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HFW/jrw/GA/PUS/62

30th March 2019

Wakefield MC Planning Consent Ref: 13/03500/FUL

An Application for a Bespoke EA Permit: EAWML 405998

The Use of Waste for the Reclamation, Restoration or Improvement of Land

JP Land Restoration Services Ltd

Warmfield Fishing Grounds Development

Warmfield Lane - Kirkthorpe - WF1 5TH – SE 370 210

Supporting Statement

PREAMBLE

An Application by Pick Up Skips & Co for a Bespoke Permit for the development was initially rejected by the Environment Agency. The EA considered that insufficient information had been provided to demonstrate that the exercise was viable if the infill element was completed using non-waste soils.

The EA offered commercial consultancy to inspect the facility and to advise on how to progress a viable application. Following this service, it was agreed that a Waste Recovery Plan would be submitted for appraisal by the Environment Agency in preference to submitting a full application.

The EA has appraised the document and is satisfied that the project can be classed as land recovery for the purposes of a Permit Application for an EA permit.

Pick Up Skips & Co is the parent company of JP Land Restoration Services Ltd ("JP"). The fresh 2019 EA Permit Application is submitted under the masthead of JP, which is to focus on land development by the parent company.

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Background

- (1) Messrs Pick Up Skips owns a section of disused railway cutting that traverses Warmfield Lane, Kirkthorpe. The cutting is steep-sided and poses environmental and physical risks: -
- A risk of someone falling into the cutting
 - A pollution risk from fly-tipping.
 - Basal ponded water that water that can occasionally exhibit a surface film of oil. It has developed a coarse wildlife eco-system but does not support fish.

The company wishes to redevelop the site to create two Sports Fishing Lakes within the stretch of cutting.

- (2) A subsidiary of Pick Up Skips ... **JP Land Restoration Services Ltd**... is applying to the Environment Agency for a Bespoke Land Recovery Permit to authorise /regulate the land improvement operation. JPLRS is based at Pickup Yard, New Brunswick Street, Wakefield, WF1 5QR.

The company has retained Black Rock as its consultant / agent in securing the EA Permit

The Legal Status of the Site

- (3) Wakefield MC has granted **Planning Consent** (Ref: 13/03500/FUL) to re-profile the stretch by infill to create two fishing lakes. [*The consent was granted to the site's previous owner, Mr Gary Asprey.*]

This Bespoke Permit Application package includes copies of correspondence relating to this issue.

- Planning Consent document
- Black Rock letter relating to the Construction Method Statement (Discharge of Planning Condition 4)

- Groundsure GeoInsight Report
- Groundsure EnviroInsight Report
- Historical Maps
- Ramsden / Den Architects Design & Access Statement

- (4) Pickup Skips initially intended to apply for a **Standard Rules Permit SR 2010 No. 10** to cover the land improvement operation. The EA initially rejected the application because the site was recorded to be within 50m of a “protected habitat”.

The protected habitat was/is the railway cutting itself, designated as a (Deciduous Woodland) Protected Habitat by the Natural England organisation.

Pick Up / Black Rock subsequently provided Natural England with full details of the land restoration project.

In response, Natural England has given written confirmation that it has no objection (*‘no remit’*) to the proposed development.

This Bespoke Permit Application package includes copies of correspondence relating to this issue.

Pre-Application Liaison with the Environment Agency

- (5) The Environment Agency ruled that, despite the sanction from Natural England, the proposed operation still could not be authorised under a Standard Rules Permit.

The EA stated that Pick Up / JP should apply for a **Bespoke Environmental Permit** for the redevelopment exercise. The Application would need to demonstrate that the exercise would comply with the Waste Treatment Category *R10: Land treatment resulting in benefit to agriculture or ecological improvement*.

- (6) Following issues with the initial application for a Bespoke Permit, Pick Up took up the option of commercial consultation with the EA Permitting Team, which both inspected the site (Ms Anna Gribben & Mr John Murray) and reviewed the prospective Waste Recovery Plan (Ms Caroline Wynn).

- (7) The Waste Recovery Plan, as reviewed and amended, has enabled the EA to recognise the development as a Land Recovery operation.

This Bespoke Permit Application package includes copies of correspondence relating to this issue. Contributors include:

- Samuel Andrew, Anna Gribben, John Murray and Caroline Wynn of the EA.
- Allied Plant (Aggregate Supply)
- Turtle Contractors (Pond Liner)
- J Pickup (Land ownership & HS2 Construction Layout)
- J Pickup (Highways Grade Aggregate produced at the company's Waste Treatment Station)
- Waste Recovery Plan
- Ramsden/Den Drawings inc Cross Sections x 3

Environmental Benefit

- (8) The development programme incorporates the construction of 2 x Sports Fishing Ponds that will also re-establish an overgrown public footpath. The core operation will be incorporating an enhancement of the local ecosystem. Examples include the construction of a Wildlife Pond, the maintenance / promotion of Herpetaria habitats and the retention of a wetland zone. A preferential planting scheme will replace felled trees with more valuable species and the overall number of trees and shrubs will increase.
- (9) The partial infill of the cutting with to create a Wildlife Pond; a pre-requisite of the Wakefield MC Planning Consent.

