

Dear Sir/Madam,

I would like to object in the strongest possible terms to planning application FUL/2023/0019 on the following grounds. The site has been operating retrospectively since it started, every application is retrospective. Why is this application even allowed to be submitted ? the reasons for refusal have not changed, noise can still not be controlled, worse than the application it was refused over, the bund is the same as it was, again nothing has changed.

Noise

Lorry tailgate bangs, lorry horns, reversing sounders, excavator bucket noise, noise from tracked vehicles, loud banging noises, engine revving. Lorries arrive and leave the site anytime day or night, there is no operational times the site adheres to, 1am, 3am, starting at 5.30am.

Dust

The dust policy submitted is a work of fiction, during the years of site use clouds of dust appear rolling over the bunds, if you read the current site policy there should be controls in place to prevent this yet it still happens. Example of dust control;



Location

The site is in a remote location in the countryside with poor road access, Bunwell Road is being destroyed by lorries mounting verges as they try to pass. An attempt of adding passing bays fails to provide a solution as corners prevent seeing oncoming traffic, how long before a vehicle has an accident due to mud on the road ? who's responsibility is that. Environment should be a prime factor when deciding this, why lorries drive to a remote location when major recycling facilities exist on route, these vehicles pass those facilities. To save more pollution lorries should be forced to use these locations and not travel to remote areas of the countryside. Please don't except the argument lorries will only be bringing loads back on route to their home, its total nonsense, vehicles drive up and down Bunwell Road all day long with loads.

Environment

Dumping circa of 100000 tonnes of soil in the middle of a countryside field is obvious for environmental impacts, the planning inspectorate highlighted this, the county highlighted this, both provided concise analysis. For comparison Breckland only made one comment on the entire salvo of applications, I quote 'no objection. Happy with planting proposals' I have no idea how Breckland environmental/landscape assess applications with the destruction of the countryside with appraise like this. With excavators constantly towering above the bunds, the landscaping is completely out of place in this countryside location.





Traffic Generation

As per usual the applicant is ticking boxes from the previous refused application, going down a list of reasons for refusal and stating they won't happen is a flight of fantasy, can anyone ask how 60000 tonnes of materials arrive and leave the site, are all activities they are currently carrying out stopping, basic maths works out there will be more lorry movements. The idea of lorries only arriving and leaving the site on dispatch and return simply doesn't happen, lorry activities are constant.

Observations regarding this application

The site is now over 150m closer than it was before, sound calculations prove the small increment in bund height is lost due to the distance being diminished, therefore the noise leaving the site will be greater than it was before.

Noise assessment notes, based on conversations with Alex at IEC;

2.2.1 This condition set from Breckland is totally unenforceable, lorries tip wherever they like and it is down to residents to gather proof.

2.2.2 The 2007 application was to Newal Civil Engineering, not Newal Plant, therefore it is irrelevant.

2.5.2 Our property/garden is 400m away, not 500m, calculations are therefore lower than they should be.

3.2.18 The whole policy is related to 'Assessing environmental impacts from minerals extraction' they are not in a quarry they are not extracting minerals.

3.3.13 Around +10 dB or more Likely to be an indication of a significant adverse impact

4.3.2 The whole noise assessment was taken in temperatures below freezing to just above, the worse possible conditions to measure background noise

The background noise measurements are taken with the existing Newals lorries operating in retrospective, unless the site was closed for tipping of waste during the entire measurement process you have an increase in background noise artificially generated for the same people applying for the application, it benefits them to make noise.

There are no wind calculations taken in consideration, the wind is over 70% from the SW in this country, exactly the location the site sits from nearby properties.

The predictions for the noise assessment are much worse than previous for the same site with the same equipment and same bund, any explanation? What credibility is there to any of this.

The worst case scenario is not the worst case as multiply lorries can also be factored into the noise, this is the norm not a rare occasion.

Overall as stated, 'It's the worst case scenario for residents and the very best for Newals', If you look at their own measurements in our garden we have at best of 40-45db constant with peaks at over 69db, that's an increase of over 33db on background and 13db constant, it doesn't meet their own criteria at the +10 threshold which itself is already a significant adverse impact.



