Minerals and Waste Local Plan Publication Stage Representation Form

Page 1: Suffolk Minerals and Waste Local Plan Publication Stage Representation

Q1. Please state if you are responding:

As an individual

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Tony</td>
</tr>
<tr>
<td>Last Name</td>
<td>Couzens (received via email)</td>
</tr>
<tr>
<td>Address Line 1</td>
<td>1 Cresmeadow Way</td>
</tr>
<tr>
<td>Address Line 2</td>
<td>Elmswell</td>
</tr>
<tr>
<td>Address Line 3</td>
<td>N/A</td>
</tr>
<tr>
<td>Address Line 4</td>
<td>N/A</td>
</tr>
<tr>
<td>Post Code</td>
<td>N/A</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>N/A</td>
</tr>
<tr>
<td>Email address</td>
<td>N/A</td>
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Q3. Agent's Details:

No Response

Q4. To which part of the Local Plan does this representation relate?

- Paragraph
- Policy
- Policies Map Wetherden

Q5. Do you consider the Local Plan is

No Response

Q6. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.
Please see below comments and objections to the inclusion of Lawn Farm Quarry in the Local Plan preferred options June 2018 Tony Couzens

OBJECTION to the inclusion of Lawn Farm Quarry Wetherden in the Suffolk Minerals and Waste Local Plan Preferred Options dated June 2018

Proximity to Residential Properties

The proposed extension will increase significantly the number of properties and people affected by the activities at this site. Considerably more properties will be affected when the recently approved housing development in Wetherden Road comes into being in the very near future, up to an extra 240. It is difficult to identify exact numbers for all the sites where extensions are proposed because the reports about the number of properties are a bit vague e.g. "a number of properties". However looking at the site plans it seems to me that Lawn Farm Quarry, Wetherden will affect considerably more residential properties than of any of the other sites. Noise At the current operational distance neighbouring properties are subjected to frequent loud bangs and crashes, beeps from HGVS and diggers, noisy materials being processed which can often be heard through closed double glazing and certainly makes having windows open or trying to enjoy the use of gardens in summer an unpleasant and distressing experience. The bunding and screening required by the current permissions, which we were advised would stop this, is clearly ineffective and inadequate. Dust and Air Quality

The amount of dust generated, especially in dry weather (despite the contention from expert opinion that it wouldn't travel beyond the current boundary) does already travel to neighbouring properties contaminating air quality, washing, window ledges etc. It is obvious that this will have a detrimental effect on the medical condition of those with lung problems. The non technical specifications (9.2) from 2009 currently require, among other things, access roads and hauls to be periodically damped down. To my knowledge this has never happened even during long spells of dry weather. The dust clouds created by movements within the site rise well above the bunding/screening and can clearly be seen drifting over the current site boundaries. The prevailing wind direction means the dust clouds are driven predominantly towards the neighbouring properties. I understand that monitoring of this aspect ceased in 2014 which means it has not been investigated since the quarry started operations.

Mud on the road There is a long history of complaints which at this time I believe remain unresolved. After nearly three years of these complaints SCC advised that they were unable to deal with the dangerous conditions this creates on the adjacent roads and issues should be reported to the Police. I understand that recently a more robust attitude has at last been taken by SCC but as far as I know another 8 months the problem remain unresolved. Failure to comply with Working Hours Workings have been seen and heard as early as 06.30 and as late as 21.00. These workings have also been seen and heard at weekends and it is not unusual to see and hear Saturday afternoon and Sunday working. To my knowledge over 100 reports of out of hours activity have been sent to Jo Lloyd (SCC planning enforcement) or County Councillor Andrew Stringer. Obviously these are only the incidents observed and people have taken time to report, doubtless there are many more unreported incidents. Despite these reports to SCC the violations continue unabated. Lack of control of activities on the site The County Councillor for Wetherden (Andrew Stringer) at a meeting of Wetherden Parish Council on 14 November reported that SCC did not get the planning conditions/permissions right in the first place which has left them with difficulties trying to enforce them. At a meeting of Elmswell Parish Council held on 20 November the Clerks report from the 17 November 2017 Lawn Farm Quarry liaison meeting states "The regulatory authorities, mainly SCC, do not have the resources to deal with the degree of monitoring and surveillance required to regulate activity on sites such as this. Given the proximity to the communities of Elmswell and Wetherden this is bound to lead to an unsatisfactory outcome." This means there is inadequate control over the operator at this site who, since at least 2014, has shown no signs of adhering to the current planning permissions/conditions. In my opinion permission to expand operations closer to residential properties should not be considered. Amount of Provision needed I understand that the current proposals allow for a 30% over provision of aggregate etc this seems to be a very high margin for error or change in demand and I feel not all the proposed extensions are strictly needed. In Conclusion

