

**Wyre Forest District Council** 

# Contaminated Land Inspection Strategy

December 2025

Wyre Forest House | Finepoint Way | Kidderminster | DY11 7WF

## **Executive Summary**

The industrial history and development of the country has left a legacy of land where there is the potential for contamination to be present. Contamination may pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to address these risks through the contaminated land regime. The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is "contaminated land". The source of contamination must present a significant possibility of significant harm to relevant receptors, for example a person, ecosystem, or controlled waters, through a viable pathway of exposure.

Enforcement action under this legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These mechanisms include the planning and development control process and voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.

This strategy is a requirement under the contaminated land regime, as set out in the Contaminated Land Statutory Guidance 2012, for local authorities who are the primary regulator. Strategies should be reviewed every 5 years. Due to the withdrawal of the funding system from central Government for contaminated land work, the Council will focus on addressing sites where contamination may exist, predominantly through the planning and development control process. This document details how this is already achieved and how we continue to work to drive standards and improve consistency in regulation across the region and further afield.

To date, no sites have been declared as 'Contaminated Land' by Wyre Forest District Council (WFDC) since the first Contaminated Land Strategy was produced in 2001. Currently, there are approximately 1300 sites identified as potential sites of contaminated land concern within the district, largely relating to the historic land use.

WFDC planning policies encourage the reuse of previously developed land subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on an individual site basis or as part of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

Information	Worcestershire Regulatory Services Details	
Local Authority Officer	Stephen Williams	
Department	Technical Pollution Team	
Address	Wyre Forest House Finepoint Way Kidderminster DY11 7WF	
Telephone	01905 822799	
E-mail	enquiries@worcsregservices.gov.uk	
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#### 1. Introduction

Wyre Forest District Council, as with most local authorities, has a legacy of land contamination that has resulted from over 200 years of industrial development. In addition to historically contaminated sites, pollution incidents, such as spillages and accidents, can give rise to contamination of the land. In the minority of cases the contamination may be serious enough to present a hazard to human health or the environment.

In April 2000, the UK Government introduced a duty on each local authority to inspect the land within its area and identify any areas that could be defined as "contaminated land". Where a local authority finds such land, it must ensure it is remediated to reduce or remove risks to people and the environment. The government set out its requirements for dealing with contaminated land within Part 2A of the Environmental Protection Act 1990 ("the Act") and associated 'Statutory Guidance' documents.

Wyre Forest District Council (WFDC) first published its Contaminated Land Strategy in April 2001 and updated it in February 2007. This document represents a revised strategy which updates and replaces the previous version. The document considers changes in the Contaminated Land Statutory Guidance 2012, national policy, council policy and sets out the Council's strategic approach to contaminated land.

# 2. Legislative Context, National, and Local Policy

Section 57 of the Environment Act 1995 inserted Part 2A into the Act which establishes a legal framework for dealing with contaminated land. This came into force on 1st April 2000.

Part 2A provides a means of dealing with unacceptable risked posed by land contamination to human health and the environment.

The Department for Environment, Food and Rural Affairs (Defra) states the following in its guidance document <a href="Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance (publishing.service.gov.uk)">Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance (publishing.service.gov.uk)</a> (2012)

- 1.4 The overarching objectives of the Government's policy on contaminated land and the Part 2A regime are:
  - (a) To identify and remove unacceptable risks to human health and the environment.
  - (b) To seek to ensure that contaminated land is made suitable for its current use.
  - (c) To ensure that the burdens faced by individuals, companies and society are proportionate, manageable and compatible with the principles of sustainable development.

Contaminated land is defined in Part 2A of the Act as any land, which appears to the local authority in whose area it is situated to be in such condition, by reason of substances in, on or under the land that:

(a) significant harm is being caused or there is a significant possibility of such harm being caused.

or

(b) significant pollution of controlled waters is being caused or there is a significant possibility of such pollution being caused.

78A(4) Environmental Protection Act 1990 defines harm as:

"Harm to the health of living organisms or other interference with the ecological systems of which they form a part, and in the case of man includes harm to his property."

The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is "contaminated land". The source of harm may be present but unless a possible route exists through which it is likely to cause harm to health, eco-systems or property, or to cause pollution of controlled waters, the land is not contaminated within the meaning of the Act.

Only land where unacceptable risk has been clearly identified after risk assessment should be considered as meeting the Part 2A definition of contaminated land. Land

should be considered 'uncontaminated land' as defined by Part 2A unless there is reason to consider otherwise.

Within this document "contaminated land" is used to mean land which meets the legal definition under Part 2A. Other terms, such as "land affected by contamination" or "land contamination" are used to describe land where contaminants are present but not at sufficient level of risk to be classified as contaminated land.

A site cannot be identified as contaminated land purely due to contaminative substances being present. There must be a relevant sensitive receptor, such as a human being, ecosystem, controlled waters, or property, at risk of significant harm from the source of contamination. There must also be a viable pathway of exposure linking them together. A pathway may be exposure from handling of soils, breathing in dust or vapours, consumption of produce grown in impacted soils, or other means by which a contaminant may reach the receptor. A complete source-pathway-receptor model of contamination is referred to as 'contamination linkage or pollutant linkage'.



The term 'significant contaminant linkage' is used in the Statutory Guidance to mean a contaminant linkage which gives rise to a level of risk sufficient to justify a piece of land being determined as contaminated land.

#### 2.1 Radioactive Contaminated Land

A legal framework for dealing with radioactive contaminated land in England under the Part 2A regime has been established by Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 and the Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006.

The radioactive contaminated land regime addresses harm attributable to radioactivity under Part 2A, where radioactivity is present because of a past activity or as a result of the after-effects of an emergency. The regulations do not apply to current practices or natural background radiation and are only concerned with potential effects on human health, excluding environmental receptors. The Radioactive Contaminated Land Statutory Guidance (June 2018) is legally binding on local authorities including Wyre Forest District Council.

Radioactive contaminated land: statutory guidance - June 2018 (publishing.service.gov.uk)

#### 2.2 Duties of Local Authority

Under section 78B(1) of Part 2A of the Act the council has an inspection duty, which is set out below.

