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Ms Carole Howarth
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Our ref: RA/2023/145760/01-L01
Your ref: 23/00829/MCF
Date: 19 May 2023

Dear Ms Carole Howarth

Re-opening of Horn Crag Quarry for the purposes of releasing a proven locally distinctive building stone resource.

Land At Grid Ref 405268 447763 Fishbeck Lane, Silsden, Keighley, BD20 0NP.

Thank you for your email dated 26 April 2023 regarding the above site.

We have given this further consideration and have decided that in order to gain the information we require we will object to the proposed development. We are objecting to this development from the perspective of the impacts to the water environment.

Environment Agency position

We **object** to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 174 of the National Planning Policy Framework.

This objection is also supported by Policy EN8 of the Bradford Core Strategy adopted July 2017.

Reason

Our approach to groundwater protection is set out in 'The Environment Agency's approach to groundwater protection'. In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value. In this case position statements N7 and N8 apply:

Statement N7

"Developers proposing schemes that present a hazard to groundwater resources,

Cont/d..

quality or abstractions must provide an acceptable hydrogeological risk assessment (HRA) to the Environment Agency and the planning authority. Any activities that can adversely affect groundwater must be considered, including physical disturbance of the aquifer. If the HRA identifies unacceptable risks then the developer must provide appropriate mitigation. If this is not done or is not possible the Environment Agency will recommend that the planning permission is conditioned, or it will object to the proposal."

Statement N8

"Within SPZ1, the Environment Agency will normally object in principle to any planning application for a development that may physically disturb an aquifer."

The Environment Agency will only agree to proposals that could obstruct groundwater flow where mitigation measures can be agreed. There must not be an unacceptable change in groundwater levels or flow due to the proposal.

Groundwater is particularly sensitive in this location because the proposed development site:

- is within 50 metres of a spring used for the supply of water
- is located upon secondary aquifer A

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed.

In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because the Hydrogeological Impact Assessment (HIA) entitled Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021 does not adequately address the risk posed by the proposed quarrying activities to the quality of the spring situated in the quarry and used for potable supply.

Specifically, they do not state that potentially polluting activities will not be carried out within Source Protection Zone 1 (SPZ1) for the spring used for potable supply. In 'The Environment Agency's approach to groundwater protection', position statement B3 states:

Statement B3

"All groundwater abstractions intended for human consumption or food production purposes have a default SPZ1 with a minimum radius of 50 metres. In some cases depending on the volumes abstracted, a default SPZ2 with a minimum radius of 250 metres applies."

The supplied HIA does not acknowledge that parts of the proposed development area lie within this default SPZ1.

In addition, although the applicant states in Horn Crag Quarry Hydrogeological Assessment Report Reference: 3080/HIA Final January 2021, Hafren Water, Section 5.1 that:

"All mineral extraction will be undertaken above the watertable. Consequently, impacts to the existing groundwater flow regime or groundwater levels are not predicted. There is consequently not considered to be any potential for impact upon the volume of water

received at the spring collector water supply and mitigation measures are not proposed."

They also state that:

"Data on groundwater levels is limited to measurements made in the summer of 2019 and the scale of natural seasonal variation is unknown. Higher winter water levels are possible."

Therefore it has not been demonstrated that there won't be "an unacceptable change in groundwater levels or flow due to the proposal" (The Environment Agency's approach to groundwater protection, N8).

Overcoming our objection

In accordance with our approach to groundwater protection we will maintain our objection until we receive a satisfactory HIA that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Specifically, the HIA needs to be updated to:

- recognise the presence of a potable spring supply with a default SPZ1 of 50 metres;
- propose mitigation measures to ensure the potable spring supply is protected;
- establish the highest anticipated water level

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

Please quote our reference number in any future correspondence.

If you have any queries please contact me.

Yours sincerely

Miss Michelle Kidd
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