Application No: 13/0097/CWMAJM
Proposal: Extension of sand and gravel extraction operations including the retention of all existing site administration, processing and access facilities, with restoration of the extension and existing site to agriculture and species rich grassland using imported inert materials to recreate the original land form.
Location: Manor Farm Quarry, Washpool Lane, Kempsford, Gloucestershire, GL7 4NJ

We are aware of the strictures imposed upon us by the question of “relevance” to the specific application, but we are a small rural community, very much surrounded by gravel workings at various stages and the inability to give regard to issues “outside the box” poses some real threats. We are all forced to rely on “experts” and sadly this sometimes results in local communities feeling very much under represented, with their legitimate concerns inadequately addressed. What we see on the ground in our day to day lives is sometimes not reflected in the expert’s reports and documentation. Councillors, and Officers, will be aware of the weight and complexity of the information that accompanies this application. While we appreciate the legal necessity of this, the consultation process with lay parties is severely hampered. Consequently, we feel it necessary to make an appeal to our elected representatives to take whatever steps available to them to ensure that our concerns are given full consideration.

1. FLOOD RISK

1.1 The village of Whelford is vulnerable to flooding due to three key issues:
   1. Flash flooding. During heavy rain as experienced in 2007 and on the 24th December 2013 the increased volume of water from the air base and other drains within the village is unable to pass through the culverts under the Whelford Road.
   2. Height of water level in the Dudgrove Drain. When the water level is high it causes water to back up in the ditch and pipes alongside the cycleway of the Whelford Road, restricting the flow through culverts under the road.
   3. River flooding. When water is out in the flood plain the result is increased flows into the field ditches north of the village and through Church Farm, before the water works its way towards the Dudgrove Drain.

1.2 On the 24th December 2013 six properties in Whelford were flooded with two others experiencing flooding in their internal garages. Whelford Mill also experienced some flooding on the 4th Jan 2014.

1.3 A meeting of the various agencies and organisations, including RAF Fairford, Kempsford Parish Council, Gloucestershire Highways and Aggregate Industries was held in early February to discuss the recent flooding, and to look at ways to prevent a repeat in the future. A follow-up meeting is scheduled for the 2nd April 2014.

1.4 Gloucestershire Highways inspected the culverts under the Whelford Road in the days following the flooding and all were found to be clear, further investigation work on the drainage along the Horcott Road in Whelford is scheduled for March 2014.

1.5 All parties agree that the de-silting and clearance of the Dudgrove Drain is necessary and that consent from the Environment Agency should be sought. It is proposed that joint applications by the relevant landowners, RAF Fairford and Aggregate Industries should be submitted.

1.6 During the construction of the cycleway alongside the Whelford Road a number of outlets from the piped section should have been included to allow water to flow into the field with the landing lights (Phase 1), when the ditch is full. Gloucestershire Highways investigated this and it appears that these outlets were not put in. Highways are to investigate further.
The Flood Risk Assessment accompanying this application refers to the widespread flooding of the existing site during December 2012. It is important to note that the report was produced prior to the repeat flooding experienced in December 2013 and January 2014.

The recent flooding is more extensive than the previous year and well in excess of the areas identified in the Environment Agencies Flood Map. Attached to this report is photographic evidence of the flooding, with dates and the relevant phase numbers included.

Following two consecutive years of flooding, the wettest winter ever recorded, and the much-publicised prediction of more regular extreme weather, one must question the accuracy of the flood risk assessment prepared prior to winter 2013/14.

Our main concern regarding increased flood risk relates to the restoration phase rather than the extraction itself. As witnessed over the last two winters, having an open, empty quarry that can be filled with excess water from the Dudgrove Drain can be beneficial. As restoration progresses we strongly believe that the flood risk to Whelford, and downstream of the extension area, would increase to an unacceptable level due to the following factors:

- The incorporated buried gravel drains would be incapable of taking the volume of groundwater resulting in it backing up on the northern boundary of the restored site (closest to the village), and restricting its ability to act as floodplain.
- The speed of the surface water run-off would increase significantly, putting more pressure on the Dudgrove Drain and reducing its capacity to take water from north of the Whelford Road.
- The change of the composition of the restored land will affect the ability of water to drain through to the north of the Dudgrove Drain and will increase the flow downstream. This has been evidenced during the recent flooding. The River Coln is restricted when the Thames rises which results in the River Coln spilling over into the Dudgrove Drain, due to the drain being set at a lower level. This in turn can cause the Dudgrove Drain to back up further, yet again reducing its ability to drain Whelford.

