From: Luke Carter <luke@lewisplanning.co.uk>
Sent: 15 February 2011 11:14
To: Michael Lavender; Terry
Cc: Keith Morgan; Peter Davies; Neil Anderson
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear Mr Lavender.

I have copied Terry Quarmby from Dorton Demolition into you most recent email.

TERRY – Please could you provide a response to the following points raised by Mr Lavender:

- Whether the site is suitably set out to process the material with all the relevant safe guards without the need for double handling.
- Is a further structure (building, shed or similar) is needed for storage of fines arising from the crushing of concrete?
- Will it be possible for vehicles to drive in and unload, looping around the crusher, before driving out? Mr Lavender is of the opinion that this will not be possible if the permit requires materials to be screened or unloaded directly by conveyor into the storage bunkers; as screening plant or conveyors are likely to obstruct the road.
- How the material will be processed whilst using Best Available Technique (BAT) to control dust emissions.

Mr Lavender - On a different point, you stated in your email of the 14th Feb that:

"*I have pasted my comments to Keith Morgan below. I had spoken to your acoustic consultant before this time asking for the noise to be remodelled but to date I have not heard anything.*"

Our Acoustic Consultant advises me that you called him directly about his concerns and that he advised that Anderson Acoustics could not progress any of your concerns until you had formally submitted them in writing though the proper channels. This does not seem to have occurred and your email is the first that Anderson Acoustics (or any of the Team acting for Dorton) has seen of your comments in writing.

For clarity, once Dorton Demolition have provided you with a response to the Questions set out above, please could you write or email to me, setting out exactly what further information is required by the Environmental Health Team to enable you to issue final comments on the planning application currently being considered by WSCC. Once we have received this formal response from you, we will discuss it with the case officer at the County Council and decide whether or not it is expedient to meet with you.

I trust this is to your satisfaction and look forward to hearing from you in due course.

Kind regards.

Luke Carter

Lewis & Co Planning
T 01273 413700
M 07968 717 523
F 01273 416226

Email: luke@lewisplanning.co.uk

From: Michael Lavender [mailto:Michael.Lavender@adur-worthing.gov.uk]
Sent: 15 February 2011 10:29
To: 'Luke Carter'
Cc: Keith Morgan; 'Peter Davies'; 'Neil Anderson'
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear Mr Carter,

The purpose for me asking for the additional information is to ascertain whether the site is suitably set out to process the material with all the relevant safe guards without the need for double handling. Additionally the issue regarding the fine material is also relevant at this stage because if a further structure is needed for storage of fines then surely this will be a planning consideration. The site layout as submitted may also be misleading because it suggests that vehicles can drive in and unload, looping around the crusher, before driving out; this will not be possible if the permit requires materials to be screened or unloaded directly by conveyor into the storage bunkers; as screening plant or conveyors are likely to obstruct the road. Therefore my request for further information is pertinent at this stage as it may mean the site layout will need to be altered, which will impact on the position of the acoustic enclosure, will impact on the noise assessment etc... All I am asking is that the applicant thinks through how the material will be processed whilst using Best Available Technique (BAT) to control dust emissions, it is the installation operator's duty to always use BAT. Then consider how this will impact on the planning application details as submitted.

The Company already holds a permit for a mobile crusher, because the crusher is mobile the conditions have been worded so they can be accommodated on any site for a short period of time. As this will be a permanent site the permit requirements are going to be more robust and it is in the interest of the Company to think this through now and plan for the operation they intend to undertake rather than be forced to submit a new planning application at a later date because they can not comply with the permit conditions.

I therefore disagree with your comments that the permit application is the correct time to submit the additional information.

If you still wish to meet, please provide the new dates and additional details as requested in good time so I can give the new information my full consideration.

Regards

Michael Lavender

From: Luke Carter [mailto:luke@lewisplanning.co.uk]
Sent: 14 February 2011 17:29
To: Michael Lavender; Peter Davies; Neil Anderson
Cc: Keith Morgan
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear Mr Lavender

Thank-you for your prompt and thorough response.

It was not clear from your previous email that you were proposing to postpone the meeting by a week. This would appear to be a sensible solution. Please advise of your availability in the following week.

I am happy to host a meeting at my offices in Hove, alternatively Dorton Demolition may be able to accommodate in Burgess Hill. I had assumed that a meeting at your office would be more convenient for you but I am happy to meet elsewhere if you would prefer.

I would like to point out that Lewis & Co discussed this scheme at pre-application stage with one of your colleagues in Environmental Health as advised by WSCC in our pre-application discussions with the County Council. At the time, your colleague's only concern was the impact that HGV's from the site would have on the AQMA in Shoreham High Street. This has been addressed in the Transport Statement submitted with the application.

