.5 Based upon consideration of the socio environmental topics within paragraph 4.4 of this report it is proposed that the EIA will address in detail the potential effect of the proposed development on;
- Ecology
 - Cultural Heritage/ Archaeology
 - Landscape and Visual Matters
 - Soil Resource and Agricultural Land Classification Survey
 - Hydrogeological and Hydrogeographic water matters
 - Transport and Highways
 - Noise
 - Dust and Air Quality
 - Recreation
 - Cumulative Impact
- 7.6 The applicant confirms that it is not intended that any other assessment work will be undertaken unless additional potential issues are forthcoming through Worcestershire County Councils Scoping Opinion. Where upon if reasonable and appropriate they will be assessed by specialists and be addressed within the EIA process.
- 7.7 On behalf of NRS Aggregates Ltd we therefore formally request a Scoping Opinion from Worcestershire County Council within the time period of 5 weeks required by Regulation 13(4).
- 7.8 In addition, in accordance with Regulation 13(4) the applicant requests Worcestershire County Council (and all consultees notified) to make available any baseline information considered relevant to the EIA.

Appendix A - Drawings

Drawing No. KD.LCF.001	Site Location Plan
Drawing No. KD.LCF.002	Current Situation
Drawing No. KD.LCF.003	Proposed Phasing/ Sequential Restoration
Drawing No. KD.LCF.004	Concept Restoration



Legend

 Proposed Site Boundary



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Ordnance Survey 0100031673

Title
Location Plan

Drawing Status Final	Drawing No. KD.LCF.001
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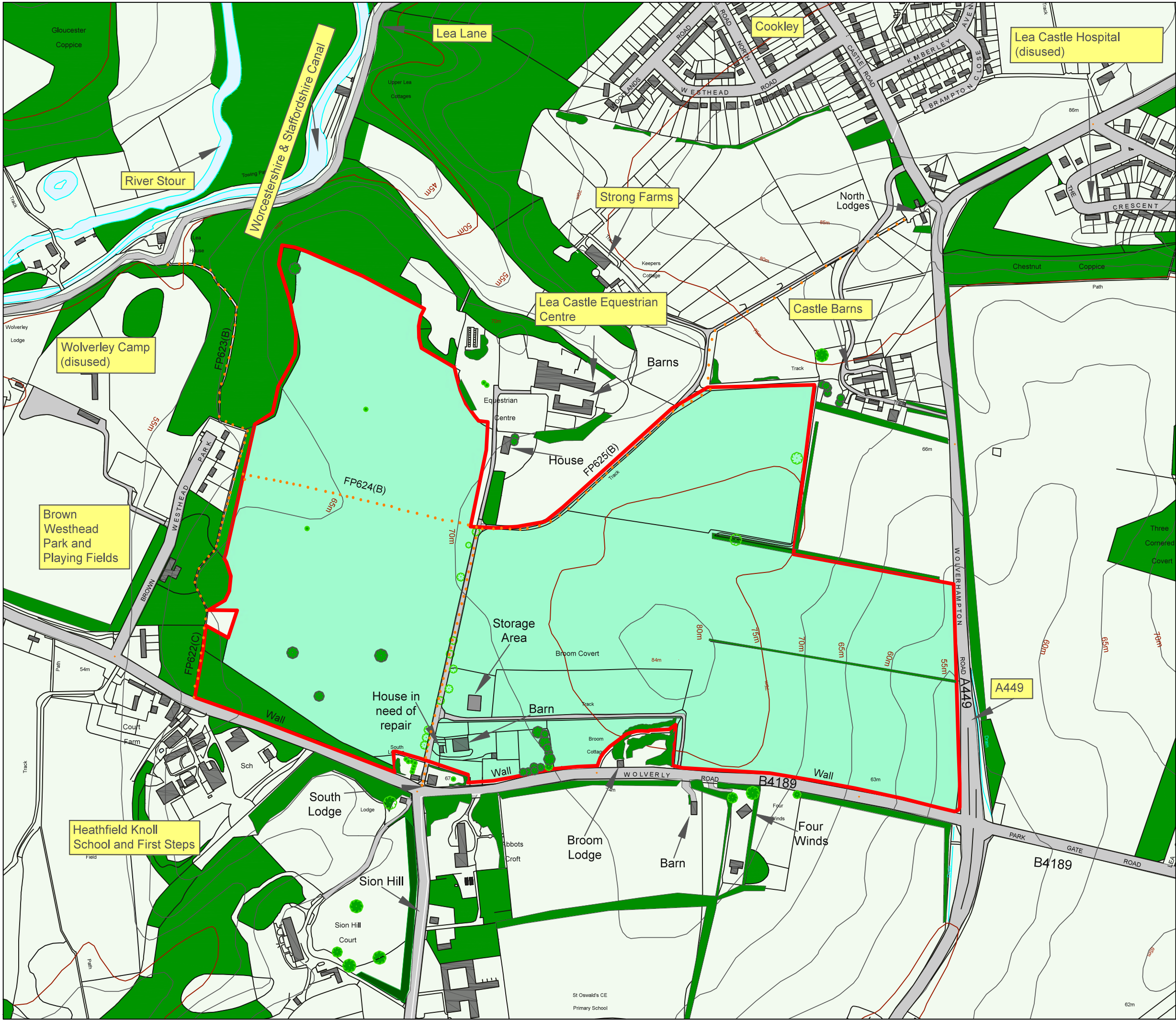
Site
Lea Castle Farm

