

Paper to EPC meeting 19.02.224 re Lawn Farm Quarry

- 1 Since the inception of the 'modern' minerals extraction workings at Lawn Farm in March 2009 and for the following several years EPC supported the Community Liaison Forum (CLF) which was established to monitor any adverse effects of the operations and set the site activities against the prescribed policy limits. Council advertised for residents to join the group and I attended the quarterly site meetings along with community representatives, Council Members, Ward Members and SCC officers.
- 2 The Terms of Reference of the CLF included all relevant aspects of the relationship between the operators and the community.
- 3 It is a matter of record that there has been much dissatisfaction on the part of the community and others across the board at the disparity between policy and practice as the works have proceeded and expanded.
- 4 Issues of site security, working hours, dust management, noise management and destructive and dangerous deposits left on the old A45 access road have repeatedly been the subject of complaint and attempts at enforcement action.
- 5 There has been an obvious shortfall in resources available to SCC for monitoring and enforcement and I am unaware that this has, in current circumstances, been addressed.
- 6 In February 2009, EPC objected in detail to the originating application which effectively revived working at 'the pit' over a much extended area. The application succeeded in line with identified national and local imperatives for aggregate extraction. Permission was hedged-about with stringent conditions covering conditions such as at 4 above.
- 7 Since then, EPC has fought against all variations and expansion proposals, including the siting of the concrete crushing & grading plant and the concrete batching operation. Objections have centred on the repeated lack of compliance with control regulation and the shortcomings of enforcement proceedings.
- 8 The defining Policy document is the Suffolk Minerals & Waste Local Plan (SMWLP) which was examined in June 2019 when I attended to make objection on EPC's behalf to the extension of the Lawn Farm site given the proximity of dwellings along Wetherden Road identified in the BMSDC Submission Draft by virtue of the fact that the emerging JLP, 'may include an area of housing between the existing settlement of Elmswell and the Quarry'. I was able to furnish the Inspector with my hand-drawn plan identifying the housing in relation to the proposed northern boundary. This was accepted in his evidence. Nevertheless, the Plan was made in July 2020 with the Lawn Farm proposals for extension approved.
- 9 Relevant Policies are found in the BMSDC JLP and the NPPF. None are in conflict with the principle of this application but refer to relevant constraints.
- 10 EPC accepts, therefore, that the current application which is, affectively seeking detailed permission for the first tranche of expansion within this defined boundary is within Policy.
- 11 The SMWLP under Policy MS8 confirms that development at the site will be acceptable so long as the proposals adequately address, amongst other factors:
 - a) the highways safety, maintenance and amenity implications of HGV's including improved wheel cleaning facilities to avoid mud being deposited on the public highway outside of the site;

- e) the provision of an air quality assessment which considers the potential impacts of increased dust and pollutant concentration...the potential for cumulative impacts...
 - f) the provision of measures which mitigate noise;
 - i) a traffic management plan drafted to avoid traffic routing through local villages including Elmswell and Wetherden except in the case of local deliveries.
- 12 The SMWLP lists 'General environmental criteria' at Policy GP4 which further confirms the acceptability of development which adequately assess (and address where applicable any potential significant adverse impacts including cumulative impacts) on the following:
- b) vehicle movements, access and the wider highways network;
 - h) neighbouring land use
 - j) noise and vibration;
 - k) air quality including dust and odour;
 - l) light pollution;
 - q) mud and aggregates on the road;
- 13 The NPPF at Paragraph 111 states that development can be refused if it poses an unacceptable impact on highway safety. Without specific conditions towards mitigation of the current dangerous and blatant refusal to address the day-to-day deposit of substantial spillage and mud from the poorly washed HGV units, this proposal must fail.
- 14 The NPPF at paragraph 174 requires the prevention of noise impact and adverse effects of noise pollution. Paragraph 211 confirms that unavoidable noise emissions must be controlled, mitigated or removed at source. The record shows an extremely poor level of compliance over 15 years' operation in this regard and measures above and beyond those previously implemented would be needed to allow the proposed operations to take place in the much close proximity presented by the recent housing development at the northern site boundary.
- 15 The JLP at LP15 further stresses the need for prevention, mitigation and reduction of noise nuisance to a minimum. Simply conditioning this is, provably, inadequate. The Operator has offended in this regard on multiple occasions over the history of the workings and there is no indication of an intention to change working practices despite the increased sensitivities consequent upon those workings moving far closer to the new-build housing at Wetherden Road, Elmswell.
- 16 There is considerable well-documented and formally recorded evidence logged over 15 freight years of the community's relationship with the operators of Lawn Farm Quarry that the statutory, policy and best-practice guidance constraints are flaunted in the commercial interests of the engineering operation and that this has resulted in serious material harm to the host communities at Elmswell, Wetherden, Woolpit and beyond. There seems little in the current Application to suggest that this will change. The proximity of the red line boundary to dwellings in Elmswell magnifies the harm that will be done if quarrying activities continue, as now, effectively beyond all practical regulation.
- 17 The Applicant states in the Supporting Statement at 10.3 that, 'the operations (*will*) be undertaken in much the same way as the existing quarry has been worked and restored to date.' In light of the substantive issues which have persistently dogged these operations for some 15 years, to suggest that a new tranche of working, this much nearer to the new-build residential areas at Elmswell, is to be continued, 'in much the same way', must mean that the Application fails.

- 18 Without conditioning:
- (i) extra monitoring by SCC Enforcement personnel dedicate to and funded by the site on a minimum of a one-day-per working-week basis;
 - (ii) the adoption of immediate Stop Notices when incursions, particularly related to highways issues occur;
 - (iii) the full prior restoration of the A45 Old Bury Road by way of skirting, drain clearance and the installation of anti-vehicular concrete kerbing,
- this Application should be refused and re-presentation invited when the community can have some confidence that relevant policy constraints will be met and properly enforced.
- 19 The secondary application, Ref. SCC/0084/20MS/VOC, seeks variations of existing Conditions which would be needed should the application for expansion succeed. Any reasoning that suggests that the expansion proposals are beyond Policy might be extended to an application which would be redundant should the key application be refused.

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