
From: Curley, Jane
Sent: 05 October 2022 10:33
To: Planning Comments (SMDC)
Subject: FW: Application SMD/2022/0014 and the ESA

Categories:

Jane Curley (Mrs)
Senior Planning Officer (Majors & Commercial)
Mobile

From: SheilaWalters
Sent: 25 September 2022 23:52
To: Curley, Jane
Subject: Application SMD/2022/0014 and the ESA

Dear Mrs Curley

Re planning application SMD/2022/0014

The EIA submitted in 2016 for the outline permission 0378 is being used as the mainstay for the above application but supplemented by an addendum which purports to assess whether the EIA prepared to support the 2016 outline application, remains adequate to assess the significant effects of the development on the environment, including those matters which should be taken into consideration when determining the outfall application.

However the original EIA is from 8 years ago and much has happened in the quarry particularly as regards changing ecology and the colonisation of new species of flora and fauna as a result of the neglect of the site and non-development of key areas and the on going failure to restore the quarry in accordance with the 2014 restoration plan.

These are key factors that should be accounted for especially when you read the critical report of SWT regarding the application SMD/2019/0716 which is based upon the same 2016 EIA.

The tree reports that were supplied are also no longer valid.

Also you have been informed already that the annual ecological reports that were to be submitted to SCC by Bowland Ecology the agents on behalf of Laver Leisure in order to comply with the agreed 2014 restoration plan, ceased in 2017. Neither has the 5 year ecological review taken place in accordance with same agreement.

Clearly therefore the 2016 EIA is not up to date with current conditions and cannot be relied upon in this instance.

However that may be, if you have by now properly examined the Environment Statement Addendum submitted to you last December by AY in support of the above application, you will have observed that it contains some

information which is clearly untrue, or inexact and therefore cannot be accepted to support this application.

It is prefaced with an assumption that (quote) "An outfall was always envisaged as part of the approved leisure development. The outline drainage strategy demonstrated that an outfall from Quarry 3 was required to deliver a suitable long term hydrological regime on and off-site. Therefore, the principal (S/C) of the outfall has been previously established."

Whether it was a chief person in charge of the outflow or a cash down payment as erroneously stated, remains uncertain, as does the implication of a principle of the outflow being established by virtue of the grant of an outline permission that only covers the area in red and not the area involved in this application which is a stand alone or discrete one.

Indeed the principle of an outflow in quarry 3 was established by Sibelco who constructed one as a safety measure but which the applicant's agents destroyed illegally in June 2021.

The preface concludes that "The assessment information presented within this ES Addendum has confirmed that the proposed outfall has not changed the significance of effects identified in the 2016 ES, nor identified any new significant effects as a result of the proposals."

Unfortunately there are a number new significant effects arising from the proposal which have been the subject of recent correspondence recorded on the application file and which have not been addressed.

For example on page 11 in reference to the current site conditions, para 3.5 of the report states

1. **Current Moneystone Site Conditions**
2. 3.5 With the exception of the ongoing restoration works on site, there haven't been any further demolition or construction activities at Moneystone Quarry since planning permission was granted for the 2016 outline application

Unfortunately this is blatantly untrue.

The unauthorised excavation and destruction of the existing outflow safety system at the SW corner of quarry 3 which was carried out in 2021 and which your authority has investigated and verified, is clear evidence of the disingenuity of the statement and it should be removed.

In the section of the report which deals with the context for the proposals, it states that 1.7 that "the end result of all of the above will be to potentially reduce the risk of flooding downstream by increasing the lag time from a rainfall event to peak flows in the local watercourses and then ultimately the River Churnet.."

It won't because the outfall will release the water entering the lagoon at the same rate as it flows in. Also because the lake level will be at a constant height because of the outflow, it does not allow for ground saturation to take place during such an event that would naturally happen if the lake was not there.

However the most horrific and unacceptable design fault of the proposed development is specified in the technological description of the outfall channel itself in para 5.4, where it details that the channel connecting the water in the lagoon / lake to stream A will be *600 metres wide at the base and 500 metres deep, vertically sided and leading to 1.6 metres width at the bank top.*

This is impossible as all the water in the lagoon will have drained away, together a significantly portion of the landbridge that forms the southern flank of the quarry.

No amount of site management and ecological mitigation measures can offset such destruction.

Undoubtedly with that construction there will be a major change to the Assessed Landscape impacts identified in the 2016 EIA report with radical alteration to the topography; to the visual effects of the 17 viewpoints identified in the 2016 report, as well as residual and cumulative impacts.

The Environmental Statement Addendum ESA also does not take any account the archaeological impact upon the structures identified by fieldwork during the preliminary investigation into application SMD/2019/0725 (now withdrawn) but still in situ in stream A .

Chapter 10 Archaeology and Heritage of the 2016 EIA also does not account for it.

The hydrological flow pattern shown in fig 1.1 on page 4 of the ESA is also incorrect as is the pre quarry 3 catchment area which does not take account of the input of water from quarry 2, some of which is polluted from seepage of residual toxic chemicals in the tailings within the unrestored areas of quarry 2.

Historic photographs from the quarry archive reveal the presence of above ground flows into the extraction pit that was quarry 3. These continue but now as sub surface basal flows from the NE corner of quarry 3.

Given the errors and inexactitudes this report cannot stand scrutiny and as such, you, as the case officer considering this application, should refuse to accept it as appropriate in its given form.

It would seem sensible therefore to refer the whole statement back to AY and require them to resubmit a more up to date and accurate account of the environmental issues surrounding this application.

I should be grateful therefore if you would kindly

a) acknowledge receipt of this letter

b) advise as to what you intend to do regarding the acceptability of the ESA as it stands and how you propose to deal with it

c) place this letter on the file as an objection by CVCS to the application on the grounds that the ESA is both flawed and insufficiently accurate or researched to warrant consideration as supportive evidence for the proposal.

Thank you.

Yours sincerely

David Walters

Secretary

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