An initial 2m layer must be laid in a stretch to the north of the lake-construction zone to form a pond that marries in with the final construction profile, whilst acting as a barrier between the pond base and the residual rail bed.

- (10) Access work on the Wildlife Pond construction base has commenced, utilising displaced soil from the access-road construction programme and imported natural and processed aggregates (U1 Exemption).

Infill will be conducted in accordance with:

- A Bespoke Environmental Permit
- Additional soils meeting Site Specific Remediation Criteria and Highways Agency standards as fill soils or construction aggregates.
- Soils meeting SSRC Control limits and classed as *bona fide* construction products following assessment by a CL:AIRE-registered consultant.
- Soils will be laid in ~500mm - 1m deep layers that will be progressively inset with vertical drainage columns filled with free-draining rubble to allow surplus surface water to drain into the original trackbed drainage system.

This Bespoke Permit Application package includes copies of correspondence relating to this issue. Contributors include:

- Simply Ecology Report
- Altofts Tree Planting Schedule
- Wakefield MDC Planning Certificate
- EA Flood Map
- Photoplate of the recumbent site

Site Acceptance Provisions

- (11) The site will only accept pre-authorized deliveries. Producers of "Regular" waste streams will be required to produce six-monthly analyses of representative samples of their waste soil or rubble.

All deliveries will be monitored on arrival and deposit by Pick Up / JP Land Restoration site personnel.

Pick Up / JP Land Restoration will implement a monitoring programme for a range of control limits for imported soils and rubble. The control limits will be stricter for growth soils than for fill soils. Verification testing will be commissioned from a UKAS / MCERTS-Registered Laboratory ... provisionally Concept Life Sciences Ltd of Manchester.

The site specific control limits will be drawn up using a combination of ATKINS ATRISK guidance limits, applicable CLEA and ADAS guidance limits and the UK Government's C4SL. No Hazardous Waste will be accepted.

(12) Pick Up Skips retains the services of:

- Mr Danny Addison. He will be the Site Manager and is to undertake a Wamitab COTC Level 4 for Transfer and Treatment operations. He will be in daily attendance at the site.
- Mr Christopher Pickup. He holds a Wamitab COTC Level 4 for Transfer and Treatment operations. He will be available for daily / contingency attendance at the site.
- Mr Hywel Wilcox of Black Rock. He holds COTC's (at Special / Hazardous Waste: Level 4) for Waste Landfill, Transfer and Treatment operations, and will be available for requisite attendance at the site.

(13) It is anticipated that any construction materials and “eligible wastes” accepted at the site will fall within the categories identified in the UK Govt guidance note: “*Waste Acceptance Procedures For Waste Recovery On Land*”:

(14) In addition processed soils reclassified as “non-wastes” will be eligible for acceptance.

These will be:

- Construction / excavation soils that are sanctioned and certificated by a CL:AIRE–Registered external Consultant to be acceptable for reception at the site. Under the procedure, waste soils meeting site-specific criteria can be re-classified as bona-fide products for incorporation in construction bases.
- Processed aggregates produced at the Pick Up Skips waste treatment station in Wakefield.

A specimen recent sample has been physically tested to meet the Highways Agency specification as a Grade 2C Fill Soil, suitable for creating engineered construction bases.

This Bespoke Permit Application package includes copies of correspondence relating to this issue. Contributors include:

- Black Rock CL:AIRE template for growth-zone soils
- Christopher Pickup COTC
- Hywel Wilcox COTC
- White Rose Laboratory Test Certificate

Environment Agency Application Fee

(15) This Application Package is delivered in the form of one hard copy (forms signed by Mr Jim Pickup) and two electronic copies. In accordance with advice of EA officers, it is accompanied by a cheque for £9207, made out to "The Environment Agency.

JP Land Restoration Services Ltd, Pick Up Skips Ltd and Black Rock trust that the provisions detailed in this Application Package and subsidiary documents are sufficient for the purposes of the Environment Agency Permitting Unit and other associated parties. Its overall contents remain the intellectual property of Black Rock.

Should any points be identified for further clarification or discussion, I would be grateful if you could contact me directly at the above address.

Hywel Wilcox

Director

Black Rock Environmental Asstes Ltd

On behalf of

JP Land Restoration Services Ltd