We requested further information on the proposed gravel drains to be incorporated in to the restoration. Apparently the Planning Consultant has advised that no specifications of these drains be included within the application documents as from past experience details are better agreed with the planning authority and EA at a later stage, once it is clear what sort of materials have been placed back into the quarry. We regard this as highly unsatisfactory. We would be grateful if answers to the following questions could be provided:

1. How would the permeability of restored materials be analysed?
2. Is the effectiveness of these types of drains reduced over time due to soil and silt washing through the gravel?
3. If after restoration, the village of Whelford experienced more extensive flooding as a result, who would be responsible and how would it be rectified?

Overall we consider Whelford to be in a very fragile position in terms of flood risk, and any changes to the hydrology and geo-hydrology in the area would have huge adverse impact.

National Planning Policy Framework (NPPF) Paragraph 14 clearly states that for plan making and decision-taking purposes, development should be restricted for locations at risk of flooding. It also states approval should not be given where ‘any adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole, or specific policies in this framework indicate development should be restricted (locations at risk of flooding).

In addition to the flood risk to Whelford, we ask that serious consideration be given to the potential bird strike risk to RAF Fairford as a result of the frequency of vast amounts of open water being created by extraction site flooding. Paragraph 144 of the NPPF states ‘When determining planning applications, local planning authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety’.

Following the December 2012 flooding, Aggregate Industries were unable to operate for many months and this is expected to be the case again this year. This questions the sustainability of the development in terms of staff employment and supply chain availability.
1.16 We consider the application to be contrary to the NPPF and that there are substantial grounds for Gloucestershire County Council to refuse this application.

2 IMPACT ON WATER RESOURCES

2.1 The river Coln floods its banks to a greater of lesser extent every winter. In places the riverbank is in a very poor condition, with breaches currently in need of repair. Given the relatively short distance between the active river and the gravel workings has natural seepage been considered? In the summer months the river often runs very low, could the inevitable changes to the ground water levels through extraction and pumping result in the river running dry – a real concern given the closeness of the workings? Whether of not the Environment Agency considers this to be a source of concern, it is a source of concern to the local community and we require evidence that it has been properly addressed.

3 TRANSPORTATION AND TRAFFIC

3.1 We are deeply concerned about the projected increase in HGV traffic (61%) that would pass through Kempsford as a result of this application.

3.2 As stated in the Transport Assessment under section 2.5.2, the Cotswold Water Park Eastern Spine Road remaining schemes was reviewed in 2013. These include a historic scheme for the provision of a new offline carriageway linking Mt Pleasant and Top Road, Kempsford with the Whelford Road, bypassing ‘Allotments Corner’.

3.3 The Allotments Corner junction is unsuitable for the existing volume and size of vehicles using it. Lorries are unable to pass each other when they meet at the junction due to the large swing out required to navigate the corner, regularly resulting in vehicles backing up. This not only creates noise disturbance to residents but also increases air pollution.

3.4 The findings of the review referred to at 3.2 above recommended that the Allotment Corner Scheme (6978E) should be retained to address safety concerns associated with the movement of HGV traffic. As part of the Technical Appraisal & Findings it concluded that although a review of accidents has not indicated a safety issue in the immediate vicinity of the scheme, it is acknowledged that there are safety concerns at the Top Road/Whelford Road junction due to constrained turning manoeuvres by HGVs and perceptions of excessive speed. Cabinet approved the recommendation for the scheme to be retained at a meeting in Feb 2014.

3.5 Clearly the proposed intensification of HGV usage is unacceptable without any major improvements to the existing junction. We strongly disagree with the statement in paragraph 16.4.5 of the Environmental Statement that ‘The work has identified no road safety issues warranting mitigation as part of the development’, and paragraph 16.4.7 that ‘The transportation and traffic resulting from the proposed extension will not cause an unacceptable impact upon human beings’.

4 LANDSCAPE AND VISUAL CONSIDERATIONS

4.1 Properties situation along the Whelford Road, to the north of the site boundary, will be within 150 – 200 metres from Phase 1 and Phase 2A workings.

4.2 Views from these properties are currently across open fields and although for some it includes the aircraft landing approach lights, they are not considered obtrusive due to the height and size within the wider landscape.

4.3 It is proposed that a three-metre high soil bund be constructed to the north of Phase 1 as mitigation for noise and dust. This bund will be at a distance between 50 and 200 metres from properties along the Whelford Road closest to Phase 1.

4.4 A straw-bale bund is proposed to protect properties closest to Phase 2A, at an approximate distance between 220 and 250 metres.
4.5 The Landscape and Visual Conclusions stated in paragraph 8.4.1 of the Environmental Statement state ‘While certain visual effects were found to be significant, these were limited to only small portions of the overall development, each lasting for only relatively short periods of time’.

4.6 Phase 1 extraction is expected to take place over a 2.5 to 3 year period, with restoration achieved within 3 years of commencement. Therefore, providing extraction and restoration is as projected, properties along the Whelford Road could expect significant adverse impact for a minimum of 5.5 to 6 years.