I understand that our acoustic consultant is currently seeking instruction from Dorton to carry out the additional modelling work that you require.

The application submitted to the County Council is for planning permission to use the site for crushing and screening of concrete and for wood chipping. As I understand it, Dorton will not be able to apply for the crusher permit and the permits to operate the waste handling on the site until such time as planning permission has been granted.

The amount and detail of information provided in support of the planning application is considered appropriate. I am encouraged by your comment on the email below that you feel the environmental health issues can be overcome by the submission of further information.

While additional information will be provided where it is necessary for the consideration of the planning application, I would put it to you that the subsequent application for an operator's licence would be the appropriate mechanism for the Local Authority to consider the detailed information to be supplied by the operator. This licence is required before the activity can commence and therefore control is retained by the Local Authority over the day to day activities and operation of the site.

Dorton are confident that they can secure an operator's license once planning permission is granted. This application will be made at the appropriate time.

I trust this email and its contents are to your satisfaction and I look forward to meeting with you in due course.

Luke Carter

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Email: luke@lewisplanning.co.uk

From: Michael Lavender [mailto:Michael.Lavender@adur-worthing.gov.uk]
Sent: 14 February 2011 12:23
To: 'Luke Carter'; 'Peter Davies'
Cc: Keith Morgan; 'Duke'
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear Mr Carter,

Contrary to your assertions that I do not consider the application important, the fact that an application has been submitted which raises more questions than it answers I take very seriously and perhaps there would not be so much urgency if you had taken the time to consult with us prior to the application being submitted. Please be aware that planning consultation only makes up 5% of my work load and I have to prioritise my time accordingly and as I have already pointed out I have higher priority work to complete during the week you proposed for a meeting. If you want to make the meeting a week later then this would be fine. It would also be courteous to ask if I can accommodate the requested meeting rather than assume that you can just turn up, as meeting rooms at the Civic Centre need to be booked in advance and I would have to check for availability.

I have pasted my comments to Keith Morgan below. I had spoken to your acoustic consultant before this time asking for the noise to be remodelled but to date I have not heard anything.

Perhaps I can ask that your client read the crusher permit and the process guidance note, attached above, and then set out how they are going to comply with the requirements.

Paragraphs 3:14 – 3:17 of the process guidance note is a good starting point, look at what is required and answer in your additional information how this will be achieved. Set out a process flow diagram on the site map of where material will arrive and be sorted before processing and then what will happen to the processed material. Then state what dust controls will be in place for each step of the process, also ensure that there is no double handling of material as this can create more dust.

Additionally, the application is for crushing and screening, set out on the diagram as to where the screening equipment will be placed.

Look at Paragraph 6 of the process guidance. As this will be a fixed site I would object to any materials that have not been screened of materials under 3mm being left in the open, such material will have to be kept in the confines of the concrete bunkers with adequate water suppression. Should the material be screened for material less than 3mm, then what will happen to this fine material; will it be removed from site immediately or will it be enclosed within a building?

It is only when I have all the information I can determine what will be covered by the crusher permit, the waste environmental permit and what needs conditioning under the planning process. Please note that if permission is granted the crusher permit will have to be transferred to Adur DC and conditions will be tightened up to reflect the new operation, and this is the reason I am referring you to the process guidance note rather than the current permit as it is likely to be changed.

I will also need details from your acoustician on the modelling of noise from the shredder as I am likely to advise that this is attenuated also.

Should I not receive the information then I will object to the application as a precautionary measure on the grounds that insufficient information was provided.

Kind Regards

Michael Lavender

From: Michael Lavender
Sent: 26 January 2011 16:59
To: Keith Morgan
Subject: ADC/0019/11: Temporary use of land for the crushing and screening of reclaimed concrete and chipping of timber...

Hi Keith,

I have a few questions with regards the application including the noise assessment that needs to be answered.

Outline of proposal

1.1. The proposed Shoreham Recycling Yard would include a concrete crushing and **screening operation** to produce secondary aggregates from construction and demolition waste with open storage of materials (pre and post crushing). The Shoreham Recycling Yard would include also chipping of timber and stock piling of this material on site.

The first is that no screening plant has been included in the noise assessment?

Secondly, the following assumption:

“To the south of the site are a row of proposed concrete bunkers to store processed material, these have been modelled with a 2m high perimeter fence running the length of the southern site boundary with a pile of spoil projecting 4m above the top of the bunkers perimeter walls. “

This is suggesting a 6m barrier which will help attenuate noise from the site. However, in reality the level of material in each bunker will be fluid and dust control measures will require crushed material stored on site to be within the confines of the bunkers to prevent wind whipping, therefore the maximum barrier height to be modeled should be 2m.

