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Dear Mr Denny

**PROPOSAL: EXTRACTION OF SAND AND GRAVEL FROM BROOM COURT FARM
BIDFORD-ON-AVON AS AN EXTENSION TO MARSH FARM QUARRY
WITH RESTORATION TO AGRICULTURE AND NATURE
CONSERVATION LAKES**

LOCATION: BROOM COURT FARM, BIDFORD-ON-AVON

I refer to our site meeting at Marsh Farm Quarry of 16th June 2005, attended by myself and Ian Grace from WCC and yourself and Pete Hember from Cemex. Thank you for showing us around the site.

I am now in receipt of most of the consultation responses in respect of the above application. Please find copies attached. As discussed, these have raised a number of issues and concerns with the proposal.

As you are aware, the application site lies within an area of high archaeological interest/potential. The County Archaeologist advises that the programme of archaeological mitigation proposed is inadequate. She considers that, in accordance with the findings of the Environmental Impact Assessment, it would be necessary for archaeological evaluation to be undertaken before the application is determined. A programme of archaeological evaluation would help to define the character, extent, state of preservation and importance of any archaeological remains present and would provide information useful for identifying potential options for minimising or avoiding damage to them.

The Upper Avon Navigation Trust have raised concerns regarding potential impacts the development would have upon water levels within the River Avon. They have suggested raising the level of the weir at Marcliffe to maintain water levels. This could clearly have implications in itself and I have asked the Environment Agency to comment. I would appreciate receiving your observations on this matter.



Our Countryside Recreation Team seek clarification on the proposed treatment of the crossing point of footpath AL17a and the conveyor (culvert?). They also suggest some potential mitigation measures for the effects of the development on the local public rights of way network, which I would appreciate your observations on.

A number of issues have been raised in respect of highway matters that require clarification/further information. Details of the site access onto the Salford Road (B439), including 10.5 metre radius kerbed turnouts on each side, visibility splays with a 'x' distance of 2.4 metres and 'y' distances of 215 metres to the near edge of the public highway carriageway and wheel washing facilities, are required. Details of the proposed box culvert under the B439, including method of construction and likely traffic management issues arising are also required.

Defra have indicated that there is sufficient soil reserves on site to restore a greater area of best and most versatile land. I would appreciate your observations on this.

I am still awaiting the comments of the Environment Agency. I understand that they will be having an internal meeting shortly to discuss the proposal after which they should be in a position to respond.

It is proposed to process mineral extracted from Broom Court Farm at Marsh Farm Quarry. This would involve the continued use of the processing plant and access at Marsh Farm beyond the cessation of mineral extraction. It would also require the development of new silt lagoons and surge pile for unprocessed mineral at Marsh Farm.

This clearly has implications in respect of permitted operations and restoration at Marsh Farm Quarry. The proposal would not accord with the terms of the original application and approved drawings of planning permission T/APP/H3700/A/88/97835. In addition, Condition 33 of the consent states that, 'within 6 months of the completion of the mineral extraction all equipment, plant, machinery and site roads shall be removed from the site'. Condition 25 requires, restoration of the site to be completed as soon as reasonably practicable in accordance with the approved plans, or in any event within 2 years of the completion of gravel extraction.

These matters are fundamental to the consideration of the Broom Court Farm application. It would seem to me that the two issues cannot be considered in isolation. Whilst, paragraph 9 of MPS 2 makes it clear that an environmental assessment of an extension or a modification to an existing site should concentrate on the effects of the proposed modification, it also makes it clear that it needs to take into account operations on the existing site affected by the modification. Clearly, aspects of the development relating to Marsh Farm Quarry have not been submitted as part of this submission. This application cannot be considered properly without this information. I would appreciate your advice on how you propose to address this problem. We are of the view that this cannot be achieved by simply amending the current submitted application.

The Regional Aggregates Working Party Annual Monitoring Report 2003 indicates that Warwickshire County Council has a land bank of 8.9 years. You will appreciate that existing permitted reserves within the County and current government guidance in this respect will be taken into consideration when considering the need for the proposed development.

Paragraph 4.9, Volume 1 of the Environmental Statement states that, 'the application site provides the only land within close proximity to Marsh Farm Quarry that is identified as either a Preferred Area or Area of Search within the Warwickshire Minerals Local Plan'. However, the Minerals Local Plan identifies another Area of Search (AS9) a little over a kilometre to the south-west of Marsh Farm Quarry at Abbot's Salford. Part 1, Schedule 4 of The Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 require Environmental Statements to include an outline of the main alternatives studied by the applicant and an indication of the main reasons for choice of site, taking into account environmental impacts. Given the similar proximity of AS9 to Marsh Farm Quarry I consider it would be appropriate for the Environmental Statement to indicate the reasons for choosing AS10 in favour of AS9.

Restoration plans submitted with the application detail lakes created to be used for fishing. Fishing lakes has impacts and implications of their own that would need considering. It was apparent from our discussion that this element of the restoration proposals is perhaps indicative rather than definitive. This matter requires clarification.

As discussed, the consultation exercise has highlighted concerns locally regarding the visual impact of the existing Marsh Farm site. This particularly relates to views of the northern end of the site from the public highway. You indicated on site that it could take 5 years to complete infilling and restoration of the quarry. This in itself is in conflict with Condition 25 of planning permission T/APP/H3700/A/88/97835. There would also appear to be scope to amend the phasing of the restoration scheme in order that the northern most visible part of the site is restored at the earliest opportunity.

For your information we are now in receipt of 505 letters of representation in respect of the application.

I anticipate reporting the application to the 27th November 2005 meeting of the Regulatory Committee. As indicated above I consider that we would have difficulty supporting the application in its current form. Once you have had an opportunity to consider the content of this letter I would appreciate receiving confirmation of how you propose to address the concerns/issues raised.

If you have any queries or wish to discuss the content of this letter please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, consisting of a series of connected loops and curves, positioned below the text 'Yours sincerely'.

Matthew Williams
Planning Officer