The council previously stated they run a policy of not allowing machinery in an elevated position; *'No plant and machinery shall be operated unless it is on the ground level on the floor of the site. No plant or machinery shall be operated at an elevated level on top of a stockpile or bund.'* Since this would largely prevent plant operated on the site protruding above the proposed bunds' *'I consider that the practice of loading the hopper from an elevated*

position with plant of an industrial nature protruding above the height of the bunds would have serious landscape and visual implications. The operation of plant and machinery on top of a stockpile in an elevated position would enable the machinery to be seen from outside the site above the height of the bunds and exacerbating the adverse visual impact of the development. The overall impact on landscape character and visual amenity would be unacceptable in this rural countryside location and would be at odds with the adopted Landscape Character Assessment.' The applicant previously stated this was impracticable, what is the council doing about this situation? Currently you can still see excavators above the bunds so I assume the applicant is again ignoring this. May I also remind the council they stated *'The Council considers this condition to be fundamental to limiting the impact on local amenity'*

Its blatantly obvious this application was ready to roll on the back of a previous application (3PL/2018/1262/F), purely designed to overcome a refusal reason some years earlier. When Breckland granted planning for this area of land to be used for storage of materials the applicant was specifically questioned regarding the use of a crusher. A planning condition was added to that application to prevent the land being used for that purpose, that's why planning was granted. How can you then immediately request to supersede that application stating the lands previous use when the sole point of that condition was to prevent that. If that application had the proviso of using a crusher on agricultural land it would have been refused. Again, after previous refusal back to Breckland (3PL/2022/033/F & 3PL/2022/0190/F) who grants permission and this follows with a resubmitted application to the county with reasons to override refusal. I like to point out to this council the lies told at that meeting and the officer informing the council and I quote 'there will be no processing of aggregates as a result of the proposal' yet here we are again.

The 'Breckland Environmental lack of Protection Team' have made comments that seem rather diminished in nature compared to the previous application, this extends to the point of not confirming simple facts regarding their own comments. The default copy and paste has been applied. All planning conditions need to be thoroughly examined as currently they are all totally unenforceable. New conditions controlling absolute totality of operating hours of the entire site need enforcing.

The bunds themselves are totally out of place in the countryside and were highlighted in the Planning inspectorates notice, *'However, I do not agree that the provision of the proposed 4m high screen bund, albeit incorporating a planting scheme, would have the desired effect of ensuring that the development would meld with the local landscape. In my view, the bunds themselves, even as the planting matures, would continue to look incongruous in the open flat landscape. They would clearly be out of keeping with the assessed landscape character for the area and contrary to the aims of the Landscape Strategy. I do not consider that what is proposed represents an appropriate landscaping scheme that would satisfactorily mitigate the adverse impact upon landscape character'* These bunds are 5m high how does that blend into the landscape?

The NMWDF Core Strategy Policy CS14 – *Environmental Protection* provides that developments must ensure that there would be no unacceptable adverse impacts on, and ideally improvements to, certain specified assets including residential amenity e.g. noise, vibration, dust, lighting and visual intrusion. Policy DM12 – *Amenity*, states that: *"Development will only be permitted where it can be demonstrated that the scale, siting and design of a proposal is appropriate and that unacceptable impact to local amenity will not arise from the construction and/or operation of a facility."* Can anyone explain how this hurdle is overcome? when the site is now closer to surrounding properties.

The NPPF, paragraph 109, states that the planning system should contribute to and enhance the natural and local environment by, amongst other things preventing 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.

Paragraph 123 of the NPPF provides that planning policies and decision should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and 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.

'Since operations at the site commenced, the Council has received some 16 complaints from local residents primarily relating to noise that is generated from the site. In the light of the level of complaints, even whilst part of the site has been regulated by the Permit, the Council submits that it has not been demonstrated that the scheme would be acceptable as regards its noise impact. The complaints made to Breckland council over the time the previous application has been introduced highlight crusher activities have already taken place onsite. Nothing is done and Breckland expect the residents to be the collector of evidence to support their own conditions, something this resident has given up on.

A closing comment from the Planning Inspectorate 'I am unable to find that the impact on local amenity resulting from noise emissions would be acceptable' This comment was made with the site having multiple bunds of 5m and a distance of another 150m from residents.