

Saxongate residents group wish to strongly object to this application from Johnsons Aggregates Recycling Ltd (JARL) for their operations at Saxon Pit, Whittlesey, subject to consideration of the following points and possible planning conditions / mitigations. This report covers residents group issues around (1) air quality dust (2) air quality odour (3) noise (4) transport (5) planning application errors / lack of public consultation (6) conditions and mitigations (7) minerals and waste plan notes.

1. Dust monitoring issues and environmental risk from IBA/IBAA contamination: -

IBA and IBAA dust and leachate is toxic, is persistent in the environment, can accumulate and can leach chemicals and gas. Residents were told JARL is a sealed, monitored site due to those facts (no water is allowed to leave the site for example). The current planning and EA permit set dust level limits with maximum target and action levels. There are two advanced, audited and calibrated Mcert dust monitors on the site with the results shared to the EA every six months. The residents group, therefore, think that the last 12 months of data must be considered and made public as part of this application process. The results from 2022 were obtained via an FOI. These, along with the relevant EA compliance assessment forms, showed significant exceedances (2000%), which implies dust may be leaving the compound area and could therefore enter the local environment (including via the watercourse, which is in effect only a few yards away).

Having chosen to ignore and not publish any empirical data (which we have highlighted above is available from the available x2 calibrated and audited Mcert dust monitors, that may show ongoing exceedances to the permitted targets), the planning application instead uses estimated local background dust levels. It then assumes (again a desktop exercise) that any dust emissions from the site will be lower than said background level (without referencing the real-world actual site monitoring data), and therefore screens out the need to include PM10 dust in the Health Impact Statement. The planning application also makes no mention of the toxic nature of IBA and IBAA. IBAA is a waste according to the EA and they regulate its use with strict rules under RPS247. IBA is also heavily regulated and, due to its variable nature, has ongoing tests to confirm it is non-hazardous (it remains toxic). There is no mention of the nature of IBA/IBAA material in the report and the dust is treated identically to that from virgin quarrying operations. Residents think this is an incorrect approach, given that IBA is a waste and its toxic chemical make-up varies by load. It is also understood that the tests to declare a load as non-hazardous are complex and take some time. In theory, it is therefore possible that material held at JARL could be toxic and hazardous for a period pending those results, so we think the application reports should cover that possibility.

Residents note there is currently no specific testing carried out of the water, lagoon sediment, soil and foliage to pick up any trace of IBA/IBAA or related chemicals which would confirm if the wider Saxon Pit site is free from contamination. We think such testing should be undertaken before any approval to expand the current operations, noting again that IBA and IBAA are not inert and are considered to be waste products by the EA. The material is persistent in the environment, can accumulate and can leach chemicals. Users should conform to RPS247 to avoid harm to the environment and human health. The term ash is also misleading. Waste is an inefficient fuel and large and small recognisable items can be seen in the IBA piles.

Residents also worry how dust clouds will be detected at night. Observing and reporting dust clouds has pushed improved mitigation measures. Such issues will not be visible if 24/7 external operations are allowed and clouds occur at night.

For the above reasons and before any expansion of operations is allowed, the residents group think the last 12 months of Mcert dust monitoring data from the site must be considered and made public to retain public confidence in the process and ongoing operations given its close proximity to houses, an infant school and livestock. Water from the Kings Dyke is also used for crop irrigation, all are vulnerable to the forever chemicals, microplastics and endocrine disrupters found in IBA(A).

2. Odour risk from IBA/IBAA operations, pile height and the level of neighbourhood complaints

The original planning application said any odour risk was minimal. The new planning application acknowledges odour may be present but claims this can be prevented by an odour management plan and that the earthy smell of IBA is less offensive (residents describe it as a clawing and sickly wet cement smell which sticks in your throat). The residents group have had numerous intermittent complaints for odour and have detected the smell of IBA/IBAA up to a kilometre away. At times residents have said the smell is so bad that they have been unable to use their gardens or open windows. The EA have also admitted this year that they have detected the smell of the materials on streets around the pit. If the current odour plan has been unable to stop these issues, residents strongly feel increasing the amount of product and vehicle movements will most likely make more odour. Via an FOI there have been well over 600 recorded complaints to the EA, FDC and CCC for noise dust and odour related to Saxon Pit. Residents would like to see a detailed combined analysis of these complaints to include the dates, wind direction and climatic conditions. The current odour controls have not worked and there seems to be very little that can be done to prevent the issue when so much material is being piled, turned and tipped/loaded, all in the open air. It is also noted while there is a limit on pile height for IBA, there appears to be no such limit for IBAA. Residents would like to see a pile height limit set for the IBAA waste product as well.

