



**Planning application for flood compensation area;  
land adjacent to the Sewage Works, Barnwell,  
Oundle, Northamptonshire by Apex Plant Ltd and  
Barnwell Manor Estate.**

## **Introduction**

In 2005 and 2006 inert waste was used to construct a track through land on the Barnwell Manor Estate to the River Nene and banks around an off-road course on adjacent land. It became apparent once the work had been virtually completed that it had been carried out in the flood plain.

It has been agreed in discussions with the Environment Agency's Flood Management Team that the problem can be overcome by the construction of an equivalent volume of flood capacity in the field adjacent. This application seeks planning permission for this construction work.

The location of the site is shown on Plan GPP/AP/BA/08/01; the application site is shown on Plan GPP/AP/BA/08/02, which also shows the proposed levels; the existing levels at the site are shown on Drawing SRL 40.08 and cross-sections are shown on Drawing SRL 42.08A.

## **History**

A field that has been planted with cricket bat willows, adjacent to the River Nene, has been used for off-road driver training since 2003, illustrated on the plan on page 4. East Northamptonshire District Council confirmed in a letter of 12 February 2004 that provided the use took place on 24 days or less in any year, planning permission would not be needed for the use. Apex Plant was asked to build up banking around the track amongst the trees, to make the track safer for novice drivers. Neither Apex Plant nor the Estate realised that the construction work fell into a different planning category, as an engineering operation using imported waste, which did need planning permission. The work took place between May 2005 and the end of March 2006, when East Northamptonshire District Council issued a Stop Notice. No work has taken place since 29 March 2006.

The Environment Agency (EA) had issued a certificate for an Exemption from Waste Management Licensing for the use of inert waste for the construction of a recreation facility (Paragraph 19), on 31 October 2003. Neither Apex Plant nor the Estate realised that the construction work also needed Land Drainage Consents, as neither had been informed that the land lies in the floodplain.

While material was being delivered to the site, the Farm Manager of Barnwell Manor Estate asked Apex Plant to improve the existing track through the site to the river edge, to provide all year round

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access to the moorings that are to be constructed along the river bank. The Environment Agency had granted permission for the moorings in 1998, but the consent has yet to be implemented. The track is needed for access by emergency and maintenance vehicles and for access by vehicles in connection with the harvesting of the cricket bat willows. The willows have been harvested for at least the last 30 years, each year at the rate of 30 to 40 trees, depending on the demand. During this time, work has been delayed until the summer when wet winters have made access by the vehicles impossible. Harvesting is best done during the winter, when there are no leaves on the trees, when the sap is not rising and when there is the least disturbance to the wildlife and nesting birds. This is only possible if there is a track that can be used during periods when the land is saturated. Neither Apex Plant nor the Estate realised that the construction work would need planning permission, as the track was already in existence and the work was regarded as an improvement. Neither Apex Plant nor the Estate realised that the construction work also needed Land Drainage Consents, as neither had been informed that the land lies in the floodplain.

The County Council subsequently served Planning Contravention Notices on both Apex Plant and Barnwell Manor Estate and the Environment Agency has also written to both parties notifying them that the works have taken place in the flood plain.

### **Remedial Action**

It has been calculated that a total of 5,553m<sup>3</sup> of waste was imported to the land within the flood plain, in the areas shown on the plan at Page 4. Therefore, an equivalent volume has to be excavated in compensation. It is proposed to extract this volume from the area shown shaded blue on GPP/AP/BA/08/02 and to place the material in the area shaded green on the same plan. The area of land affected by the extraction is 0.63 hectare and the area required for the fill is 0.47 hectare; in total 1.1ha will be involved in the development.

The maximum depth of extraction is only 2.2m and the maximum depth of fill is 2m. The proposal is to lift the surface of the field in the space between the 'cut' area and the highway to the west, to reduce the drop between the field boundary and the main part of the field. The general slope of the field to the north will be maintained, thus ensuring that it will drain satisfactorily.

Prior to the commencement of the movement of material, all of the topsoil will be stripped off the whole area and stored in a temporary stockpile in the field to the south. The material to be cut will then comprise the subsoil (up to a depth of 700mm ) and a varying depth of underlying material. The work will progress from east to west, in strips north to south. For the first strip, the subsoil will be placed in a heap to the south, allowing the underlying material to be moved directly to the fill area. This will allow the subsoil from the next strip to be placed directly on top of the previously tipped material. Filling will progress from north to south. Filling will require the underlying material and the subsoil to be replaced at slightly greater depths, to minimise the area affected by the work. When the whole volume has been moved, the topsoil will be respread over the whole area.

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All soil handling will be carried out in accordance with best practice, as set out in the MAFF soil handling guides for using excavators and dump trucks – Sheet 1 Soil Stripping, Sheet 2 Building Storage Mounds; Sheet 3 Excavating Soil Mounds and Sheet 4 Soil Replacement.

The area affected will be pegged out in advance of the commencement of work and level markers will be erected over the area of fill, once the topsoil has been stripped.

The work, if planning permission is granted, will be carried out as soon as the soil is in a dry condition and therefore suitable to move. This may be during autumn 2008, but more likely will be in the spring 2009. The field will be returned to productive arable use at the first opportunity.

Once the re-profiling work has been carried out, the culverts within the area where inert waste was deposited will be re-established and soil that has washed in to drainage ditches will be cleaned out. This will re-instate the drainage flows within the flood plain.

Following completion of the works, the area will be resurveyed and the results will be forwarded to the Environment Agency for approval.

### **Environmental Impacts**

There are no residential properties within 500m of the site.

A search has been carried out and there is no evidence of any archaeological interest in the site.

No traffic will be generated by the proposal, other than the transport of equipment to the site at the commencement of the scheme and its removal upon completion.

The field is in arable use, therefore there are no habitats of interest within the site.

There are no Sites of Special Scientific Interest within 1 km of the site.

### **Conclusion**

The project is supported by the Environment Agency, to compensate for the lost flood plain caused by earlier imports of inert waste. No adverse environmental impacts will result and the field will be returned to productive use once the work has been completed.