The above points have already been put to SCC in the November 2017 consultation but have all been rebuffed or apparently can be controlled by conditions/permissions. SCC has admitted that they have not been able to control the activities at this site for four years, a factor which appears to be ignored. It is very relevant to those whose lives are affected on a daily basis and whilst SCCs response may be technically correct it seems to me that some common sense needs to be brought into play particularly as it does not seem necessary to have such an over provision (30%+). In my view the close proximity to existing and an expanding number of residential properties, noise, dust, road safety issues, the failure by the operator to adhere to the planning conditions together with the inability of SCC to enforce compliance should make it unthinkable and irresponsible to even consider allowing expansion which will bring all these issues closer to existing and a soon to be growing number of neighbouring residential properties. Further OBJECTION to the inclusion of Lawn Farm Quarry Wetherden in the Suffolk Minerals and Waste Local Plan Preferred Options dated June 2018 It has been admitted that due to inadequacies / omissions / vagaries in the permissions granted in 2009 that it has not been possible to enforce many of those provisions. This has left the County Council unable to deal properly with ongoing problems and complaints from nearby residents about noise, dust, air pollution, working outside of hours and the dangerous contamination of the road used to enter and exit the quarry. I have been advised that these same conditions will be have to be applied to the proposed extension area. I believe that this will be in contravention of several sections of the National Planning Policy Framework which I have listed below. Point 109

Bullet Point 4 preventing both new and existing development from contributing to or being put at unacceptable risk
from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; Point 123 Bullet Point 1 and 2 • avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; Point 143 Bullet Point 6 • set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality; Point 144 Bullet Point 3 • ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; Point 144 Bullet Point 4 • ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties; Point 207 Enforcement Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so. I accept enforcement is discretionary but the lax 2009 permissions have effectively removed the Councils ability to control operations on the site much to the detriment of those living near it with no possibility of resolution. To allow the workings to come even closer to residential properties will exacerbate the existing completely unacceptable situation.

<table>
<thead>
<tr>
<th>Q7. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.</th>
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<td><strong>No Response</strong></td>
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<th>Q8. SCC Response</th>
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<td><strong>No Response</strong></td>
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<tr>
<th>Q9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?</th>
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<tr>
<td><strong>No Response</strong></td>
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<thead>
<tr>
<th>Q10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:</th>
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<tbody>
<tr>
<td><strong>No Response</strong></td>
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<table>
<thead>
<tr>
<th>Q11. Your details:</th>
</tr>
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<tbody>
<tr>
<td><strong>Name</strong> Tony Couzens</td>
</tr>
<tr>
<td><strong>Date</strong> 18 July 2018</td>
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</tbody>
</table>
Please see below comments and objections to the inclusion of Lawn Farm Quarry in the Local Plan preferred options June 2018

Tony Couzens

**OBJECTION to the inclusion of Lawn Farm Quarry Wetherden in the Suffolk Minerals and Waste Local Plan Preferred Options dated June 2018**

**Proximity to Residential Properties**
The proposed extension will increase significantly the number of properties and people affected by the activities at this site. Considerably more properties will be affected when the recently approved housing development in Wetherden Road comes into being in the very near future, up to an extra 240.

It is difficult to identify exact numbers for all the sites where extensions are proposed because the reports about the number of properties are a bit vague e.g. "a number of properties". However looking at the site plans it seems to me that Lawn Farm Quarry, Wetherden will affect considerably more residential properties than of any of the other sites.

**Noise**
At the current operational distance neighbouring properties are subjected to frequent loud bangs and crashes, beeps from HGVS and diggers, noisy materials being processed which can often be heard through closed double glazing and certainly makes having windows open or trying to enjoy the use of gardens in summer an unpleasant and distressing experience.

**The bunding and screening required by the current permissions, which we were advised would stop this, is clearly ineffective and inadequate.**

**Dust and Air Quality**
The amount of dust generated, especially in dry weather (despite the contention from expert opinion that it wouldn’t travel beyond the current boundary) **does already travel to neighbouring properties** contaminating air quality, washing, window ledges etc. It is obvious that this will have a detrimental effect on the medical condition of those with lung problems.