Thirdly; the shredder is as loud as the crusher yet this is not attenuated? A rough calculation of the shredder noise only, which will only take into consideration attenuation provided by distance, would give a specific noise source of 55dB(A) over a 211m distance to Harbour Way. Add 5dB(A) for the noise character and it is in the realms of 8dB(A) above background as opposed to the -11dB(A) reported for all noise sources. This makes me suspect that the specific equivalent noise level used in the assessment, which is calculated over an hour, has included the assumptions that each piece of equipment will only be operating a percentage of the time. Therefore the shredder is only operating 5% of the time and in such a scenario over a 1hour $L_{(A)eq}$ would mean the noise from this source would be included for 3minutes in the figures.
In reality over a 40 hour week the shredder would be used for 2 hours.

Therefore the worst case scenario I would like to see modeled is all the equipment operating for the full hour with a 2m barrier. I say this because I suspect that the shredder will also need to be attenuated in some kind of structure.

I have attached the permit for the crusher for your information, you will note that screened material under 3mm can be of concern and details of how any such material will be stored on site should be agreed as part of planning as it may need a covered structure, to prevent it becoming wind whipped.

I am of the opinion that any environmental health concerns can be resolved but more information is needed first in order that this can be done transparently and fairly.

Kind Regards

Michael Lavender

From: Luke Carter [mailto:luke@lewisplanning.co.uk]
Sent: 11 February 2011 16:28
To: Michael Lavender; Peter Davies
Cc: Keith Morgan; Duke
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear Mr Lavender

It is very disappointing that you do not consider the current application at Kingston Railway Wharf to be of sufficient importance to warrant a meeting at your offices.

However, I would be delighted if you could provide me with a written schedule of additional information required and the mitigation measures that you feel would be necessary to make the proposal acceptable in terms of its impact on public amenity.

I look forward to receiving your comments at your earliest convenience in order that my client can fully consider the implications your proposals and respond in good time for the County Council’s Planning Committee.

Yours sincerely

Luke Carter

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T 01273 413700
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F 01273 416226

Email: luke@lewisplanning.co.uk

From: Michael Lavender [mailto:Michael.Lavender@adur-worthing.gov.uk]
Sent: 11 February 2011 14:33
To: 'Luke Carter'
Cc: Keith Morgan
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Hi Luke,

I have more pressing work commitments on those days, the Monday has been put a side preparing for all day site work on the 2nd and 3 March, supervising contractors; this work can not be rearranged or delegated to another officer. Thursday and Friday will be used to catch up with my case work.

I am happy to send an e-mail objectively pointing out what additional works would mitigate the concerns I have raised and what information needs clarifying, before that date if this helps and if the noise consultant wants to speak to me before then I will be available at some point most days. As discussed with Peter Davies; from an environmental health perspective, the environmental impact could be mitigated but whether the work needed is commercially acceptable to your client or is acceptable to County's planning is another matter.

Please let me know if this is acceptable?

Regards

Michael

From: Luke Carter [mailto:luke@lewisplanning.co.uk]
Sent: 11 February 2011 10:45
To: Neil Anderson; Michael Lavender; Peter Davies
Cc: Duke; Terry
Subject: RE: Dorton Demolition - Kingston Railway Wharf

Dear All

Dorton Demolition have asked to push the proposed meeting with Environmental Health at ADC back by a week.

Please could everyone advise of their availability on the 1st, 2nd, 3rd and 4th of March?

Sorry for any inconvenience.

Luke Carter

Lewis & Co Planning

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M 07968 717 523
F 01273 416226

Email: luke@lewisplanning.co.uk

From: Luke Carter [mailto:luke@lewisplanning.co.uk]
Sent: 10 February 2011 19:57
To: 'Neil Anderson'; 'michael.lavender@adur-worthing.gov.uk'; 'Peter Davies'
Cc: 'Duke'; 'Terry'
Subject: Dorton Demolition - Kingston Railway Wharf

Dear All

Duke Harvey has asked me to set up a meeting to discuss the application at Kingston Railway Wharf following the meeting of Adur District Council's Planning Committee.

As you know, the comments from Adur to WSCC are to Object to the application, however it would appear that there is scope to make minor alterations to the scheme or to agree conditions which would mitigate the perceived threat to local amenity from noise and/or dust. This would enable the scheme to be presented in a more favourable light to WSCC planning committee.

Please could you all advise of your availability on the 23 and 24th February, for a meeting at Adur Council offices in Shoreham?

I have today been advised by WSCC that they intend to take the application to the committee on the 12th April

Luke Carter

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Email: luke@lewisplanning.co.uk

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