Every local authority shall cause its areas to be inspected from time to time for the purpose –

- (a) of identifying contaminated land; and
- (b) of enabling the authority to decide whether any such land is land which is required to be designated as a special site

The Statutory Guidance states there are two broad types of inspection likely to be carried out by local authorities. Firstly, strategic inspection, which comprises the collection of information to make a broad assessment of land within the area and then prioritisation of sites for further consideration. Secondly, detailed inspection of that particular land to obtain information on ground conditions and, where necessary, carrying out risk assessments in order to make decisions relevant to that land under the Part 2A regime. The Guidance refers to these as 'strategic inspection' and 'detailed inspection'. Further information is provided in Section 5 below.

#### 2.3 Special Sites

Land required to be designated as a 'special site' is defined within regulation 2 of the Contaminated Land (England) Regulations 2006. Where a local authority inspects land considered to meet the definition of a Special Site, as outlined within the regulations, and determines it may constitute 'contaminated land', consultation with the Environment Agency would be undertaken. Subject to the Agency's advice and agreement, a joint approach to inspection of the land would be adopted. For special sites, regulation is transferred to the Environment Agency, however, the local authority retains the duty to formally determine land as contaminated land under Part 2A.

#### 2.4 Contaminated Land Statutory Guidance

The Department for Environment, Food and Rural Affairs (Defra) published revised Contaminated Land Statutory Guidance in April 2012 (Statutory Guidance). The Statutory Guidance requires the Local Authority to take a strategic approach to

carrying out its inspection duty, set out in a written strategy which is periodically reviewed.

The strategy should include the following:

- (a) Its aims, objectives and priorities, taking into account the characteristics of its area.
- (b) A description of relevant aspects of its area.
- (c) Its approach to strategic inspection of its area or parts of it.
- (d) Its approach to the prioritisation of detailed inspection and remediation activity.
- (e) How its approach under Part 2A fits with its broader approach to dealing with land contamination.
- (f) Broadly, how the authority will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.

<u>Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory</u> Guidance (publishing.service.gov.uk)

### 2.5 Wyre Forest District Council Policy

The Council's vision and priorities is set out in the Corporate Plan 2023 – 2027. The Council has outlined its priorities as follows: -

- Economic growth and regeneration,
- Securing financial sustainability for services that local communities value,
- A clean, safe and green place to live, work and visit.

Further information can be accessed via the following link.

Corporate plan | Wyre Forest District Council

#### Wyre Forest District Local Plan (2016-2036)

The Local Plan includes the planning policies used to guide and determine future planning applications in the Wyre Forest District. It details the scale and distribution of new development and includes land allocations and designations.

The Wyre Forest District Local Plan (2016-2036) was formally adopted by Wyre Forest District Council on 26 April 2022.

The plan makes several references relating to contaminated land including Section 15 Policy SP.33 (2) 'Pollution Minerals and Waste' (Pollution and Land Instability) and states: -

"Development proposals will not be permitted where the land is contaminated and not capable of appropriate remediation without compromising development viability or the delivery of sustainable development. For sites where land contamination is suspected, an adequate site investigation survey will need to be prepared (by a competent person) to demonstrate that land contamination issues have been fully addressed or can be addressed through the development.

Details on the plan can be accessed at <u>Wyre Forest District Local Plan (2016-2036) - Adopted April 2022 - Keystone</u>

Further information relating to Local Planning Policy is available at <u>Planning policy |</u>
Wyre Forest District Council

#### Climate Change

The council's Climate Action and Carbon Reduction Plan 2024 – 2027 (published 2023) is its strategy for tackling climate change and stemmed from Wyre Forest District Council's most recent Corporate Plan. The production and implementation of a carbon reduction plan for the district and for the Council was identified as a key strategic priority for the years 2023-2027, as was the establishment of the Wyre Forest District as "a green place to live, work, and visit." The document is designed to act as an annual report on that initial plan for the year 2024, with all information updated where there has been a circumstantial change or key development in that particular area or project. The process is to be repeated in the future, with an annual updated report being published each subsequent year.

In Wyre Forest, as with much of the UK, climate change is expected to bring warmer and wetter winters, hotter and drier summers, and greater incidents of extreme and unstable weather. A changing climate presents potential impacts for contaminated land in a number of ways. For example, changes in temperature can affect properties of contaminants and therefore their behaviour, and extreme weather can increase the release, mobilisation and exposure to contaminates. This could also impact the suitability of different remediation strategies. There is therefore a need to ensure that measures to address contaminated land are resilient to future changes.

Further information is available on the WFDC website via: -

Our climate action and carbon reduction plan | Wyre Forest District Council

Climate change | Wyre Forest District Council

The impacts of climate change on the environmental conditions of a site will be considered further when any specific assessment of sites is undertaken. Reference will be made to the Environment Agency's Land Contamination Risk Management quidance document (2025) which provides further information in this regard.

## 2.6 Brownfield Land Register

The Government introduced a requirement for all Local Planning Authorities (LPAs) to publish a Brownfield Land Register (BLR) by 31st December 2017. The BLR is a comprehensive list of brownfield sites in a local authority area that are suitable for housing. The register aims to help house builders identify suitable sites quickly, speeding up the construction of new homes.

The Council will have the final say on which sites are on the register and which sites will have permission in principle. The BLR is compiled in two parts: -

Part 1 will include sites categorised as previously developed land which are suitable, available and achievable for residential development.

Part 2 will allow LPAs to select sites from Part 1 and grant permission in principle (PiP) for housing led development. There are currently no sites that have been put forward for Part 2.

All sites submitted must be Brownfield land, suitable to be developed for housing and meet the National Planning Policy Framework (NPPF) definition of previously developed land.

Further information relating to the BLR within Wyre Forest is available via the following link.

