CASE STUDY

MITIGATING POLLUTION FROM SINKS PIT

PREPARED FOR LITTLE BEALINGS PARISH COUNCIL

BY

SINKS VALLEY ENVIRONMENTAL PROTECTION GROUP (SVEPG)

ISSUE 1

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CASE STUDY – MITIGATING POLLUTION FROM SINKS PIT[1]

E1 EXECUTIVE SUMMARY

E1.1 CONTEXT

Sinks Pit started as a mineral extraction quarry in the 1950s. From 1960's until 1980's Suffolk County Council (SCC) used part of the excavated site for landfill with several mineral oriented businesses using the remaining Sinks Pit site. A more detailed history is given in Annex 1.

In 2013 SCC sold the non-landfill part of Sinks Pit to "Prentice Aircraft and Cars". Shortly afterwards, noise levels and dust pollution began to rise to such an extent that Little Bealings Residents had cause for serious complaint - which was initially largely ignored.

Around 2015 Sinks Pit began hosting new lines of business involving heavy plant hire and maintenance under the umbrella branding "TRU / TRU7". The mix of businesses at the Sinks Pit site significantly complicated resolution of pollution issues as various permits and permissions were applicable to different parts of the site and were under the stewardship of different regulating authorities (the Agencies)

In 2021 Little Bealings Residents prepared a formal complaint in the form of a briefing document (V3.0). - an updated version (V4.2) forms PART 1 of this case study.

The original briefing (V3.0) was distributed to Dr Dan Poulter MP and Chief Executives (CEs) and Chief Officers (COs) of Suffolk County Council (SCC) and East Suffolk Council (ESC) and later to the Environment Agency (EA). These authorities are collectively named here as "The Agencies".

There was significant political interest in the content of the first issue (V3.0) of the briefing document.

Due to the vast number of noise complaints (thousands), ESC Environmental Protection (ESCEP) undertook noise measurements and analysis along with witness statements and concluded that a statutory noise nuisance was present and in Sept 2021 served a noise abatement notice.

The issues raised about the operational workings of the Agencies and their relationships between each other, the operators of Sinks Pit (here referred to as TRU / TRU7) and local residents caused Dr Dan Poulter MP to assemble the Agency Executives to a meeting during Sept 2021. The outcome of this meeting was to form a "Community Liaison Group" (CLG) to meet quarterly under the chair of a local Suffolk County Councillor. The terms of reference and objectives for this group is given within Exhibit E1. The operation of the CLG was mainly driven by Little Bealings Residents. Little Bealings Parish Council (LBPC) has a regular Sinks Pit issue on its regular agenda.

[1] Note: Sinks Pit has an address and postcode in Kesgrave, it is located in Little Bealings Parish

E1.2 CASE STUDY STRUCTURE and SUMMARY CONCLUSIONS

The case study is divided into three parts:

- Part 1 Contains the original briefing document (the complaint) updated to V4.2
- Part 2 Describes the efforts made to solve pollutions and their efficacy
- Part 3 Highlights the successes and opportunities for improvement.

The conclusions reached in this case study have been aligned with the original complaints made by Little Bealings Residents:

- TRU / TRU7 has failed to contain pollutions emanating from Sinks Pit.
- Government Agencies have failed to monitor and manage TRU / TRU7 at Sinks Pit to minimise the effect of pollutions on residents.

Also, conclusions have been reached which align to the actions and terms of reference of the CLG and directed by Little Bealings' MP (Exhibit E1)

E1.3 SUMMARY CONCLUSIONS

Overall, Little Bealings Residents have enjoyed significant pollution reduction.

- Noise levels have been reduced – but there is more to do
- TRU / TRU7 have introduced management and organisational changes to better focus on their neighbour's wellbeing. TRU / TRU7 has "grown-up"

Regarding the Agencies, there has been excellent support from ESC Environmental Protection group ESCEP) and there is cross-Agency cooperation at the working level. However little else has changed:

- Three Agencies still manage TRU / TRU7 permits and permissions
- Complaints handing is weak and not professionally IT supported
- Planning monitoring and control is ineffective
- Significant issues are often ignored, deflected or dismissed as "permitted development" without rigorous justification.
- Customer focus is largely absent.

