

Jones, Michael

From: info@nelsonplanthire.co.uk
Sent: 15 September 2022 13:12
To: Jones, Michael; Bowker, Andrew
Cc: Matthew.Tanner@environment-agency.gov.uk
Subject: RE: Whitehouse Field - Additional Information Required

Importance: High

Matthew,

Thank you for your email. Michael has forwarded these to me as he is currently on holiday. I have tried to call and left a message.

In order to ensure that you have the information quickly for the 2 key issues you have identified which hopefully will assist the process, I will outline below.

The first issue ref the obligation: For clarity we do not seek to rely on the inspectors comments from the first hearing whereby it was noted that additional material is needed to complete the works. In this regard we would ask that you consider the notes from the second appeal hearing which is contained within the WRP at section 1.1.18 & Appendix K paragraphs 13,15,& 16. The crux being that we are at risk of a completion notice being served on us by the LPA which the EA accept in the last hearing was a clear obligation on ourselves. This is further substantiated by the letters from the LPA at appendix C (pages 30-32) & Appendix D (pages 33-34). It is explicitly clear that the second appeal hearing supersedes the first appeal in so much as the obligation and the evidence which came to light after the first hearing and was agreed in the second hearing with both the LPA and the EA make it clear of the obligation.

The second issue you have identified being the volumes of waste needed. These are contained within the agreed plan with the LPA and are detailed within the WRP at 1.1.21 and Appendix L (pages 55-56). Appendix I (pages 44-45). (Appendix C (pages 30-32). Appendix D (page 34).

Within the WRP the reference made to condition 6 of the planning permission is only to confirm that this condition has been satisfied and that a plan has been agreed and therefore discharged. We do not seek to rely on this as part of the obligation.

You make reference to bunds which I am slightly confused over, the bunding is only temporary around the site set up area whilst works ensue and the volumes contained within them has already been factored into the calculations detailed within the WRP and agreed with the LPA. The work needs to be completed to avoid a completion notice being served against ourselves, this was accepted at the last hearing by the EA as a clear obligation on ourselves and is included within the WRP as evidence.

With regards to your separate note: There has been other material deposited on the site under previous permits over various years but the works detailed within the planning permission remain incomplete.

The very minor works recently done on site is a safety feature and in line with our H&S advice and in order to maintain our obligations under CDM before commencement of the works. This work has been done under exemption and will remain present throughout the works phase but will be removed from the site prior to the completion of the works, therefore the volumes remain unaltered and as contained within the WRP and agreed with the LPA.

There are also some primary and recycled aggregates on site in order to ensure temporary haul roads can be constructed if needed in order to facilitate the works, should this be necessary then any temporary roads needed to assist in access will be removed prior to completion of the works. We have demonstrated that the minimum volume of waste is to be used within the drawing agreed with the LPA and calculation annexed thereto, this is in line with both planning inspectors findings and will avoid any completion notice.

Please do feel free to contact me further should you need any more information, I believe Michael returns from holiday next week.

Kind regards,

Simon Nelson



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Mobile: 07920 100 120

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Confidentiality Note:

This message is intended for the named person above and may be confidential, privileged or otherwise protected from disclosure.

If it has reached you by mistake please contact the sender on 01264 726121 and delete the message immediately.

From: Jones, Michael <Michael.Jones2@tetrattech.com>
Sent: 13 September 2022 16:36
To: info@nelsonplanthire.co.uk
Subject: Fwd: Whitehouse Field - Additional Information Required

Sorry Simon in Germany these came through late last week

Michael Jones
Tetra Tech

From: Tanner, Matt <Matthew.Tanner@environment-agency.gov.uk>
Sent: Thursday, September 8, 2022 1:29:18 PM
To: Jones, Michael <Michael.Jones2@tetrattech.com>
Subject: Whitehouse Field - Additional Information Required

Afternoon Michael,

Apologies for no earlier update. I have recently returned from Annual leave, and have discussed your application with the deposit for recovery lead. Taking into account the previous discussions and the Waste Recovery Plan provided, we are going to need some further information before we can conclude the activity as recovery.

At the moment, our key issues are that I cannot see clear evidence of the obligation to carry out the work, and need clarity on the volume of waste required.

We can see that the decision document from the first appeal hearing states the additional material was needed to complete the original scheme, but this does not constitute a specific obligation with regards to the proposed