

*Contaminated Land
Air Quality
Environmental Audit*

Council is not now defending any reason for refusal in relation not air quality or dust matters.

- 1.6. My evidence addresses all concerns that have been raised relating to dust and air quality matter, including potential cumulative impacts in relation to dust and other air quality matters and addresses the comments set out by WCC in their original SoC.
- 1.7. My evidence also addresses the comments set out by the Rule 6 party in their original SoC in relation to other air quality matters.

2. DIS-AMENITY DUST ASSESSMENT

- 2.1. I have reviewed and presented in my evidence summary information regarding the proposed activities associated with the quarry that may give rise to fugitive dust and potential impacts on local amenity. I have additionally reviewed information available in relation to other committed or allocated developments in the area to determine the potential for cumulative impacts. In particular, I have considered the Lea Castle Village development located to the east of the site, both with regards to the 'core' area that is currently undergoing construction and the 'wider' area for which a planning application is presently under determination.
- 2.2. The Dust Impact Assessment prepared by Vibrock Ltd to accompany the original planning application incorporated a detailed assessment of the potential sources of fugitive dust taking into account the nature and scale of the proposals. The assessment followed the recommended qualitative approach in considering the potential for any such dust to impact existing nearby properties and land uses through assessment of the distance and orientation to receptors, prevailing weather conditions, topography and screening.
- 2.3. The assessment also outlined both the proposed in-

4. MITIGATION

- 4.1. As discussed in Section 2 the facility would be operated in accordance with a DMP that would be subject to agreement with the MPA. This would require the appropriate management and control of fugitive dust through a range of procedures which would be subject to regular review and updating as necessary in response to any changes in circumstances requiring additional mitigation measures.
- 4.2. In addition, the importation and placement of materials for restoration would be operated under an Environmental Permit.

5. POLICY

- 5.1. In their original SoC in relation to Reason for Refusal 3 WCC cited Minerals Local Plan Policy MLP 28. This policy refers to *unacceptable adverse effects on amenity or health and well-being*.
- 5.2. Policy WCS14 of the Waste Core Strategy similarly refers to '*unacceptable adverse effects on amenity*' and the NPPF refers to *unacceptable* levels of pollution.
- 5.3. I have therefore in my evidence considered the risk of the Appeal proposals having an *unacceptable* level o

6.3. As such concerns relating to dust and air quality impacts would not provide a