

### Supplementary Information

The following information will be reported to the Planning Committee at its meeting on 8<sup>th</sup> December 2015

#### **Agenda Item 4      Application No. 15/00015/OUT**

#### **Tadgedale Quarry, Eccleshall Road, Loggerheads**

Further comments have been received from the **Environment Agency**. They advise that they have recently been made aware of a Phase II Report submitted in support of this application, along with comments from members of the public and other consultees. They state that their original response was based on the contents of the Phase I report only and as such they agreed that development could take place on the site in principle, subject to conditions. They confirm that whilst their position remains unchanged they are not satisfied with the contents of the Phase II report.

Your Officer's attention has been drawn today to an item of correspondence that has been sent from **Loggerheads Parish Council** to all members of the Planning Committee. The following comments are made within this correspondence:

The agenda report on this application is incomplete and missing important information that has been available to Officers and on the Council's website for many months. The report fails to address the following issues:

- The 'quarry' was in fact a 'tip' for landfill between 1977 and 1994 and this is not referred to in the Committee report. A report has been submitted by a consultant but it is on the website as a representation from neighbouring residents.
- The geo-environmental reports fail to address all of the known history of the site and they haven't explored all relevant sources of local knowledge.
- The applicants are proposing a cut and fill exercise including importation of approximately 65,000 cubic metres. This would result in significant lorry movements and would risk mobilising contaminants that could pose a threat to the underlying aquifer. Neither of these aspects has been fully considered by the Planning Officer and should require Environment Agency approval and a separate planning approval from the Waste Planning Authority, in this case, Staffordshire County Council, and there is no evidence that the County has been consulted.
- Piling is being proposed to secure foundations but the Environment Agency has stated that piling shall not be permitted. The Committee report fails to address this.
- The Environmental Health Officer's response states that further site investigations are required that could result in additional remediation being recommended. Planning Officers are seemingly ignoring this.
- The Council appear to be ignoring the NPPF advice to take into account the cumulative effects.

Your Officer's comments are as follows:

- Although the Environment Agency states that they have only recently been made aware of a Phase II Contamination Report, the report was on the Council's website along with the Phase I Report at the time that they were

consulted. In any event, the Environment Agency maintains their position that they have no objections to the proposal subject to conditions.

- The summary of representations within the agenda report includes reference to public health concerns that the quarry has been used in the past as a refuse tip.
- The consultant's report submitted on behalf of the former owner of the site was forwarded to the Council's Contaminated Land Officer who advised that notwithstanding the content of the report, his comments remain the same, i.e. that he has no objections to the proposal subject to the imposition of conditions. Whilst acknowledging that both the Phase I and Phase II reports require revision, he is satisfied that the history of the site has been adequately recognised.
- Contrary to the assertion of Loggerheads Parish Council, the Contaminated Land Officer has not advised that moving fill from the north end of the site would not obtain the Council's approval, rather he has said that moving fill within the site will not currently obtain approval. To minimise cross contamination where possible, additional site investigations will be required before the movement of materials within the site can be agreed.
- Staffordshire County Council as the Mineral and Waste Planning Authority has been consulted on this application and their comments are provided within the agenda report.
- Contrary to the comments of Loggerheads Parish Council, the Environment Agency has not stated that piling shall not be permitted. Rather they have stated that piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority.
- Whilst the Contaminated Land Officer recommends additional site investigation, he considers that it can be controlled by condition. This is referred to in the agenda report and contaminated land conditions are recommended.

**The recommendation remains to PERMIT subject to the conditions indicated in the main agenda report.**