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



Date
Apr 2018



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Legend

-  Proposed Site Boundary
-  Existing Woodland, Trees & Scrub
-  Existing Hedgerows/Hedgerow Trees
-  Existing Public Rights of Way
-  Existing Buildings/Structure/Roads and Tracks
-  Existing Contours Meters above Ordnance Survey
-  Existing Water bodies
-  Agricultural land within the planning application boundary
-  Surrounding land



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Ordnance Survey 0100031673

Title
Current Situation

Drawing Status
Final

Drawing No.
KD.LCF.002

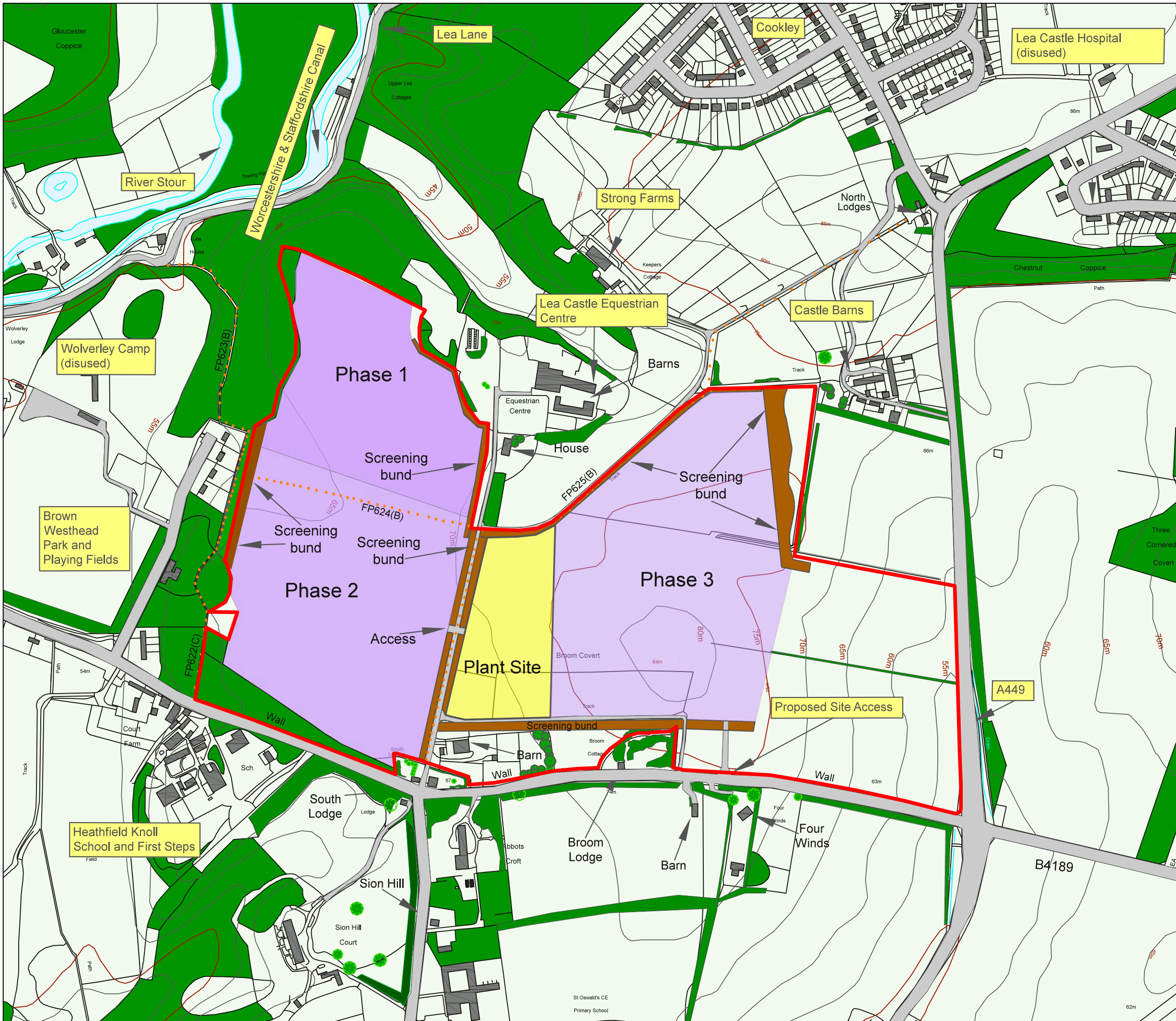
Project
Lea Castle Farm

Scale
1:5000 @ A3

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Legend

- Proposed Site Boundary