Brownfield Land register | Wyre Forest District Council

# 3. Aims and Objectives

The aim of this document is to outline how the Council will implement the contaminated land regime within the district, in a proportionate and cost-effective manner. It is not intended to reiterate the specifics as defined by legislation or in statutory guidance or other best practice documents which cover the numerous and detailed aspects involved when assessing land for contamination. A brief outline of the regime is provided here <a href="Land affected by contamination - GOV.UK">Land affected by contamination - GOV.UK</a> and on the WRS website <a href="Contaminated Land | Worcestershire Regulatory Services">Contaminated Land | Worcestershire Regulatory Services</a> (worcsregservices.gov.uk).

#### **Aims**

The council's aims in dealing with contaminated land are to:

- Protect human health
- Prevent damage to property, livestock, and crops
- Protect designated ecosystems
- Prevent any further contamination of land
- Encourage voluntary remediation
- Encourage re-use of brownfield land

#### **Objectives**

The principal objectives of this strategy are to:

- Identify sites where historic or current use may have led to land contamination.
- Identify and remove unacceptable risks to human health and the environment resulting from contaminated land.
- Ensure sites are suitable for use utilising the planning system and voluntary remediation wherever possible.
- Encourage development and use of previously developed (brownfield) land.
- Ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development.
- Ensure the strategy meets obligations under Part 2A of the Environmental Protection Act 1990 and fulfils statutory responsibility.

The objectives outline the 'suitable for use approach' with respect to the remediation of contaminated land and achieving sustainable development. This means that the risk is assessed in the context of a specific use with the aim of maintaining an acceptable level of risk at minimum cost, thereby "not disturbing social, economic and environmental priorities."

#### **Priorities**

The council, through WRS, undertakes to:

- Maintain accurate information and records of potentially contaminative land uses.
- Undertake risk assessment and prioritisation of potentially contaminated land sites.
- Where land is considered to be contaminated, ensure appropriate remediation is undertaken, using Part 2A powers only when no alternative solution exists.
- Act as consultee through the planning process, ensuring appropriate investigation and remediation, protecting new developments from historic land contamination.
- Consulting with stakeholders, as necessary.
- Provide information and advice to developers.
- Provide information and advice in response to enquiries regarding property transactions.
- Adopt and publish a revised Contaminated Land Strategy (this document)
  which is rational, ordered, efficient and reflects local circumstances, in
  accordance with Statutory Guidance.
- Periodically review the Contaminated Land Strategy, at least every 5 years.
- Maintain a public register of contaminated land as required by Part 2A of the Environmental Protection Act 1990.

# 4. Characteristics of Wyre Forest District



Wyre Forest district sits at the northernmost tip of the county of Worcestershire and sits to the south and west of the West Midlands conurbation. It is bounded by South Staffordshire, Bromsgrove, Wychavon, Malvern Hills, and South Shropshire.

The area takes its name from The Forest of Wyre, once a medieval hunting forest, and now a popular visitor attraction. The Wyre Forest is one of the largest, most ecologically significant oak woodlands in England.

The district has a population of over 102,000, spread across the three towns of Kidderminster, Stourport-on-Severn, and Bewdley, as well as the many villages and rural areas. The district contains many picturesque villages such as Arley, Rock, Chaddesley Corbett, and Wolverley, alongside hamlets with rolling countryside like Trimpley and Stone.

#### **Kidderminster**

Kidderminster is the largest of the three towns with a population of over 55,000 residents. It is located 17 miles south-west of Birmingham city centre and 15 miles north of Worcester city centre.

Over the centuries the town has specialised in textile trades such as weaving, fulling, cloth working, and milling, and other related industries such as shoemaking, haberdashery, saddle making, dyers, tailors, tanners, and glovers.

In 1670/1 Kidderminster's cloth industry obtained a guild by act of parliament. By 1677 the town had a reported 459 weavers and 3000 spinners. In the early 18<sup>th</sup>

Century carpet weaving was introduced in the town and had gradually taken over by 1805 as the main industry. Growth was supported by development of the Staffordshire and Worcestershire Canal in 1771 and arrival of the railways in 1852. Kidderminster continued to represent a centre of the carpet making industry until gradual decline in the 1970s.

#### Stourport-on-Severn

The town is located 4 miles to the south of Kidderminster and downstream on the River Severn from Bewdley and has a population of approximately 21000.

Before the completion of the Staffordshire and Worcestershire Canal in 1772, two hamlets were present at the junction of the River Severn and the River Stour, Upper Mitton and Lower Mitton. The town of Stourport grew up around the canal basins and the locks between the canal and the river, and by 1812 five canal basins had been built. The town became a transshipment hub for the country as well as fuelling the growth of local industry. The central district of the town supported boat and barge building, foundries and carpet manufacturers.

The first carpet factories were built in Stourport, close to the rivers for washing and dyeing and close to the canal for efficient transport. Henry Worth (Carpets of Worth) moved his established business here in 1852 and by the 1920s they had a workforce of over 1,000 employees.

Stourport was also home to the Baldwin family who were iron masters. Their factory was located next to the canal and products were taken away by boat and distributed around the country. For 5 generations, the foundry was a major source of work in Stourport.

Local trade suffered badly with the construction of the Worcester & Birmingham Canal, completed in 1815. The new railways also further reduced the canal trade. Stourport suffered an economic decline. The new town that expanded so rapidly after 1770 was already virtually defunct in the early 19th century.

During the late 19th century, Stourport became a popular summer destination for the industrial workers of the surrounding areas, who came for its riverside pleasure parks, boat trips, and caravan parks. The canal system had been in steady decline however a growth in leisure boating and canal barge ownership and holidays has seen the revitalisation of the central canal basins.

#### **Bewdley**

Bewdley has a population of around 10,000 and is located on the western bank of the River Severn.

The town represented a vital crossing point over the River Severn, with the next nearest bridge being 15 miles away, and as such developed into a busy inland port with warehouses and hospitality establishments for travellers and traders. The prosperity of the town was also aided by its proximity to the Wyre Forest to the northwest which, as well as being used for hunting, provided access to valuable resources such as wood and coal.

The Severn was once the second busiest river in Europe behind the Meuse and Bewdley was strategic in the network. It was at the point where the river became difficult to navigate upstream and its bridge was the only one between Worcester and Bridgnorth. Boats travelled upriver to unload their goods at Bewdley, where packhorses took the wares onwards, west into Wales and east to Birmingham and the Black Country. Boats went downriver with locally produced goods, such as forest produce, leather, horn and caps, and from much further afield, including pottery from Stoke-on-Trent.

