



## Northamptonshire County Council

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Please ask for: Phil Watson  
Tel: (01604) 366638  
Our ref: 13/00003/SCO  
Your ref: Pitsford ROMP  
Date: 11 October 2013

Dear Mrs Pawson

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
(ENGLAND AND WALES) REGULATIONS 1999: REGULATION 13 SCOPING OPINION  
FOR PROPOSED REVIEW OF MINERAL PLANNING CONDITIONS (ROMP)  
RELATING TO CONTINUATION OF MINERAL EXTRACTION. LAND AT PITSFORD,  
BOUGHTON, AND MOULTON, NORTHAMPTONSHIRE.**

I refer to your letter dated 26<sup>th</sup> August 2013 which was a response to the Scoping Opinion I issued on the 30<sup>th</sup> July 2013. Your letter proposes a different approach to the future mineral workings and therefore on this basis it does enable a review of the scoping opinion I originally provided. Your proposal now is to restrict future workings by proposing a new planning condition to prevent any future working except in Phase 1 and to limit the extent of the Environmental Impact Assessment (EIA) accordingly. If in the future an application is submitted to vary the condition to enable another phases (or phases) to be worked the application would be screened under the EIA Regulations. Further information would be required either through an EIA or through reports accompanying the planning application, as appropriate and necessary at that time. On this basis I can confirm that the approach in the EIA Scoping Report for Phase 1 is generally acceptable. However, there are still some matters which were previously raised in the earlier scoping opinion which need to be covered.

### Air Quality

The scoping report includes an intention to include dust in the ES, and refers to a review of the Dust management Scheme. The ES should address dust as part of a wider assessment relating to air quality. The National Planning Policy Framework (NPPF) Technical Guidance document provides guidance on dust assessment and study including potential health effects of dust. The assessment of dust and air quality should include possible impacts on ecology and human receptors (residential and rights of way users). See Annex A to response from Natural England and comments by the County Councils

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Senior Environmental Planner (SEP). I see this being assessed in relation to the impacts of the remaining working in Phase 1, and the cumulative impacts associated with the proposed inert waste recycling and disposal operations associated with the Pitsford Pond application (reference 13/00001/WASFUL).

### Cultural Heritage

Whilst there is no mineral working proposed within Boughton Park this is a designated Historic Park and Garden with a number of Listed Buildings within. Other Listed Buildings and Scheduled Ancient Monuments are located within or nearby to the site of the Mineral Permission. Any impact on these designated areas and structures, including on their setting needs to be assessed as part of the EIA. The consultation response from English Heritage states that these matters should be scoped in to the ES. This can be restricted to any potential impacts related to the working of Phase 1.

### Cumulative Impacts

Pursuant to Part 1 (paragraph 4) of Schedule 4 of the Regulations the cumulative impact in respect of other development proposals should be included. In particular the current application in respect of Pitsford Pond should be taken into account.

### Non -Technical Summary

Schedule 4 of the EIA Regulations requires a non-technical summary of the information provided in respect of Part 1 and Part 2 of the schedule.

### **Other Topics to be Covered in the Environmental Statement**

Turning now to the topics which you scoped in to the EIA, these are agreed but I would point out that there is a lack of detail in the information you have provided to understand what the assessments will cover and how they will be done, for example reference is not made to any standards or guidelines which will be followed. I would draw the following in particular to your attention:

### Ecological Assessment

The 'Guidelines for Ecological Impact Assessment in the United Kingdom 2006 (IEEM 2006) provides recommendations on information and steps to be followed in relation to EIA. The information submitted in the scoping request doesn't refer to, or cover, the details as in these recommendations. It is therefore not possible to be clear what the intended assessment will cover. Natural England's response along with that from the SEP provides comments on the scoping report with particular reference to the 2006 Guidelines. Box 2 of the 2006 Guidelines provides recommendations on what ecologists should ensure regarding scoping and advises that the scope of EIA is discussed with the key consultees.

It is therefore advised that further information is provided and discussion takes place as a matter of urgency to agree more details on the scope of the assessments and to understand what work has previously been undertaken and is proposed to be undertaken. Related to this, reference should be made back to the previous Ecological Assessment by Robert Stebbings Consultancy (June 1997), the subsequent Great Crested Newt Mitigation report (September 2000) and Badger Survey (revised August 2001). Stebbings identified trees with potential for bat roosts in trees on the site including several on the boundary of Phase 1. The ES will be required to adequately assess the ecological and biodiversity impacts, including on Protected Species, to an acceptable, appropriate level. Legal case law on protected species prevents assessment being deferred to planning conditions.

#### Hydrology, Hydrogeology and Flood Risk

The Environment Agency consultation response provides comments on the approach to these topics, and considers this to be acceptable. Particular advice is provided in relation to flood risk. From a wider environmental perspective the local parish council have raised questions about the impact of workings on springs along the valley, and Grotto Spinney which is a Listed Building and also has a spring outfall. The assessment should cover the presence of springs and any potential impacts.

I have already provided you with copies of the consultation responses on the scoping request and reference should also be made to these in the Environmental Statement. Please do not hesitate to contact me if you require any further clarification in respect of the contents of this scoping opinion.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. P. Watson'. The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Development Control Manager