The CLG has had a significant impact and benefit largely driven by TRU and their Consultant along with Little Bealings Residents. Teamworking here with Agencies has been excellent. However, there are residual issues which need attention:

- Further pollution issues (mainly noise)
- Ongoing monitoring
- Agency change

It is hoped that other groups facing similar issues may also find this case study of value / benefit as it describes an approach and implementation of change management which has proved largely successful.

End of Executive Summary

CONTENTS

[2] The term "bureaucracy" is used here to cover the Agencies' governance and management of issues related to Sinks Pit

PART 1 BRIEFING V4.2

POLLUTION EMANATING FROM SINKS PIT – KESGRAVE IP5 2PE AND ITS IMPACT ON NEIGHBOURS.

P1 FOREWARD

The version V4.1 of this briefing document expands on and supersedes V3.0 which was published in July 2021 and was distributed to Dr Dan Poulter MP and Chief Executives (CEs) and Chief Officers (COs) of Suffolk County Council (SCC) and East Suffolk Council (ESC) and later to the Environment Agency (EA). These authorities are collectively named here as “The Agencies”.

Since publication of V3 of this document, there have been a significant number of changes.

Due to the vast number of noise complaints, ESC Environmental Protection (EP) undertook measurements and analysis along with witness statements and concluded that a statutory noise nuisance was present and in Sept 2021 served a noise abatement notice to Guy Nicholls Ltd.

There has been significant political interest in the content of the first issue of this document.

The issues raised about the operational workings of the Agencies and their relationships between each other, the operators of Sinks Pit (here referred to as TRU) and local residents caused Dr Dan Poulter MP to assemble the Agency Executives to a meeting during Sept 2021. The outcome of this meeting was to form a “Community Liaison Group” (CLG) to meet quarterly under the chair of a local Suffolk County Councillor. The terms of reference and objectives for this group is given in Exhibit E1

Little Bealings Parish Council (LBPC) now has Sinks Pit issues on its regular agenda.

The local resources who have worked to produce this document and are supporting the CLG through LBPC have colloquially named themselves:

Sinks Valley Environmental Protection Group (SVEPG) and can be contacted through:SVEPG@btinternet.com

P1.1 CONTEXT

Since planning permission for mineral workings in Sinks Pit was consolidated[3] in 1997 (C97 1501) neighbours have complained about pollution emanating from the site – mainly noise and dust (Annex 1 – A short History of Sinks Pit). Over the 6 years (to Q2 2021) there have been nearly **7000 complaints[4]** to local authorities – Suffolk County Council (SCC), East Suffolk Council (ESC) including the former Suffolk Coastal District Council (SCDC) and the Environment Agency (EA) - herein grouped collectively as "The Agencies". Little change or relief for neighbours has been achieved as a result of complaining. In a social context…

… According to the Human Rights Act 1998 Schedule 8: right to respect for private and family life:

"Everyone has the right to respect for his private and family life, his home and his correspondence".

The Neighbours of Sinks Pit believe their human rights have been abused by:

- **Guy Nicholls Limited** and related companies trading under the "TRU" brand (holders of permit C97 1501) who have failed to contain pollution (noise, vibration, dust and light leakage and odious aromas) in accordance with their environmental permit EPR/FB360FW, especially section 3.3 Noise & Vibration, BS 5228-1:2009 (which supersedes MPG 11:1993) , and other relevant permits and permissions.

- **Government Agencies** (The Agencies SCC, ESC and EA) have failed to put in place robust management systems and processes, to monitor and enforce permissions and permits applicable to Sinks Pit. Planning applications or other changes seem to have been agreed without due consideration of the impact on neighbourhoods.

Neighbours of Sinks Pit have perceived the following distinct cultural behaviours:

- **TRU**
  - Little consideration for their negative impact on neighbours
  - Little regard for the conditions of their permissions
  - Little regard for planning processes

- **Agencies**
  - Little regard for Customer service / complaints
  - Little stomach for changing working processes – interworking between Agencies
  - Laissez -fair attitude to TRU – too close a relationship

[3] Until 1997 conditions for operating site were ad-hoc. C97 1501 consolidated the then current position as a future baseline

[4] Detail from FoI requests to Agencies

Related to neighbours' human rights, the impact on Sinks Pit neighbours has been

- Daily suffering from loud percussive and / or continuous noises
- Areas of houses and gardens made uninhabitable during operational hours
- Dust clouds impacting breathing and covering property with debris
- Deterioration of residents' physical and mental health through stress
- Loss of property value and a blight on sales opportunities

The psychological impact on neighbours of 6930 complaints (to Q2 2021) to Agencies with no outcome cannot be overestimated.