Samuel Skey's chemical works and brick kiln at nearby Dowles brought him a fortune that enabled the creation of Spring Grove Estate near Kidderminster (now the West Midland Safari Park).

The arrival of the Staffordshire and Worcestershire Canal in Stourport in 1772 and the later establishment of the railways gradually reduced the river trade. Bewdley had been bypassed by the landscape with the surrounding hills having prevented the canal from being brought there instead. Bewdley's warehouses and river-carrying trade gradually dwindled but some industry continued, notably brass founding, pewtering, and comb-making.

The Severn Valley Railway was built in the late 1850s with a station for Bewdley on the Wribbenhall side. It opened in 1862 with a branch-line to Tenbury added in 1864. However, the new railway was too late to save the town from its downward slide, and it would be a hundred years before the area found a new lease of life as a centre for tourism

#### Other Areas

Elsewhere across the district other notable areas include the attractive villages of Chaddesley Corbett, Arley, Rock, Wolverley, and Trimpley, noted for their rural charm and landscapes. Other villages like Upper Arley, Stone, Ribbesford, Churchill and Blakedown, and Cookley also offer scenic beauty and historic interest within the district.

There are a variety of specially designated areas highlighting the strategic importance of the Wyre Forest District in terms of its natural assets. The statutory guidance sets out those specific natural habitats which are identified as potential receptors under the contaminated land regime.

The following sites have been identified: -

- 13 Sites of Special Scientific Interest (SSSI's)
- 17 conservation areas
- 9 Scheduled Monuments
- 1 site designated as National Nature Reserve and 8 as Local Nature Reserves.

Further details relating to the above can be found in Appendix B.

#### 4.1 The Geological Setting

The drift deposits generally comprise river terrace deposits and alluvium. The river terrace deposits typically comprise sands and gravels and are located just above the main flood plain of the river valleys. The alluvium typically comprises soft, possibly organic clays and silts and is located within the flood plain of the rivers and their tributaries.

Coal measures generally underlie the district to the west of Kidderminster and Bewdley comprising the upper carboniferous Warwickshire group and coal measures group. This comprises inter-bedded marls, sandstones, grey clays, shales, limestones and coal bands. Productive coal seams occur in the Halesowen formation of the Warwickshire group as well as in the coal measures group. The coal measures are indicated to be a minor aquifer. Wyre Forest Coalfield is located within this area and was worked up until the 1970s, and was once a deep mine, although with a relatively low output. The mine was closed in 1972 due to flooding. The coal found in these areas is linked to other coalfields that were being actively exploited until June 2013. Most of the surface coal resources in the Wyre Forest Coalfield were worked before 1870. Although the strata indicate coal to be present, the deposits are understood to be very thin in Worcestershire (a matter of inches).

Triassic strata of the Sherwood sandstone group underlie the central portion of the district from the west side of Kidderminster and Stourport on Severn to Chaddesley Corbett and Rushock in the east of the District. They are sub-divided into sandstones of the Bromsgrove Wildmoor and Hopwas Breccia formations and comprise sandstones (generally red) variously with pebble beds, thin red mudstone bands and beds of conglomerate. The Sherwood sandstone is classified as a major aquifer.

Triassic strata of the Mercia mudstone group underlie the remaining eastern portion of the district. They comprise red marls with green sandy dolomitic beds. The Mercia mudstone group in the Wyre Forest District is a non-aquifer.

#### 4.2 Hydrogeology and Hydrology

#### Hydrogeology

To help protect groundwater, the Environment Agency (EA) in England and Wales has identified different types of aquifer, underground layers of water-bearing, permeable rock from which groundwater can be extracted. The groundwater within the district largely comprises areas of Principal aquifer within the central and eastern areas, including Kidderminster, Stourport, Blakedown, Wolverley, Stone and the eastern half of Bewdley. The majority of the western section of the district, including the western part of Bewdley, Bliss Gate, Clows Top, and Far Forest comprises Secondary A aquifer with some small areas of Principal aquifer around Pound Green and Secondary B in the vicinity of Shatterford There is also a further band of Secondary B aquifer in the southeastern corner of the district in the vicinity of Chaddesley Corbet and Cutnall Green (MAGIC website, 2025). Further information can be accessed via the following website: —

#### Protect groundwater and prevent groundwater pollution - GOV.UK

The Private Water Supplies (England) Regulations 2016 and The Private Water Supplies (England) (Amendment) Regulations 2018 set out standards for the quality of the water and place a duty on the Council to sample and risk assess these private supplies. According to the available records there are currently 45 private water supplies identified within the district. These generally comprise of wells, spring water, or borehole abstractions from the underlying aquifer. Worcestershire Regulatory Services (WRS), on behalf of Wyre Forest District Council, undertakes inspection and risk assessment of private drinking water supplies in the area. Further information in relation to private water supplies can be found on the WRS website via the following <a href="Private Water Supplies">Private Water Supplies</a> | Worcestershire Regulatory Services (worcsregservices.gov.uk).

As part of the Environment Agency's duty to monitor and protect groundwater it has identified Groundwater Source Protection Zones. These identify the sensitivity of a source such as a spring, borehole or well and illustrate land use restrictions within defined zones. Within Wyre Forest, source protection zones are located on the Sandstone areas near Kidderminster, Bewdley, Chaddesley Corbett and Cookley, highlighting the vulnerability of the groundwater in these areas.

#### Hydrology

The main waterways in the Wyre Forest District are the River Severn, the River Stour, and the Staffordshire and Worcestershire Canal. These three systems are prominent features that run through the towns of Kidderminster, Stourport-on-Severn, and Bewdley.

A large network of smaller streams and pools exists throughout the district, with brooks like the Blakedown Brook, Hoo Brook, and Riddings Brook. Blakedown Brook drains a large part of the eastern side of the district and flows through several villages before joining the River Stour at Broadwaters. Dowles Brook flows through the ancient Wyre Forest and into the River Severn. It has many tributaries and is known for its fast flow, especially after rain.

