



Northamptonshire County Council

Mark Hodgson
Savills (L&P) Limited
Unex House
132-143 Hills Road
Cambridge
CB2 8PA
mhodgson@savills.com

Please ask for: Mark Laurenson
Tel: (01604) 367197
Our ref: 12/00002/SCO
Your ref: CAPL/101297/A6
Date: 18 July 2012

Dear Mark,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2011: REGULATION 13 SCOPING OPINION

12/00002/SCO – Proposals for Scope and Content of an Environmental Impact Assessment for sand and gravel extraction and restoration at Great Billing, Northampton

I refer to your scoping report received 1 June 2012. The scoping report has been the subject of consultation in accordance with the above Environmental Impact Assessment (EIA) Regulations and copies of the responses received have been emailed to you by Emma White. No response has been received from Northampton Borough Council although the case officer has advised verbally that NBC has no particular concerns with the proposed scope of the Environmental Statement (ES). Should further responses be received I will forward them to you.

Overall I can confirm that the approach that you are advocating and the topics you address in the scoping report are considered to be acceptable and appropriate. This is reflected in the nature of the consultation responses which do not raise any major issues with the proposed scope of the ES but do provide useful comment and advice. To avoid unnecessary repetition, broad guidance provided by consultees has not been duplicated in this opinion. Please note the specific points which have been made in the responses and to which you are required to have regard. Many are similar to the consultation responses to your similar scoping request in 2009. In particular I would draw your attention to the following matters:

Development Plan

The Northamptonshire Minerals and Waste Development Framework (MWDF) is fully adopted and provides the relevant county level strategic guidance and policy. The Scoping Report refers to the MWDF Core Strategy and Locations documents at paragraph

Development Control, Planning
County Hall
Guildhall Road
Northampton, NN1 1DN
w. www.northamptonshire.gov.uk
t. 01604 367197
f. 01604 366065
e. mlaurenson@northamptonshire.gov.uk



Northamptonshire
County Council

5.7 but does not mention the Control and Management of Development DPD and the Development and Implementation Principles SPD. Both documents should inform the planning policy context for the ES.

Amenity Impacts

Air Quality (including Dust) and Noise

Dust and noise are considered likely to be the most difficult amenity issues to mitigate with regard to this site. It is acknowledged that control measures are proposed but the ES would need to demonstrate that impacts from dust and noise would be mitigated under these proposals. It is suggested that noise and dust management plans should be submitted at the application stage to help address these issues up front.

The air quality assessment should include assessments of potential impacts on ecological receptors as well as other sensitive receptors.

Odour

Odour has been raised as a concern in consultation responses. It is recognised by the Mineral Planning Authority (MPA) that mineral working and inert waste operations are not likely to generate odour issues but in this case the site was previously used for sewage sludge disposal. In light of this, and given the ongoing odour issues associated with the nearby sewage treatment works and composting site, it is considered that odour should be addressed in the ES.

Lighting

Information should be included in the ES to address amenity impacts from any temporary or permanent lighting and should be extended to include potential impacts on ecology.

Transport and Highways

The Highway Authority considers a transport assessment should be included with the ES. The Highway Authority has also requested a travel plan be included.

Traffic routing has been the subject of comment by Ecton Parish Council who wishes to see an agreement secured to prevent traffic travelling through Ecton. The routing agreement would likely need to be secured through a Section 106 legal agreement.

The response from the Highway Authority also points out that there are Public Rights of Way (PROW) and Byways running through and along the site, including the Northampton Round Route. The Highway Authority has commented that ideally these routes should be kept open and safe for public use and/or temporarily diverted and restored after extraction. The Highway Authority is however concerned that the proposed access road and internal haul road cross TE10 twice within the site. To help address concerns regarding PROW, the Highway Authority requests that any application should be accompanied by a construction management plan including detail of how the site would be managed with regard to TE10 and the need to minimise disturbance to users and the surface of TE10.

It is considered that this proposal provides opportunities to improve access to the area and the wider Nene Valley, especially if restoration proposals are amended in light of consultation responses. This should be explored through the ES.

Archaeology

The County Archaeological Advisor notes the proposals to produce a desk based assessment of the archaeological potential of the proposed development area and the suggestion that this will form the basis for a statement on the requirement for further works. The County Archaeological Advisor also suggests that the ES includes the results of both the intrusive and non intrusive archaeological survey and requests that the ES includes a figure showing the area to the north west of the allocated site which is to be excluded from working along with accompanying details as to how this area would be protected throughout operations and restoration.

