Proposed Sand and Gravel Quarry, Lea Castle Farm

Planning Inspectorate ref: APP/E1855/W/22/3310099

Response on Rule 6 Party Impact on Local Amenities: Chapter 4 Public Rights of Way

1. Introduction

1.1. The proof of evidence provided by Rebecca Hatch on Public Rights of Way (Chapter 4) makes reference to 'Dust and Air Quality' in several sections.

1.2. This rebuttal therefore specifically deals with these comments where raised specifically in relation to 'Dust' and / or 'Air Quality' and Pubic Rights of Way (PROW).

2. STQC Comments

2.1. I deal specifically in the following with comments raised as follows:

1: Paragraph 4.14: Putting a quarry conveyor under a bridleway is not a good idea for several reasons:

Sub-paragraph 4.12.3: Dust and Air Quality: Quarry conveyors often release dust as they transport materials. Even with measures in place, dust can rise to the surface through cracks or openings, impacting the air quality along the bridleway. This could not only harm riders and horses but also damage the surrounding environment.

2: Paragraph 4.21: Lowering the height of 7 of the 20 bunds and removing 3 still significantly impacts our current open bridleway which is used by horse riders. I cannot see over a 3m bund. Bunds are bad for the following reasons

***Dust and Air Quality**: Bunds are often used to contain dust from quarrying activities, but they don't always prevent dust from drifting onto nearby bridleways. Airborne dust can affect both riders and horses, potentially leading to respiratory issues. Horses are vulnerable to respiratory problems caused by prolonged exposure to dust.*

3. Response

3.1. As detailed in Chapter 16 of the Original ES [CD1.03] there are several Public Rights of Way across and close to the Site. Those primarily impacted by the proposed development are:

- PROW Footpath 62.4(B): within the western area of the Site; crosses east/west across the western field; to be temporarily diverted during the Phase 1 & 2 excavation and restoration works; then reinstated slightly north of existing route; fully reinstated on completion of the works;

- PROW Footpath & Bridleway 62.6(B): runs from North Lodges to the north along the northeastern edge of the Site, and north/south along internal lane that separates the east/west parcels; to be temporarily diverted during the conveyor construction works and then reinstated along original route for the duration of the works; temporarily diverted again during removal of conveyor and then fully reinstated.

3.2. In addition, a new section of PROW is to be provided from the Initial Works. This will run from the southwest corner of the site along the southern part of the Site and across the Site entrance.

Potential for Dust Impacts

3.3. As noted by Rebecaa Hatch in her evidence the proposed operations may result in adverse dust impacts on users of the footpaths and bridleway. I have therefore considered this further here.

3.4. As discussed in my Proof the Proposed Development would incorporate extensive in-design and subsequent management and control measures to mitigate against the generation and off-site dispersion of dust. It is acknowledged that bunds do not serve to fully contain any generated dust within a site. However, the primary mechanisms of dust control are both other in-design features and the management and control measures. As detailed in Table 5.1 the resulting dust source potential is *small* to *medium* for the various sources during the operations.

3.5. The provision of the conveyor under the PROW 62.6(B) (and the access lane to The Bungalow and Lea Castle Equestrian Centre) substantially reduces the risk of dust deposition on the lane itself, and hence further dust generation through subsequent disturbance and traffic along the track, through removing a haulage crossing point. The material to be placed on the conveyor would typically be freshly excavated and would not have been stockpiled and allowed to dry out. The feed point area is to be provided with hay bales and a 3m high bund (Bund 9) facing the PROW 62.6(B) and the conveyor would run through a tunnel which will extend under Bund 3 (on the western edge of the plant site). As such the risk of dust generation from travel of material on the conveyor under the lane would be *negligible*.

3.6. As detailed in para 5.3.16 of my proof the greatest risk of any off-site impacts would be during the near surface works (both excavation and restoration) and when works occur near the site boundaries. The PROW 62.4(B) runs between the eastern and western sides of the Site and hence would be at a greater risk of any impacts. However, the risk still diminishes as the bunds become seeded and the works deepen, particularly as the moisture content of the mineral increases. All processing, stockpiling and handling of material for off-site dispatch would be undertaken within the void.

3.7. With reference to the IAQM Guidance on Mineral Dust [Box 3, page 23, CD12.24] footpaths are considered as *low* sensitivity receptors. Any exposure at the footpaths and bridleway of interest

would be transient, and people and animals would only be expected to present for short periods of time as part of the normal pattern of use of the land.

3.8. Following the disamenity dust assessment methodology as set out in my Proof, the pathway effectiveness in regard to bridleway 62.6(B) where it bisects the Site would be *highly effective*. This would result in a *low* risk of dust impacts and *slight adverse* effects at most. Potential risks and effects at the eastern stretch of PROW 62.6(B) where it runs along the northeastern edge of the Site would be reduced to *negligible*.

3.9. On completion of works in the western part of the Site potential risks and effects at PROW 62.4(B) would be *negligible*.

3.10. As further discussed in the Original ES [CD1.03] and noted in my Proof the recommended conditions imposed by WCC on the granting of any planning permission would include conditions mandating the Site be operated in accordance with a Dust Management Plan (DMP). The content of the DMP would be subject to approval of WCC. Typical standard mitigation measures would include visual monitoring and would include monitoring the status of the PROW 62.6(B) running through the Site, and the implementation of any appropriate mitigation as required.

4. Summary

4.1. The comments raised by Rebecca Hatch do not alter my overall conclusions that the proposed development would not result in significant or unacceptable adverse impacts.

Name:	**Signature:**	**Date:**
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