- Existing Woodland, Trees & Scrub
- Existing Hedgerows/Hedgerow Trees
- Existing Public Rights of Way
- Existing Buildings/Structure/Roads and Tracks
- Existing Contours Meters above Ordnance Survey
- Existing Water bodies
- Agricultural land within the planning application boundary
- Surrounding land
- Plant Site
- Phase 1
- Phase 2
- Phase 3
- Potential Temporary Screening Bunds

Note: Phased operations will be sequential followed by progressive restoration.

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Ordnance Survey 0100031673

Title
Proposals Plan

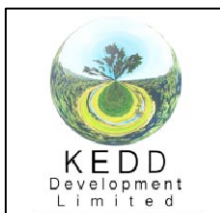
Drawing Status
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Drawing No.
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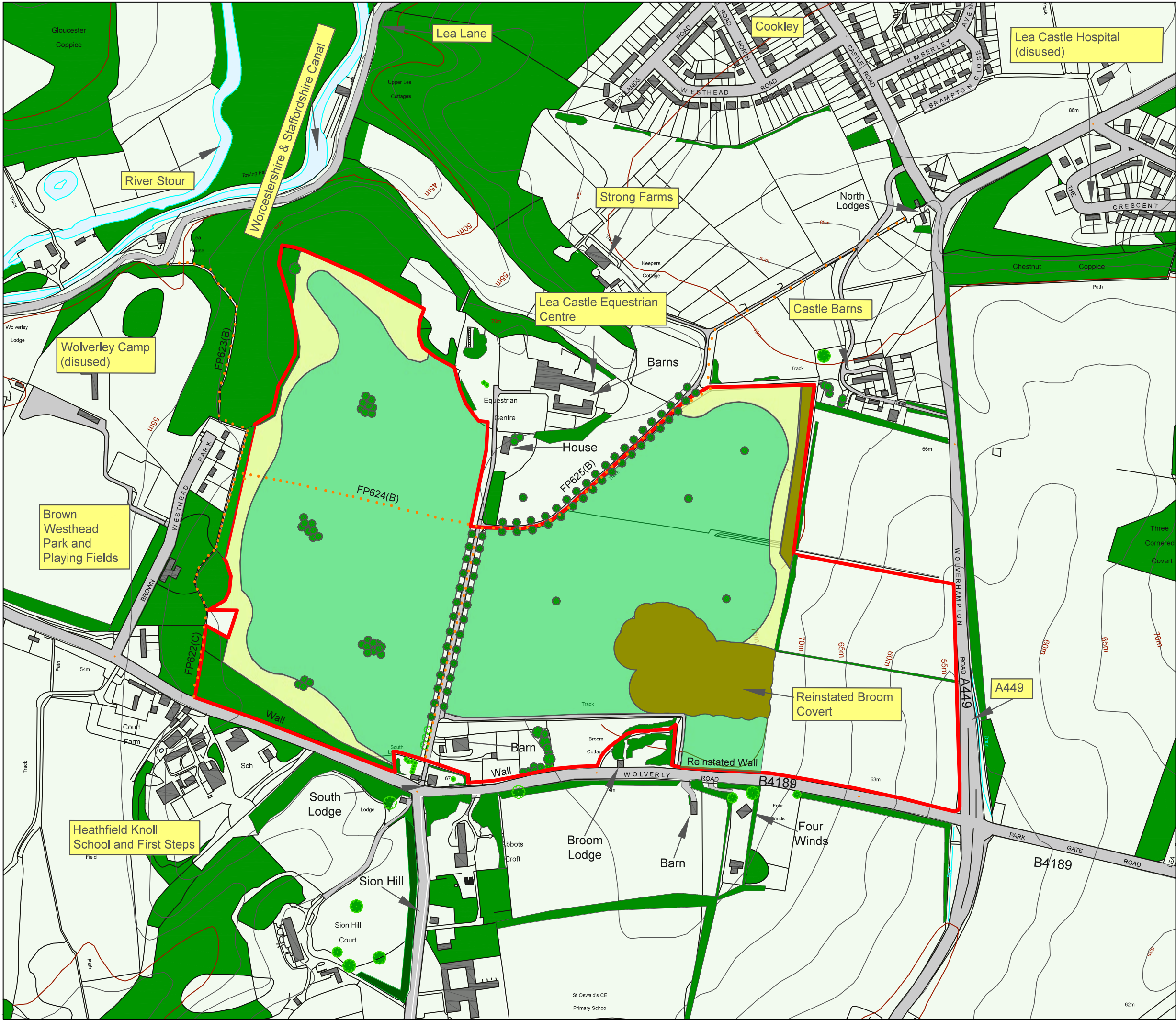
Project
Lea Castle Farm