P1.2 THE NEIGHBOURHOOD ENVIRONMENT

Sinks Pit is the site of a disused quarry. It is a hole in the ground – a hollow bowl which has been enhanced by SCC on the north side by a soil bund. The geography of the site has consequences:

- The pit behaves acoustically as a "giant horn loudspeaker" throwing sound out around the environment. Agency representatives have recently (2020) admitted noise up to half a mile away from the pit is heard louder than inside the Sinks Pit bowl and noise can even be heard in neighbouring villages. This phenomenon was originally denied by SCC at a meeting with residents (in April 2019), but subsequently endorsed by the Environment Agency (EA) and verified by studies undertaken by SPL Track 2021.

- It is virtually impossible for Neighbours to see the activities and deployment of assets within the pit from a distance. Neighbours who have ventured across the landfill site to the pit rim to make observations, take photographs and noise measurements have been formally threatened with prosecution for trespass by SCC - despite the fact that scores of people including Suffolk Constabulary use the site to exercise dogs. We view this as vindictive and unsympathetic behaviour by SCC.

- Without the benefit of visibility inside the pit, it is difficult for Neighbours to correlate observed pollution (especially noise) with offending pit assets. Consequently, Neighbours have great difficulty identifying and describing the sources of pollution in a complaint to Agencies. This dilemma is exacerbated by the confusion over which Agency organisation to complain to, how to describe the complaint and what channel to use for delivery of the complaint.

P1.3 KEY ISSUES FOR LOCAL RESIDENTS – NEIGHBOURS of SINKS PIT

A major frustrating issue for Residents is the organisational framework around the regulation and local governance of Sinks Pit.

The fact that three Agencies (SCC, ESC and EA) are involved makes for confusion of responsibility, management and control of the site and relationships with impacted stakeholders. This has resulted in cross-finger pointing by Agencies when confronted with issues, and opens opportunity for exploitation by TRU.

Agencies have (locally) divided responsibilities between “East Side” and “West side” of the Sinks Pit site on the basis of TRU business lines. However, there is no clear division when it comes to Neighbours’ pollution issues[5].

Residents neighbouring Sinks Pit regard this Agency organisational situation as absurd and must be addressed. We often hear from the Agencies: “it’s impossible” when confronted with change. Neighbours say “nothing is impossible” if there is a will to change!

The pollutions from Sinks Pit have been the main sources of complaints to Agencies – and these are described first. In pursuing complaints, Little Bealings Residents have encountered many problems working with the Agencies which are described here as “bureaucratic” issues. Finally, after 6 years making nearly 7000 complaints, there is a human impact on Residents – our personal issues.

P1.3.1 POLLUTION

By far the two major pollutions experienced by neighbours are noise and dust. The Sinks Pit site is divided into two (overlapping) areas dealing with a) mineral processing and cement product production and concrete batching, and b) construction plant hire and maintenance. As neighbours cannot easily observe activities on site it is difficult to identify and pass pollution complaints towards the relevant Agency for action.

P1.3.1.1 Noise and Vibration

This is by far the most extensive area of complaint.

A list of noises identified and substantiated by the EA is given in Exhibit E1 along with possible sources. This list has concentrated on noise from mineral processing, but it would be naïve to assume that the plant hire and maintenance does not contribute its own selection of noises – particularly complained about by neighbours towards the west end of the site.

Noise measurements have been commissioned (by Sinks Pit Management) over a number years to Sharps Redmore and four reports have been obtained through FOI

[5] Example 1 A road sweeper emitting an offensive high-pitched whine operates along the whole site
Example 2: Light pollution is evident across the whole site

20188, the results of which are summarised in Exhibit E4. The specification for noise measurement is given in C97 / 1501 section 21 as are the measurement points “X” and “Y” with test limits of 45dB and 48db at respective points.