The historic Staffordshire and Worcestershire Canal connect the River Severn at Stourport to the Trent and Mersey Canal. In Wyre Forest, the canal runs parallel to the River Stour through Kidderminster before descending via locks and basins to meet the Severn at Stourport.

Other notable waterways include the Trimpley Reservoir located near Kidderminster and the River Severn. The reservoir is a designated nature and wildlife area.

The district is also home to various other smaller lakes and pools, including Hurcott Pool, Swan Pool, and Ladies Pool, located along the Blakedown Brook. Numerous fisheries are also scattered throughout the area.

# 5. Strategic Inspection and Prioritisation

Worcestershire Regulatory Services (WRS) is the shared Environmental Health and Licensing functions of Wyre Forest District Council and the five other Worcestershire districts. In line with the service level agreement, the potential contaminated land sites of each district are maintained in a combined working dataset to provide a countywide prioritisation to tackle those sites in the county in order of priority.

Using a combination of historical maps supplemented with Council records and other relevant information sources, a dataset of sites is maintained, where past uses may have led to the presence of contamination. These sites are termed 'Sites of Potential Contaminated Land Concern' ("PCL").

At the time of writing this report, there are approximately 9500 site records held relating to potential sites of contaminated land concern within the dataset for Worcestershire as a whole. It should be noted that some of these may relate to multiple records for a site due to changes in land use or the time period over which uses have occurred. Approximately 1300 PCL sites are recorded within the Wyre Forest District Council area. New sites are being added to the records as and when they are identified, or further clarity of information is attained. These sites range from large industrial sites, such as former power stations, landfill sites, and gas works, to very small sites such as infilled ponds, electricity substations, and everything in between, such as petrol filling stations, warehouses, factories, and depots.

A manual method of prioritisation of these sites is being undertaken to rank the sites in order of priority for detailed inspection. Sites that have a greater risk will be classed as a higher priority, those with a lower risk will be allocated a lower priority. Where sites have been remediated as part of the planning process or through voluntary remediation this will be reflected within the prioritisation. The list will continue to be revised as further sites are redeveloped through the planning regime.

Most of these sites will not have been investigated, with only limited information available, and therefore have only been identified with a potential for contamination to be present due to the historical land use rather than a known history of contamination. The sites will be ranked by order of priority for possible detailed inspection in the future.

It is important to note that requirements under Part 2A of the Act addresses the risk based on the existing land use only and not future possible uses. Whilst sites may have been noted as remediated, or not requiring inspection, this does not preclude further work being required in the future should a more sensitive land use be proposed which may create a higher level of risk.

Part 2A adopts a precautionary approach in terms of the risks posed by contamination. The Statutory Guidance provides more detail on the specifics of risk assessment and the procedures for deciding whether land meets the legal definition of contaminated land resulting in determination. Any inspection carried out by the

Council would follow the requirements set out in the legislation and Statutory Guidance at that time.

# 6. Detailed Inspection

Sites of Potential Contaminated Land Concern (PCL) will be prioritised for further detailed inspection with the highest-ranking sites inspected first. These sites would be those with the highest associated risk. The risk is considered based on the likelihood of contamination being present (by former activity), the sensitivity of the current land use, and likelihood of harm being caused.

Detailed inspection should follow a phased approach, which is standard practice for investigating the presence of contamination. This may include intrusive investigation involving the collection of soil and water samples along with gas and groundwater monitoring, dependent on the nature and likelihood of contamination suspected. All inspections will follow the Statutory Guidance and Land Contamination Risk Management Guidance (Environment Agency, 2025) and other relevant best practice and guidance.

To date, Wyre Forest District Council have reviewed a number of sites under Part 2A of the Act. However, no sites have been determined as 'contaminated land' as a result at this time.

The detailed inspection of potentially contaminated land sites under the Part 2A regime is very resource intensive for the local authority, in terms of both time and money. Defra previously provided a grant system to local authorities via a bidding system, to finance the investigations. The grant system could also be used by local authorities to remediate sites, where no other responsible party could be identified. This scheme was withdrawn in 2013 and no replacement funding mechanism has been provided to enable local authorities to undertake this work since.

Intrusive investigation can be an expensive process normally requiring the services of specialist environmental consultants, often needing further rounds of investigation after initial results are received. Where remediation is required, the Council will seek to identify those persons responsible for the contamination and therefore liable for the costs of remediation.

Remediation costs can reach hundreds of thousands of pounds and where no other person is found to be liable for the costs, it would fall to Wyre Forest District Council to fund and ultimately the taxpayer.

The Statutory Guidance states that local authorities must seek to minimise unnecessary burdens on the taxpayer. As such, in the absence of any external funding mechanisms and the financial risk that this creates, Wyre Forest District Council at this time, will not proactively undertake Part 2A detailed inspections of Sites of Potential Concern (except where there is clear evidence that a problem exists).

The Council will continue to use the favoured mechanisms detailed in the Statutory Guidance, such as the planning process and voluntary remediation, to ensure that historical contamination is appropriately and proactively dealt with. These alternative arrangements are described in more detail below.

The Council will, however, use its powers under Part 2A of the Act to reactively deal with contaminated land where there is clear evidence that a problem exists or is likely to exist and there is no other regulatory approach available. Any potential funding streams will be assessed and pursued where appropriate should they become available.

# 7. Broader Approach

Contaminated land is considered within the Development Control and Building Control regimes to ensure sites are suitable for their current and intended use. Each system has its own requirements.

#### **Development Control**

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2024) sets out government's planning policies for England and how these are expected to be applied. Paragraphs 196 onwards detail the requirements for addressing potential contamination in the development control process to ensure the site is suitable for its proposed use and, after remediation (where required), ensure that the land is not capable of being determined as contaminated land.

#### NPPF Paragraph 196

Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990: and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

#### NPPF Para 197

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

WRS act as a consultee within the planning process and work closely with Planning Officers to ensure issues of potential contamination are investigated and dealt with as required. This is generally achieved by way of various conditions being applied to planning consent notices, as appropriate, to ensure the relevant issues are adequately addressed.