The non technical specifications (9.2) from 2009 currently require, among other things, access roads and hauls to be periodically damped down. To my knowledge this has never happened even during long spells of dry weather. The dust clouds created by movements within the site rise well above the bunding / screening and can clearly be seen drifting over
the current site boundaries. The prevailing wind direction means the dust clouds are driven predominantly towards the neighbouring properties.

I understand that monitoring of this aspect ceased in 2014 which means it has not been investigated since the quarry started operations.

**Mud on the road**

There is a long history of complaints which at this time I believe remain unresolved. After nearly three years of these complaints SCC advised that they were unable to deal with the dangerous conditions this creates on the adjacent roads and issues should be reported to the Police.

I understand that recently a more robust attitude has at last been taken by SCC but as far as I know after another 8 months the problem remain unresolved.

**Failure to comply with Working Hours**

Workings have been seen and heard as early as 06:30 and as late as 21:00. These workings have also been seen and heard at weekends and it is not unusual to see and hear Saturday afternoon and Sunday working.

To my knowledge over 100 reports of out of hours activity have been sent to Jo Lloyd (SCC planning enforcement) or County Councillor Andrew Stringer. Obviously these are only the incidents observed and people have taken time to report, doubtless there are many more unreported incidents. Despite these reports to SCC the violations continue unabated.

**Lack of control of activities on the site**

The County Councillor for Wetherden (Andrew Stringer) at a meeting of Wetherden Parish Council on 14 November reported that SCC did not get the planning conditions/permissions right in the first place which has left them with difficulties trying to enforce them.

At a meeting of Elmswell Parish Council held on 20 November the Clerks report from the 17 November 2017 Lawn Farm Quarry liaison meeting states "The regulatory authorities, mainly SCC, do not have the resources to deal with the degree of monitoring and surveillance required to regulate activity on sites such as this. Given the proximity to the communities of Elmswell and Wetherden this is bound to lead to an unsatisfactory outcome."

This means there is inadequate control over the operator at this site who, since at least 2014, has shown no signs of adhering to the current planning permissions/conditions. In my opinion permission to expand operations closer to residential properties should not be considered.

**Amount of Provision needed**

I understand that the current proposals allow for a 30% over provision of aggregate etc this seems to be a very high margin for error or change in demand and I feel not all the
proposed extensions are strictly needed.

**In Conclusion**
The above points have already been put to SCC in the November 2017 consultation but have all been rebuffed or apparently can be controlled by conditions / permissions. SCC has admitted that they have not been able to control the activities at this site for four years, a factor which appears to be ignored. It is very relevant to those whose lives are affected on a daily basis and whilst SCCs response may be technically correct it seems to me that *some common sense needs to be brought into play particularly as it does not seem necessary to have such an over provision (30% +)*.

In my view the close proximity to existing and an expanding number of residential properties, noise, dust, road safety issues, the failure by the operator to adhere to the planning conditions together with the inability of SCC to enforce compliance should make it *unthinkable and irresponsible to even consider allowing expansion which will bring all these issues closer to existing and a soon to be growing number of neighbouring residential properties.*
Please see below further comments and objections to the inclusion of Lawn Farm Quarry in the Local Plan preferred options June 2018

Could you please acknowledge receipt of this and my Email sent earlier today

Thank you
Tony Couzens

Further OBJECTION to the inclusion of Lawn Farm Quarry Wetherden in the Suffolk Minerals and Waste Local Plan Preferred Options dated June 2018

It has been admitted that due to inadequacies / omissions / vagaries in the permissions granted in 2009 that it has not been possible to enforce many of those provisions. This has left the County Council unable to deal properly with ongoing problems and complaints from nearby residents about noise, dust, air pollution, working outside of hours and the dangerous contamination of the road used to enter and exit the quarry.

I have been advised that these same conditions will be have to be applied to the proposed extension area.

I believe that this will be in contravention of several sections of the National Planning Policy Framework which I have listed below.

**Point 109 Bullet Point 4**
preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;

**Point 123 Bullet Point 1 and 2**

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development

  mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
Point 143 Bullet Point 6
- set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;

Point 144 Bullet Point 3
- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;

Point 144 Bullet Point 4
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;

Point 207 Enforcement
Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

I accept enforcement is discretionary but the lax 2009 permissions have effectively removed the Councils ability to control operations on the site much to the detriment of those living near it with no possibility of resolution. To allow the workings to come even closer to residential properties will exacerbate the existing completely unacceptable situation.