The results summarised in Exhibit E4 show that tests have never been undertaken under fully operational conditions with heavy loads, and therefore have never exceeded permitted limits

There are five contentious issues relating to these noise tests:

- Many noise complaints are concerned with intermittent or percussive noises not included in testing
- Not all equipment was running during testing, often excluding some very noisy items
- New / additional equipment and processes have increased noise levels
- The Noise Measurement scheme requires 24 hours’ notice of testing giving time for planning and adjusting the site operational components in preparation for testing. Neighbours have repeatedly commented that perceived noise levels are significantly reduced during tests
- The customer for tests is TRU and therefore not commercially independent

The most recent report (Technical Note 151279 Gjk) was commissioned to determine the efficacy of an “acoustic” fence at the north edge of the Sinks Pit site. The reported conclusion was that a “minimal” (1dB - 4dB) improvement could be achieved. Such a small improvement (if achieved) would not solve the noise pollution problem and therefore the acoustic fence is not fit for purpose.

Since ESC served TRU with a noise abatement notice effective from 30 Sep 2021 an independent consultant (SPL Track) has been commissioned by TRU to identify polluting noise issues and produce a “noise plan” for remedial action. LB Residents have no formal sight of the emerging noise plan, but are actively supporting SPL Track by hosting noise monitoring stations at key properties.

Some early suggestions for changes have been trialled (allegedly), but so far, no noticeable improvement in noise reduction has been achieved.

Along with many public reports and standards bodies, resident neighbours of Sinks Pit believe that significant noise reduction will only be achieved through mitigation at source.

P1.3.1.2 Dust

Dust has become a serious concern to LB residents (ANNEX A3).

Clouds of dust are regularly seen escaping from Sinks Pit (Exhibit E7).

Dust covers neighbours’ cars, footpaths, garden furniture and laundry which leaves a distinctive taste in the mouth. Even Agency executives have been covered when walking along nearby footpaths.

There are three sources of dust clouds: mineral processing plant (which is claimed to be covered by spray dampening although there is no evidence it is used), stockpiles open to weather, the delivery and feed of incoming material to processors and the cement batching facility.

Agencies have denied escape of dust from the Sinks Pit site even citing dust blowing from the Sahara desert and water vapour clouds. Ridiculous!

Processing minerals is inherently a “dusty” business. When minerals are recycled, there is a risk of noxious substances being released – e.g. asbestos. TRU has recently acquired a building demolition business and has announced an asbestos processing station at Sinks Pit. This raises the questions “how is asbestos identified from raw material dumped on site?”, and “has asbestos already been freely released to the atmosphere?”

Agencies do not monitor dust pollution, claiming there is no requirement to do so, thus exposing neighbours to significant health risks. However, it has recently been established that a “dust plan”, which does not appear, to exist is required by the EA.

It has recently been established that asbestos handling has been permitted at Sinks Pit – which is in conflict to the site being adjacent to the Sinks Valley SSSI.

Residents believe dust from Sinks Pit is a threat to their health and CoSHH issues are not being dealt with adequately. Dust should be contained / suppressed so that none leaves the site

Escalation to the Health and Safety Executive (HSE) is now being considered.

A more detailed account of the risk of dust pollution is given in ANNEX A3.

P1.3.1.3 Light

The Sinks Pit site is adjacent to the Sinks Valley SSSI. Early planning permissions highlighted the need to protect this environment - especially to prevent disruption to bat colonies and to preserve neighbours’ amenity during darkness.

Over the years, the southerly landscape across Sinks Pit has been subjected to increased lighting for longer periods. Some intensive lighting has been leaking northwards into neighbours’ houses. General site lighting is seen typically 05:00 to 21:00 hrs partly outside working hours.

We understand that low level of security lighting is justified, but bright operational lighting escaping the Sinks Pit site into neighbourhood homes is not (Exhibit E8).

Moreover, this light pollution is extending beyond permitted working hours – all night, weekends and early mornings. Residents suspect these incidents align and represent out-of-hours working.

Northerly neighbours want high level lights lowered to avoid shining into their houses and night-time working stopped.

P1.3.1.4 Odour

Sinks Pit is a disused mineral extraction site reused partly as a (covered) municipal domestic and commercial waste burial site, and partly TRU. The border between the two is a steep bank which has become exposed to decaying waste. The waste site is ventilated by a methane gas extraction system to a gas burner situated next to Hall Road.