Involvement continues throughout a development up to the point it is demonstrated that no remedial measures are required on a site, or a final verification report is submitted and agreed to demonstrate remediation work has been successful. It is the responsibility of the developer and/or landowner to ensure the site is safe and suitable for use. The Council welcomes early communication on these matters so advice can be provided as to the requirements of addressing land contamination under the planning regime.

Addressing potential contamination through the development control regime is the best approach for addressing potentially contaminated sites. The high number of planning applications received per year in the district allows a much greater number of sites to be investigated than could be progressed under the Part 2A regime. The use of other mechanisms to address potential contamination is supported by the Statutory Guidance.

#### **Building Control**

Regulation 6 of the Building Regulations 2010 identifies resistance to contaminants as being a requirement to certain material changes of use.

WRS Officers would work with the Building Control Officers with regards to the requirements under the legislation and the subsequent remediation measures agreed for a site with the developer or landowner.

Building Regulations require measures to protect new buildings and the future occupants. Ground covered by any buildings and associated ground is required to be reasonably free of materials that might damage it or affect its stability. Reasonable precautions are required to avoid health and safety risks resulting from contamination.

Guidance has been issued in Approved Document C, 'Site preparation and Resistance to Contaminants and Moisture', (HM Government, 2013). A consolidated version of the individual Approved Documents has been published by the government, entitled "The Building Regulations 2010 - The Merged Approved Documents - October 2024 compilation of individual approved documents".

#### **Environmental Permitting Regime**

The Environmental Permitting (England and Wales) Regulations 2016 and subsequent amendments provides a regime for the regulation of prescribed industrial and waste management activities.

Where significant harm or pollution of controlled waters comes from a process regulated under the above regimes, a remediation notice under Part 2A of the Act

cannot be served if the powers are available under the relevant Environmental Permitting regime to address the harm or pollution of controlled waters.

#### **Environmental Damage Regulations**

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 impose obligations and liabilities on certain commercial operations to prevent and remediate environmental damage caused by their activities based on the polluter pays principal.

The term "Environmental Damage" has a specific meaning under the regulations and is damage that adversely affects land, surface or groundwater, marine waters, protected species or natural habitats or a site of special scientific interest (SSSI). The Local Authority has enforcement responsibilities in relation to damage to land where this results in a "significant risk of adverse effects on human health". In relation to damage to water and natural habitats/protected species, the Environment Agency and Natural England are the enforcement authorities respectively.

There can be some overlap of Environmental Damage and Part 2A and sites may be investigated under both regimes. In general Part 2A covers historic contamination whereas the Environmental Damage Regulations are to provide a quicker response in relation to pollution incidents.

#### Voluntary Remediation

Discussions with landowners or occupiers who wish to address potential contamination on their land on a voluntary basis are welcomed. This sometimes occurs where a landowner wishes to sell land, use it as equity, reduce the risk of damage to the environment, or limit any future liability.

#### Regional Collaboration

WRS is a member of a number of regional contaminated land groups consisting of representatives from other Local Authorities and relevant bodies. These include the West Midlands Contaminated Land Group, Gloucestershire Contaminated Land Group, and Staffordshire Contaminated Land Group. These groups are voluntarily run organisations working to provide support to local authority officers, encouraging dialogue with the wider industry and helping deliver consistency in the regulation of environmental pollution matters. WRS are also a member of the National Contaminated Land Officer Group (NCLOG) which offers a coordinated approach across the country to topical matters as they evolve. NCLOG is now being hosted and supported by the Institution for Environmental Sciences (IES). NCLOG was established in 2019 to enable the contaminated land officer voice to be heard nationally at government and industry level, and to promote consistency across the sector. NCLOG has over 200 members across the UK and maintains close links with existing regional officer groups and those working in the devolved administrations. It is a voluntary organisation and is governed by an elected Committee.

WRS have produced the Technical Guidance Note for Planning (May 2025) which sets out the requirements for how land affected by contamination should be dealt with as part of the planning process. The document also provides a specification as

to the technical standards expected for contaminated land reports submitted in support of planning applications and discharge of condition requests. Environmental consultants and developers are directed to this document. It is hoped that this helps to improve the quality of information submitted and to raise awareness of the requirements particularly within the planning process. The document has been made available to other local authorities for information.

wrs-technical-guidance-document-for-planning-v-5-9.pdf

#### The Office for Environmental Protection

The Office for Environmental Protection (OEP) was legally created in November 2021, under the Environment Act 2021. Their remit is to protect and improve the environment by holding government and other public authorities to account. The OEP have powers to enforce against failures to comply with environmental law.

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# **Appendix A – Prioritisation Methodology**

Preliminary prioritisation will continue in order to assess sites for future inspection. The sites will be scored utilsing a risk ranking scoring system within the contaminated land database. The aim is to score all potential sites of concern to establish a hierarchy system with the higher risk sites at the top of the list. The site categorisation methodology is based upon the Source-Pathway- Receptor linkage, taking into account;

- Likely presence of Contaminant and severity of harm
- Likelihood of a Pathway for contaminant cause harm
- Receptor Sensitivity

The first step is to identify former potentially contaminative land uses or activities, such as "Gas Works", and apply the corresponding score. If a site has had mutiple different land uses it will be assigned the relevant scores for each of the major land uses. The risk assessment tool allows for up to six separate land use scores to be assigned. If a case arises where there are more than six relevant land uses for the site, the highest category scores will be included. A generic score according to the risk class is appointed depending on the use from the following rankings; Very High, High, Medium, Low, or Very Low.

The next stage is to assign a further score based on the pathway efficiency taking account of geology, soil classification, services pathways, and whether any remediation or barriers have been put in place. If no data is held a conversative approach is adopted by applying the same score as for high risk. The other values are medium or low.