Landscape and Visual Impact Assessment

Please have regard to the detailed comments from Natural England regarding designated landscapes and landscape character. Consultation on the third edition of the Guidelines for Landscape and Visual Impact Assessment has been undertaken. The ES should be prepared having regard to the most up-to-date published guidelines available.

Water Resources

Given the location (including land within flood zones 1 and 2) and the size of the site (greater than 1.0 hectare) the ES would need to consider all sources of flooding and provide a Flood Risk Assessment. Please see the EA's response for further detail of what would be required.

Contaminated Land

The intention to include an assessment of contamination is supported. The EA's response refers to a previous risk assessment at this site. In particular the EA is aware that there is a phosphate impact on the River Nene in this area and that any application would be expected to assess the potential impacts of working the contaminated land in light of previous sewage sludge disposal.

The EA has requested further information be included in the ES regarding how minerals are processed as it is considered wash waters could become contaminated. This would necessitate that settlement lagoons be built into the design to contain contaminated fines. The EA has also asked for clarification about proposals to avoid flood waters coming into contact with contaminated soils.

Soils

Detailed comments regarding soils have been provided by Natural England. These should be taken into account in preparing the ES. Impacts on agricultural land are particularly relevant to the site and the proposed restoration.

Ecology

Please refer to the detailed comments provided by RSPB, Natural England and the Wildlife Trust in conjunction with the paragraphs below.

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the Upper Nene Valley Gravel Pit (SSSI, SPA, Ramsar) and identify mitigation measures as may be required in order to avoid, minimise or reduce and significant adverse effects. This should include surveys to assess over winter use of the site by birds included within the Upper Nene Valley Gravel Pits SPA designation, including golden plover and lapwing. The scope of any necessary bird surveys, particularly overwintering birds, should be agreed with Natural England and the MPA prior to further surveys being undertaken.

Surveys for protected species, including for example great crested newts, reptiles, birds, water voles, badgers and bats, shall be undertaken within the area affected by the development. In accordance with the relevant guidance, any surveys submitted shall be undertaken at the appropriate times of year and be up-to-date.

As well as including statutory and non-statutory sites and protected species, the ES should include a full assessment of potential impacts on habitats and species of principal importance. Impacts on Local Nature Reserves, Wildlife Trust Nature Reserve sites, Local and Potential Wildlife Sites and Pocket Parks should also be assessed.

The ecological assessment should differentiate between the potential for enhancement and measures to mitigate or compensate for harm to nature conservation.

Restoration

Responses from the RSPB and Wildlife Trust include concerns about the proposed restoration. In particular the responses consider the site offers significant potential for restoration with biodiversity and green infrastructure benefits over and above what is currently being proposed. In particular it is noted the site is located within a Nature Improvement Area where restoring biodiversity is considered a high priority. There may also be opportunities through restoration to further improve flood alleviation measures.

Restoration proposals should be developed taking into account MWDF policies, most notably Policy CS13 of the Core Strategy (Restoration and after-use of minerals and waste development) and Policies CMD7 (Natural assets and resources) and CMD13 (Restoration and after-use). Detailed discussions with the RSPB, Wildlife Trust, Natural

England and the MPA on restoration are recommended in advance of any application. Restoration options should be explored further through the ES.

The MPA would like to point out that detailed restoration proposals for the adjacent Earls Barton Spinney quarry site are still to be agreed and could have a bearing on the land use and/or habitats that would be most suitable at the proposed site.

Cumulative Impacts

It is considered important that the assessment addresses cumulative impacts on amenity (noise, dust, odour), landscape, biodiversity (including green infrastructure) and highways matters. This assessment should relate to both impacts generated from the subject site and in conjunction with surrounding developments, (existing, approved, proposed and likely) in particular the two permitted quarries at Earls Barton Spinney and land west of Earls Barton.

Neighbour Consultation

There is a recognised need to consult at pre-application stage with local residents and parish councils. It is important that careful consideration be given as to how best to engage the residents of the Ecton Lane Travellers site. Darren Berwick at Northampton Borough Council has responsibility for managing the Ecton Lane site and recommends that the consultation be face to face, either by attending the site or arranging for a public meeting to be convened and appropriately communicated to the residents.

Planning Statement Matters

It would be helpful for all parties if any application gave consideration to proposed planning conditions and the content of the Section 106 legal agreement.

Please contact me if I can be of any further assistance.

Yours sincerely



Mark Laurenson
Principal Development Control Officer