3. Noise and the level of neighbourhood complaints

The original planning application was submitted with a noise impact assessment (NIA). The EA did not accept this and required an updated BS4142 Noise Survey. The planning approval set a condition that production should not commence until the works detailed in the NIA had been completed to protect residents amenity. In actual fact, as far as residents are aware the NIA has still not been validated by Cambridgeshire County Council as meeting its targets. The EA undertook a two-year process to develop a viable noise management plan and improved mitigations with the operator and required a number of improvements to the site. During this period residents have suffered from significant noise issues, not just in loudness terms, also out of hours low level but persistent humming and whining. These issues have been accepted by the EA and FDC. Via an FOI there have been well over 600 recorded complaints to the EA, FDC and CCC for noise, dust and odour related to Saxon Pit (noting that issues tend to be under reported). The planning application references a planning approval for a trommel enclosure. This was made to reduce noise from current operations (not to increase production levels). That application includes no acoustic modelling to demonstrate the anticipated level of noise mitigation, so again will likely be a trial-and-error process to prove its effectiveness. On a technical note, period three (out of hours, so most important for the 24/7 working request) shows a greater predicted marked improvement after mitigation than for periods 1 and 2. Why does period 3 have a better result, reducing the estimated sound levels more with identical mitigation in place?

Residents wish to see planning conditions with set noise levels referenced to an appropriate noise management plan linked to a full technical validation of any noise impact assessment **made within a sensible timescale**. As mentioned, the NIA from the current planning approval has still not been validated by CCC, although no production should have started without that in place. This is the crux of the problem, that a strong validation condition had not been imposed at the point of planning permission being granted, leaving residents to suffer years of noise issues while the EA worked with the operators to slowly reach the target noise levels. We don't want this situation repeated.

4. Transport plan issues.

The residents group have noted errors and issues with the submitted transport information. The original planning approval permitted JARL a maximum HCV movement of 92 per day, however their application states that they are exceeding this by more than 50% with a stated average of 140 movements per day. (We know this by reference to the current application where this figure is quoted on page 11 of the Transport Assessment ES -Appendix 2 Para 4.2.2).

In respect of the new planning submission (Page 8 ES - Appendix 2 Para 3.6.1) "To facilitate walkers and cyclists there is an existing pedestrian footway ---- it is continuous to both Whittlesey (to the east) and Peterborough (to the west)."

This is incorrect - Kings Delph (to the west of Saxon Pit, and through which all their traffic is directed) has a footway, partly on the north side of the very busy A605 and partly on the south side. West of Kings Delph (towards Peterborough) there is no footway at all until beyond the Cardea roundabout - a distance of some 1000 metres. The grass verges are cut very infrequently and consequently are overgrown, forcing pedestrians to walk in the road. A 40mph speed limit applies on this section but is regularly exceeded (there are no speed cameras). The same incorrect claim is also made on Page 19 of the Health Impact Statement (ES-Appendix 5) where it is shown in Para 5.28.

The footprint of the loading/unloading area is not changing. There are no timings given for the average loading and unloading of an IBA(A) HCV /HGV. We do not believe the figures as set out in Table 3 – HCV Traffic Profile are realistic. There are no movements between 19.00 and 07.00 but at other times up to 51 in an hour (1 in or out approx. every 2 mins). Equally, as the throughput is more or less doubling, why do JARL require three and a half times the number of movements? (Increase from 92 to 332). We are also concerned they are already being allowed to exceed planned movements. What will prevent this happening with any new planning approval (which seems likely from our information above). Each increase in traffic also has a cumulative detrimental effect on the A605 which, as an old Fen Road, was never built to carry today's traffic volumes and additional weight.

Condition 17 of the current planning approval prevents HCV/HGV traffic travelling East (through Whittlesey Town) on the A605. Residents wish this condition to remain.

5. Planning application errors / lack of public consultation

The environmental statement and health impact statement have been written to create a false impression of public support and consultation for the proposed application. Having a liaison group was a recommendation of the original planning. This false representation by the applicant has forced the residents group to resign and cease all contact with the operator. Saxongate residents group and Whittlesey Town Council have both issued complaint letters detailing the issues (copies supplied with this submission). Given the scale of the site and its proximity to local housing estates, schools and small holdings, it is unfortunate the applicant did not undertake any public consultation. Residents have tried to engage positively but that openness appears to have been abused, as detailed in the complaint letters. Continued

5. (continued). Planning application errors / lack of public consultation - (continued from previous page)

FDC EH were also not included in these meeting until July 2024 (then only at the request of the residents) but their attendance was recommended in the original planning recommendation. Residents would like to see a stronger liaison group with the EA, FDC EH and town, district and county councillors made a condition.