A third score is applied in relation to the receptor sensitivity with the highest sensitive uses accruing a higher score. The most sensitive end uses are classed as residential with gardens, schools, and children's nurseries. The receptor sensitivity takes account of exposure pathways that are likely to be present and the vulnerability of those receptors. A residential property with garden is likely to have more exposure pathways because of the potential for residents to interact with bare soils. Home grown produce may take up contaminants whilst growing that can then be ingested when consumed. Soils may also be ingested by young children during play, inhaled as dust, and tracked into residential properties. Children are at a higher risk from contaminants due to a number of factors including their smaller size (and therefore exposure to proportionally larger doses of toxins), closer proximity to the ground, dirt and indoor dust. When compared to an adult, children also breathe more and consume more food and water in terms of per kg of bodyweight (Hauptman, M, / Woolf, A, 2020).

A further score can be applied for other considerations where relevant. These include controlled waters sensitivity and whether there are other ecological receptors, or protected property or buildings. These may include national nature reserves and Sites of Special Scientific Interest, ancient monuments, crops, owned or domesticated animals, and wild animals subject to shooting or fishing rights.

The scoring matrices that are to be utilised within the prioritisation process are set out below.

# **SCORING MATRIXES**

SOURCE		CODE	RISK	SCORE
Asbestos manufacture, abrasives, and related products		ML		
Chemical works (organic and inorganic)	Manufacture of cosmetics, bleaches, manure, fertilisers and pesticides, detergents, oil organic based pharmaceuticals, other chemical products, including glues, gelatines, recording tapes, photographic film	СН		
	Sheep dips	SD		
	Dyes, pigments	DY	Very	
	Paint, varnishes, printing inks, mastics, sealants, and creosote	PA	Very	<b>50</b>
Radioactive materials processi	•	NA	High	
Gas works, coke works, coal ca or other carbonaceous material	arbonisation and similar sites. Production of gas from coal, lignite, oil, lother than waste	GA		
	Refuse and waste disposal sites, including hazardous wastes, incinerators, sanitary depots, drum and tank cleaning, solvent recovery			
Oil refining and bulk storage of	Oil refining and bulk storage of oil and petrol & Gasometers which are not gas works			
LANDFILL SITE - KNOWN TO BE ACTIVELY PRODUCING GAS		LA		
Abattoirs and animal slaughteri	•	AB		
	o animal by-products e.g. soap, candles, and bone works.	AN		
Tannery, leather goods and ski	· · · · · · · · · · · · · · · · · · ·	TY		
Engineering (heavy and general)	Manufacturing of distribution, telecoms, medical, navigation, metering, and lighting.	HE		
	Manufacture and repair including ships, aerospace, rail engines and rolling stock	HT	High	40
	Heavy products manufacture - rolling and drawing of iron, steel, and ferroalloys - includes tube works	НМ		
	Manufacturing of electrical and electronic domestic appliances.	HS		
	Manufacture of cars, lorries, buses, motorcycles, bicycles	LT		

SOURCE		CODE	RISK	SCORE
	Manufacturing of engines, buildings and general industrial machinery, including nuts and bolts, gas fitting as, wire rope/cable and ordnance accessories. Including metal workshops and canneries	MA		
Metal smelting and refining	Includes furnaces and forges, electroplating, galvanising, and anodising	FY		
	Ferro and aluminium alloys-manganese works, slag works	PL		
Civilian manufacture and storagordnance.	ge of weapons, ammunition, explosives, and rockets including	MG		
All military establishments inclu-	ding firing ranges (if not specified as civilian).	MD		
Recycling of metal waste includ	ling scrapyards and car breakers	SP		
Natural and synthetic rubber provinyl, and asphalt works	oducts including tyres and rubber products. Tar bitumen, linoleum,	RB		
Paper, card etc products (packa	aging).	PD		
Pulp, paper, and cardboard mai	nufacture	PR		
UNDERGROUND STORAGE TANKS ON SITE and above ground fuel storage tanks (except domestic)		US		
LANDFILL SITE - STRONGLY SUSPECTED TO BE PRODUCING GAS, based on available information on age and content of fill		LB		
Manufacture of clay bricks and tiles, including associated activities eg brick fields, also solitary kilns (other than lime kilns)		BK		
Extraction of alluvial sediments	(sand, stone, clay, peat, marl and gravel)	PT		
Quarrying of all stone (including limestone, gypsum, chalk and slate) and ores, includes all opencast mining and slant workings - also slate/slab works, flint works, stone yards		QU		
Airports and similar (air and spa	ace transport)	AP		
Concrete, ceramics, cement and plaster works.	Concrete, cement, lime and plaster products, also including solitary lime kilns.	CE	Madium	20
	Tableware and other ceramics.	CR	Medium	30
Dry-cleaning and laundries (larger scale, not usually "High Street")		LY		

SOURCE		CODE	RISK	SCORE
Flat glass products manufacture		CI		
		GL		
Photographic processing		PP		
Coal storage/depot.	Coal mining (and the manufacturing of coke and charcoal) -	CC		
	areas include associated surface activities in area and coal mine shafts.	CY		
	Areas of mining and single or groups of shafts other than coal, or not specified - including levels, adits, etc also areas associated with mineral railways.	MN		
Electricity generation and dis nuclear power stations).	stribution, including large transfer stations, power stations (excluding	PW		
Batteries, accumulators, prin	nary cells, electrical motors, generators, and transformers	BT		
Printing of newspaper		NW		
Printing works other than new	wsprint and bookbinding (usually excludes "High Street" printers)	PN		
Railway land, including yards		RW		
(Railway tracks - up to 4 trac	,	RL		
Sale of automotive fuel. Road vehicle fuelling, transport depots, road haulage and commercial vehicle fuelling, local authority yards and depots.		FU		
Repair and sale of cars and bikes, parts and motorway services.		GG		
Transport depots - road haulage corporation yards		DP		
Sewage treatment works. Se	ewerage, septic tanks, effluent - including all filter beds.	SW		
Textiles manufacturing - natural and manmade textile manufacture and products including hemp rope and linoleum.		TX		
Timber treatment works and manufacturing. Sawmills, planning and impregnation (ie treatment of timber), wood products, telegraph works, timber yard, eg veneer		WD		
Computers, office machinery, business/industrial electrical goods.		LE		
Insulated wire and cable for electrical/tel/purposes.		WR		
LANDFILL SITE - GAS PRODUCTION IS POSSIBLE, based on historical map evidence of infilled quarry, water body or other void		LC		
	e, moulding and extrusion; building materials; fibre glass, fibre glass octuring of Tar, Bitumen and Asphalt.	PS	Low	20