Scale
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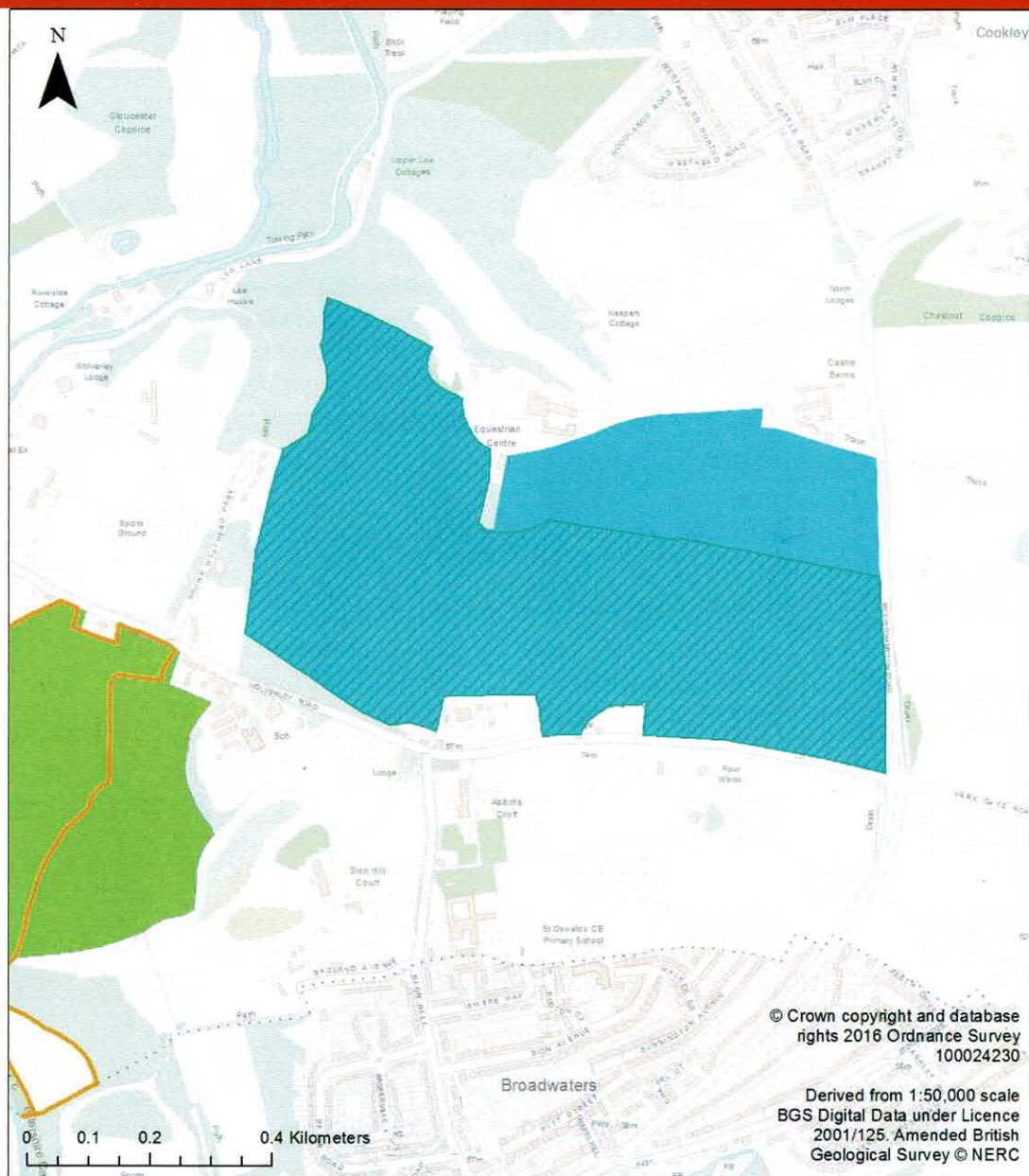


Appendix B

Land north of Wolverley Road (now known as Lea Castle Farm), Preferred Area Status within Third Stage Minerals Local Plan

Preferred Area: Land North of Wolverley Road (submission reference D026-2397)

Figure A2.4 Preferred Area: Land North of Wolverley Road



Legend

SiteName

- Strong Farms
- Land north of Wolverley Road
- Land south of Wolverley Road

Post 1954 Mineral Sites (Spring 2012)

- Status**
- Restored