Recently, Residents have reported odours from Sinks Pit resembling “rotten rubbish”. SCC have said odours come from the TRU site which has been confirmed by TRU specialists as coming from “dirty” glass being handled at the site.

Since the handling of non-inert materials is not permitted by TRU permissions either the supplier should be encouraged to “clean” the glass before delivery, or TRU do it themselves.

P1.3.1.5 Environmental – SSSI

Sinks Pit is within the Sinks Valley Site of Special Scientific Interest (SSSI). Early permissions for TRU mentioned the need to protect this environment. Sadly, noise, dust and light pollution have disturbed the environment and have put wildlife at risk (especially bats.)

P1.3.1.6 Environmental – Traffic

The earliest planning consultations (for the ForkRent precursor of TRU) assured residents of limited traffic along Main Road Kesgrave (A1214). The huge growth of vehicle movements in / out of the TRU side are orders of magnitude beyond that originally planned.

This has significant impact on Residents – especially in Kesgrave who suffer increased noise and exhaust pollution.

Most of the vehicles involved are of great weight and put a significant load bearing stress on the carriageway.

SCC and the Highways Agency should analyse TRU traffic movements and assess the impact of this traffic on Kesgrave Road.

P.1.3.1.7. Culture

Attitude and behaviour at work are a contributory factor to noise pollution from Sinks Pit. It is doubtful that workers on site are aware of the nuisance they are causing through poor work practice. Rattling of lorry tailgates and loader buckets is a major

source of noise. Although warned of this, it's easily forgotten and staff churn makes it difficult to maintain awareness.

Constant (re)education is necessary

P1.4 KEY ISSUES FOR RESIDENTS - BUREAUCRACY[6]

Over 7000 complaints to Agencies over 6 years have had little attention and reaction until LB Residents and neighbours of Sinks Pit have reached exasperation at the pollution they are suffering and have established a campaign for change. In doing so, Residents have encountered significant systematic bureaucratic issues which have allowed TRU to go unchecked.

These issues are:

- The regulation and monitoring of operational frameworks forming the governance of TRU at Sinks Pit
- Organisational dysfunction (between Agencies)
- Complaint handling
- Planning
    - Handling new applications
    - Planning control
- Culture

P1.4.1 REGULATION and OPERATIONAL FRAMEWORK

The history of Sinks Pit is described in Annex A1. When the Sinks Pit site was acquired the owner inherited existing operational permissions.

Residents have had difficulties in identifying what those permissions are and what have been subsequently acquired. Questions to Agencies have received no clear answers and searches for planning documents have revealed that some seem to have "gone missing". Our best understanding of permissions is given in Exhibit E9 It is also clear that there has been similar lack of clarity in Agencies. It was only during the summer of 2021 that the EA was identified as the owner of a key operating permit (EPR/FB360FW).

Regarding National regulations, British Standards govern operational conditions for mineral working in open sites. Residents have identified two relevant standards:

> BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites". This came into effect in 2009 and supersedes MPG 11:1993 which is often cited by Agencies.

[6] The term "bureaucracy" is used here to cover the Agencies' governance and management of issues related to Sinks Pit

BS 4142 2014 “Methods for rating and assessing industrial and commercial sound”

There is little evidence that Agencies use these standards in their planning control of operations at Sinks Pit and have offered no alternatives as professional technical frameworks.

It is therefore no wonder that, through lack of common understanding of their regulatory and operational; framework, the Agencies have been unable to control pollution from Sinks Pit

P1.4.2 ORGANISATIONAL DYSFUNTION

Difficulties neighbours have had making complaints (Section 3.2.4) have exposed organisational dysfunction between SCC and ESC and lately EA (see Exhibit E6).

For many years Neighbours have launched complaints to both SCC and ESC / SCDC using whatever channel they thought appropriate (in the absence of clear guidance). This has resulted in “cross finger” pointing between Agencies regarding responsibility. It is apparent that there has been / is a “turf war” between Agencies exposed through many emails to residents. It was also clear to residents that neither side would attend meetings jointly. Even internally there is dysfunction - a quote from ESC “Environment doesn’t talk to Planning”.