SOURCE	CODE	RISK	SCORE
Dockyards and wharves. Boatbuilding, wharf and quays, cargo/transport handling faci or inland	lities - marine DK		
Brewing and malting	BW		
spirit distilling and compounding.	DL		
Major food processing includes large dairies. Exceptionally large-scale corn/flour milling	ng FD		
Constructional steelwork, metal structures and products and building materials (Includ Yards and smithy's)	ing Building MP		
Cemetery, modern burial ground, and graveyard	GV		
All hospitals including sanatoriums but not lunatic asylums (also includes laboratories)			
LANDFILL SITE - GAS PRODUCTION UNLIKELY, based on available information on age and content of fill			
Light Industry	LI		
Pollution incident (historic)	PI	Very	
Area prone to repeated flooding	FL	_	10
Radioactive Substances Act Registrations RS			
Allotments and agricultural areas subject to repeated sewage spreading or excessive	treatment AL		

<b>PATHWAYS</b>		SCORE
	No data held or High Risk	5
Geological risk pathway	Medium Risk	3
	Low Risk	1
Cail Olasaifia atian wiale	No data held or High Risk (No info or soils of high leaching potential)	5
Soil Classification risk pathway	Medium Risk (Soils of intermediate leaching potential)	3
	Low Risk (Soils of low leaching potential)	1
	No data or Drainage services (including culverted rivers) or wells known	5
Services pathway risk	Possible drainage services	3
	No drainage services on site	1
Remediation pathway risk	No knowledge	5
	Likely that some remedial scheme would have been employed	4
	Partial remedial scheme believed to be in place	3

RECEPTORS	SCORE	
Residential with Gardens		20
Schools and Children's Nurse	eries	20
Private Water Supply abstract	tion for domestic consumption	18
Residential without Gardens		16
Playing fields and Public Ope	n Space	9
Allotments and Cemeteries		8
Leisure/Hospitals/Commercial		7
Industrial		6
Agricultural		5
Other		1
No Risk Recorded		0
	Remedial scheme believed to be in place and effective	1
	Full appropriate remedial scheme in place and full details held	0
Barrier pathway risk	Uncertain/No knowledge of any barrier	1
	Physical or effective management barrier in place	0

OTHER CONSIDERATIONS		SCORE	
	Abstraction Point for Domestic Consumption River Water Classification A, B or C	10	
	Source Protection Zone 1  Major Aquifer (vulnerability risk = High)	10	
	Source Protection Zone 2  Major Aquifer (vulnerability risk = Medium)	8	
Controlled Waters	Minor Aquifer (vulnerability risk = High)  Source Protection Zone 3  Major Aquifer (vulnerability risk = Low)	6	
	Minor Aquifer (vulnerability risk = Medium)  River Water Classification D, E or F  Pond, Lake or other unclassified water feature	5	
	Minor Aquifer (vulnerability risk - Low)	4	
	Abstraction Point for Commercial or Industrial use	3	
	Non-Aquifer	2	
	Owned or Domesticated animals Crops	5	
Ecological Receptor, Property or Buildings	Wild Animals subject to shooting or fishing rights	4	
	National Nature Reserves & Sites of Special Scientific Interest	3	
	Ancient Monuments	2	
	Other Property	1	

# Appendix B – Ecological and Sensitive Sites

There are a variety of specially designated areas highlighting the strategic importance of the Wyre Forest District in terms of its natural assets.

The following sites have been identified:-

- Thirteen Sites of Special Scientific Interest (SSSI's)
- Seventeen conservation areas
- Nine Scheduled Monuments
- One site designated as a National Nature Reserve and eight as Local Nature Reserves.

According to available information sources there are 13 Sites of Special Scientific Interest (SSSI's) within the Wyre Forest District area (Search for planning data / Magic Map Application / Site Search)

Hurcott and Podmore Pools SSSI 1000702

Puxton Marshes SSSI 1002234

Eymore Railway Cutting SSSI 1002390

Stourvale Marsh SSSI

Wilden Marsh and Meadows SSSI 1003227

1003010

Devil's Spittleful SSSI 1003693

River Stour Flood Plain SSSI 1005983

Ranters Bank Pastures SSSI 1007234

Buckeridge Meadow SSSI 1007235

Showground Meadow, Callow Hill SSSI 1007236

Bliss Gate Pastures SSSI 1007237

Brown's Close Meadow SSSI 1007238

Hurcott Pasture SSSI 2000016

#### There are 17 Conservation Areas within Wyre Forest District

Church StreetUpper ArleyStaffordshire andChaddesley CorbettAreley Kings

Broome Gilgal Wolverley

Blakebrook Stourport-on-Severn Vicar Street and Exchange Street

Harvington No.2

Stourport-on-Severn Green Street

Ribbesford No.1

<u>Churchill</u> <u>Bewdley</u>

# There are 9 Scheduled Monuments (England) recorded within the Wyre Forest District area.

<u>Churchill Forge</u> <u>Peter and St Paul's</u> <u>Moated site, fishponds</u>

<u>Church</u> <u>and quarries at</u> arrow Hill Harvington Hall

Barrow Hill Harvington Havington Hav

Arley Wood Camp hillfort on Drakelow Hill, Moated site at

Rock Farm moated <u>250m west of Solcum</u> <u>Pickard's Farm</u>

<u>site, deserted medieval</u> <u>Moated site and village and ridge and Moated site in Wassell fishponds at </u>

furrow, 100m SE of St Wood, 400m south of Trimpley Green

One site has been designated as a National Nature Reserves and eight as Local Nature Reserves within the district.

National Nature Reserve	Local Nature Reserve
Chaddeley Woods	<u>Blakemarsh</u>
	Burlish Top
	Hurcott Wood
	Habberley Valley
	Kingsford Forest Park
	Half Crown Wood
	Redstone
	Spennells Valley