4.7 Phase 2A extraction is expected to take approximately 1 year. Restoration time is only quoted for Phase 2A and 2B in total, but it is presumed that it would take a minimum of a further 1 year to complete. Therefore properties that have views over both phases could expect the total impact to last a minimum of 7.5 to 8 years.

4.8 These timescales cannot be regarded as a ‘relatively short period of time’. Past experience of quarry restoration, both with Aggregate Industries and other local operators, would indicate that in reality the periods of time are likely to be longer than those quoted. The value of the properties concerned would be severely affected by this development, in addition to the visual amenity.

4.9 Both soil and straw bunds must be judged to be just as intrusive as the mineral workings themselves, and, in any event, will fail to obscure the workings fully. The suitability of a straw-bale bund and its appearance after 2 years is also highly questionable, especially given the degradation of straw when in contact with water, be it from above or below.

4.10 We agree that the visual impact of work beyond Phases 1 & 2A is significantly reduced due to the mature hedges, trees and vegetation and request that any permission granted should exclude these early phases.

5. NOISE

5.1 Paragraph 30 of the Technical Guidance to NPPF states ‘Subject to a maximum of 55 dB(A)LAeq, 1 hr (free field), mineral planning authorities should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10 dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10 dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55 dB(A)LAeq, 1h (free field). Evening (1900-2200) limits should not exceed background level by more than 10dB(A) and night time limits should not exceed 23 dB(A)LAeq, 1h (free field) at noise-sensitive dwellings.’

5.2 As stated in the Noise Impact Assessment, for the nearest separation distances, the calculated site noise levels for extraction and restoration operations for all dwellings are below the normal daytime noise limit of 55dB LAeq, 1h (free field) but are more than 10 dB(A) above the average background noise level for daytime periods as measured at the locations for Top Road for the four selected dwellings in Whelford. This is unacceptable.

5.3 By removing Phases 1 and 2A from the application it would reduce the calculated site noise level to 45dB LAeq, 1h (free field, i.e. 10 dB(A) above the average background noise level, and within the limits suggested in NPPF Technical Guidance.

6. AIR QUALITY AND DUST

6.1 All the properties along Whelford Road, Whelford, are the nearest and most sensitive residential receptors to the extraction area.

6.2 The Air Quality and Dust Assessment accompanying this application identified the predominantly south-westerly winds observed in this area that have the potential to disperse dust towards these receptors. This is particularly important due to the very open landscape around Whelford created by the expanse of RAF Fairford. The report states that mitigation measures need to be instigated to reduce the impact to these properties.
As stated for Noise and Landscape & Visual Considerations above, the removal of Phases 1 and 2A would mitigate for this impact.

7. **NATURE CONSERVATION AND ECOLOGY**

7.1 We fully support the need to mitigate for the impact on species identified. In particular we consider the replanting of hedges using the same or similar native species should be carried out at the earliest opportunity.

7.2 The ecological report found no evidence of water vole or otter on the site. Water vole have been recorded in the ditch alongside the Whelford Road (north of Phase 1) and in 2013 an otter was killed on the road close to this location (by the road entrance to Phase 1 by the landing lights). The Cotswold Water Park Society are aware of these sightings and we therefore suggest their input in sought on this matter. Otter have also been regularly spotted on the River Coln.

8. **RIGHTS OF WAY**

8.1 Any opportunity to increase and connect the public rights of way network is welcomed. As a Parish we are very short of public rights of way and those we have are threatened by aggregate extraction.

8.2 Footpath BKD19/3 that runs from Washpool Lane along the southern bank of the Dudgrove Stream connecting to Footpath BKD19/2 does not appear on the final restoration works plan. As other footpaths outside the application area are shown, we seek urgent clarification that there are no plans to apply to close this footpath.

8.3 Results from a Parish Plan Questionnaire in 2012 show that 86% of respondents consider existing footpaths/bridleways within the Parish are important, and 80% are in favour of the creation of additional footpaths/bridleways.

8.4 We fully support the proposed diversion of path BKD28/2 around Phases 5 and 6 that creates a link to the terminal end of path BKD19/1.

8.5 The new section of footpath from the terminal end of path BKD19/1 to Dudgrove Farm is also welcomed, however we believe this footpath should be a Public Right of Way and not a Permissive Footpath. Currently, public rights of way exist from Whelford through to Dudgrove and we consider it important to protect this status.

8.6 We would also like to see the creation of a public footpath link from BKD19 north along the RAF airbase fence to connect with the replacement route in the phase 1 area that joins to the Whelford Road. This link is particularly important given the proposed increased lorry movement on Washpool Lane as a result of this development. Washpool Lane is a popular route for residents as it connects Kempsford to Whelford, avoiding the main road.