6. Residents request planning conditions / mitigations

Residents would like to see strong, S.M.A.R.T validation conditions added at the point of any planning permission being granted, with a full technical validation of any such conditions being **made within a sensible timescale**. Any increase in production should not be allowed to continue if conditions are shown to be being breached. There have been well over 600 recorded complaints to the EA, FDC and CCC for noise, dust and odour related to Saxon Pit. Residents should not have to keep suffering a loss of amenity and risk to health and well-being because theoretical desktop exercises fail to predict issues or deliver the promised levels of mitigation. Likewise, any monitoring data (such as dust level and noise date) should be made public via the EA to give residents the confidence the operations are being well run. **Some suggested conditions:** -

- a. Yearly testing of water, lagoon sediment, soil and foliage at agreed points. The tests should be designed to pick up any trace of IBA/IBAA or related chemicals to confirm the site is free from contamination (using the same testing criteria as takes place at the ERF/incinerators that produce the toxic IBA(A)ash waste).
- b. Set noise levels, referenced to an appropriate noise management plan and with a full technical validation of any noise impact assessment **within a sensible timescale**. The NIA from the current planning approval has still not been validated by CCC, although no work should have started without that in place. This is the crux of the problem, that a strong validation condition was not been imposed at the point of planning permission being granted.
- c. Mandate that continuous Mcert-rated ambient dust monitoring must take place with a set level and duration trigger/action points (similar to the EA permit) with data made available quarterly to the EA and CCC. The weather data in the application comes from RAF Wittering (20 km away). The planning application refers to 2 weather stations at the JARL site. Can a condition also be set that weather and wind data from these must be shared to the relevant agencies?
- d. CCTV has been used by the operator to argue previous dust complaints and exceedances. Could some requirement for 24/7 CCTV coverage of areas which might be a dust risk be included to aid investigations (noting again the operator has done this when they feel they are not at fault)?
- e. CCTV and tracking systems are used by the operator to ensure vehicles (including subcontractors) travel West (not via Whittlesey). Could any of this technology be included as a condition? The no right turn condition (17) should also be retained. JARL advertise that customers can track their own loads on route/online, so the vehicle monitoring technology is widely shared to third parties already.
- f. Could a limit be set on the number of HCV vehicles per hour based on average loading and unloading time? The current estimate of vehicles and timescales in the application does not look possible and could lead to rushing/dust issues. Residents have noted that the current application highlights a planning breach, exceeding the current planning approval.
- g. Johnsons talked about adding a fine mesh net (on scaffold poles) to the top of the wall to reduce dust risk. Can this be added as a condition (it is mentioned in their application and has been done at another of their sites apparently)? Dust entering the site from outside can make it hard for regulators to obtain accurate air quality data, so reducing this risk is important for accurate monitoring and enforcement of any site dust limits.
- h. Odour – The weather data in the application comes from RAF Wittering (20 km away). The planning application refers to 2 weather stations at the JARL site. Can a condition be set that weather and wind data from these stations must be shared to the relevant agencies? In addition, can a condition be set that an odour plan must be in place and approved + validated before any increase in production levels, and that odour complaints by the public must be investigated by the operator in real time when reported, with a report issued detailing date, time, wind direction, wind speed and weather conditions? Forterra do this for odour complaints to help look for trends and reduce issues. They also send survey patrols out to check when odour has been reported.
- i. Can anything be added for dust mitigation (water suppression) on shared access roads?
- j. Is it possible to add a wheel wash as a requirement to the permit to reduce mud and dust tracking up the main access road?

Continued

6. (continued). Residents request planning conditions / mitigations - (continued from previous page)

k. Residents would like to see a pile height limit set for IBAA waste product, identical to the pile height limit set for the IBA waste in the current condition.

l. Residents would like to see a stronger liaison group with the EA, FDC EH and town, district and county councillors made a condition, not just a recommendation.

7. Minerals and Waste plan 2021

The Cambridgeshire and Peterborough local policy makes significant mention of **amenity consideration**. Proposals must ensure that the development proposed can be integrated effectively with neighbouring development. **New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property**, including: (a) risk of harm to human health or safety, (c) noise and/or vibration levels resulting in disturbance, (f) air quality from odour, fumes, dust, smoke or other sources, (g) light pollution from artificial light or glare, (i) increase in flies, vermin and birds. Where there is the potential for any of the above impacts to occur, an assessment appropriate to the nature of that potential impact should be carried out, and submitted as part of the proposal, in order **to establish, where appropriate, the need for, and deliverability of, any mitigation.**

Local residents feel the impact of the totality of operations at Saxon Pit on their amenity has been ignored and the fractured nature of the management, monitoring and enforcement, as well as an over reliance on desk top modelling without real world validation (even when such data is clearly available and part of the current planning and permit), along with a failure to implement best practice mitigation, has meant an on-going significant loss of amenity, negative impact on well-being and created a risk to health over many years.

Residents object to the current application for the reasons outlined above, subject to stronger S.M.A.R.T planning conditions alongside timely validation and better mitigations, all backed up with viable enforcement. Unless more measurable and defined conditions are put into any new planning approval Saxongate are concerned it will remain very difficult for enforcement officers to carry out meaningful planning enforcement. The current situation has created an intolerable situation for some local residents at times in recent years, which the well over well over 600 recorded complaints and level of objections will attest to.