In the year 2020, five years + into this debacle, SCC & ESC finally divided the Sinks Pit territory into “West Side - ESC” and “East side” – SCC. This is no help to neighbours as their complaints are not geographically based E / W, and there is a mixture of similar pollutions on both sides. Nor does this make sense from an organisation viewpoint as deployment of polluting assets within Sinks Pit is geographically mobile and flexible. This division is seen as a political divide between Agencies and is not customer focussed on achieving action / delivery / resolution of complaints.

In 2021 it also emerged that the Environment Agency has a pivotal role to play. Up to this point neither SCC nor SCDC / ESC had involved the EA who (unknown to residents) holds a key operational permission (EPR/FB360FW). The EA involvement has been welcomed but is now involved in a three way tussle between Agencies.

In terms of engagement neighbours, still have major issues:

- No common vocabulary to describe pollution incidents
- No common channel for reporting incidents
- No common registry for complaints
- No common reporting process to / from residents

Sinks Pit neighbours see all this as an organisational mess. The current operational organisational structure between SCC and ESC (E vs W) is not tenable and is a priority for resolution. This is a political issue which we suggest should be addressed

by SCC and ESC Executives together top down and possibly driven by our MP. Improvement to be implemented by Agency CEOs.

Either responsibilities for managing relationships with TRU / Sinks Pit should be consolidated to one Agency or a cross agency team created with executive authority for the role led by a senior chosen independent Executive Manager.

Resolution may well benefit other communities suffering from similar dilemmas and dysfunction.

P1.4.3 COMPLAINTS and COMPLAINT HANDLING

It is incredible that over 7,000 complaints have been made to Agencies without any remedial action. The lists of complaints shown in Exhibit E5 have been compiled from Freedom of Information (FoI) requests and are therefore Agencies' own reported data.

The questions asked in FoI requests to each Agency were as follows:

- Date recorded
- Description of complaint
- Name of complainant[7]
- Action taken
- Outcome of action taken

It was clear that Agencies had significant difficulty in replying to the FoIs. The only information reported relates to dates recorded and a categorisation of the nature of the complaint. Moreover, it seems clear this information was compiled "by hand". There was no data available on action taken or outcome.

It is suspected that the Agencies have no professional complaints handling processes or supporting IT system. If they had, replies to these FoI requests would be a matter of downloading data.

P1.4.3.1 Vocabulary

A common issue between Agencies and Residents is how to describe the nature of a pollution (especially noise) and its possible source – the vocabulary of communication.

Resident neighbours of Sinks Pit have no official sight of the site to correlate cause and effect of pollution. Agencies too – apparently, have had the same problem – even as written there is no clear matrix. Our best "guess" is shown in Exhibit E2.

With access to the site and appropriate expertise is should be easy and obvious to make these associations

This, along with Agency organisational dysfunction, makes it difficult to communicate

[7] Probably not expected

P1 4.3.2 Communication Channels

The issues of communication channels covers those to and from Agencies, upward for reporting pollution and downward for reporting progress and resolution.

Neighbours have the problem of where to send complaints. Until mid-2021, complaints were sent to either ESC or SCC. When the EA came into play Residents have a three way channel – with no common vocabulary or way of parsing between agencies. This remains so.

There also seems to be no attempt to pass complaints between Agencies in line with their (self-defined) areas of responsibility or related permissions

Neighbours now still have **three** upward channels for complaints, and without our ability to parse, Residents have to send through all three communications channels:

- To SCC at planning@suffolk.gov.uk – no defined format
- To ESC at environment@eastsuffolk.gov.uk – a proforma sent in hard copy
- To EA at ics@environment-agency.gov.uk – no defined format

Furthermore Residents are made to feel not trusted to report complaints. ESC EP insists on personally witnessing a complaint before formal registration and is resisting a common cross Agency reporting channel.

Call-outs are offered, but are subject to Agency staff availability and are often out of sync with the complaint. Some Agency staff have even called out of hours to witness a complaint!

Agencies need a single channel for Customer complaints and reporting

Regarding feedback to complaints, nothing. Each complaint should be registered with a reference number – communicated to the complainant, and progress to resolution reported within a defined timescale.

No registry, No communication, No action, No feedback

Agencies do not take Customer complaints seriously

P1.5 PLANNING

Sinks Pit Neighbours assume that the normal planning process involves:

- Application – Consultation - Agency consideration – Decision – Implementation

Too many times we have seen the process operated with TRU in reverse:

- Implementation – Retrospective application – No consultation – De- facto decision

Moreover, where there are permissions not convenient to TRU they are frequently abused with no sanction – or granted retrospective permission.
Where is Agency planning control?
This must stop.

P1.5.1 Planning Applications / Changes

Not all changes at Sinks Pit are flagged to stakeholder neighbours or are subject to public scrutiny. Formal planning applications are advised, but other changes are handled through alleged “permitted developments” or “normal variations”. Very little impact on neighbours seems to be considered. Often decisions are made remotely from a “desk”. Such a decision made by the EA resulting in an agreement to increase permitted mineral processing loads has resulted in increased noise and dust pollution. Another request for a further increase is on the table and is being forcefully resisted by Residents, fearful of yet more pollution

This is not democracy. This has resulted in serious impact to Residents amenity
This must stop.

Where there are formal applications multiple subjects are often bundled so that an apparent trivial change is used to disguise a highly controversial change. This has been seen regarding attempts to change hours of working.
This must stop.

Retrospective planning is a feature at Sinks Pit. TRU seems to have a culture of unilaterally making changes then making a planning application – if challenged. Even then, agreed changes are modified on implementation.
This must stop.

Where formal planning applications are submitted and processed by Agencies there are often defects in the information provided and a seemingly routine recommendation of agreement without rigorous scrutiny of the impact on affected stakeholders. At best this is carelessness, at worst partiality. Social media links between TRU and Agency people have already been flagged to Agency Executives
This must stop.

P1.5.2 Planning Control (What planning control?)

Running rough-shod over the planning process is a clear indication of seriously weak Agency management of the site. Those involved in monitoring should know what is happening and should escalate to their management line to alert unplanned activities. Notice should be taken of Residents’ alerts and act thereon.

It is uncertain if any actions have ever been taken against planning infringements – or penalties imposed. In colloquial terms, the organisation of response to issues of pollution emanating from Sinks Pit is a disgraceful mess and a sad reflection on the efficacy of local government.

TRU is running rings around dysfunctional Agencies (and getting away with it)

P1.6 ENVIRONMENTAL & HEALTH and SAFETY

Sinks Valley contains an area of SSI. Original planning consultation emphasised the need to preserve this natural environment and the flora and fauna within. Bats were particularly noted – hence the need to keep nighttime lighting discrete.

In the absence of effective planning control:

- The boundary of TRU has been extended into the SSI
- Dust pollutes vegetation and public footpaths
- Noise disturbs wildlife
- Particle pollution has been observed in the stream running through Sinks Valley
- High intensity lights shine towards neighbouring properties

Dust is a serious environmental hazard (Annex A3). Raw materials unscreened on demolition sites might contain Asbestos. The clouds of dust seen blowing from Sinks Pit could contain asbestos particles – a serious risk to neighbours, site workers and footpath ramblers. This risk is currently not monitored. Dust monitoring and a dust management plan is urgently required.

P1.7 CONCLUDING REMARKS (PART 1)

It is clear that both Guy Nicholls Ltd and Government Agencies need to put the wellbeing of Sinks Pit neighbours higher up their respective business agendas.

The unfortunate situation for those close neighbours of TRU at Sinks Pit has become a catastrophe of circumstance. Maybe, no one saw this coming. However, the status quo is unsustainable and remedial action is required.

The original proposition for Sinks Pit was a new base for plant hire (ForkRent). If this had been implemented there may not have been so much of a problem. However, the creation of TRU and the growth of the mineral processing business line has created a “Behemoth”.

It is clear the Agencies also didn’t, see this coming and have been blind-sided. The whole Agency bureaucracy facing TRU is a mess and literally out of control.

The Agencies have been largely ineffective in protecting the local environment and local residents from pollution from TRU industrial activities – which have become significantly worse over the last five years. It is becoming increasingly clear that resolution of issues, particularly the noise problem, may require outside independent intervention if a reasonable balance between permitted business and local residential amenity is to be struck in this crowded setting.

There follows a list of the key issues as seen by neighbours of Sinks Pit (expressed in “layman’s terms”) along with a list of Resident’s suggested solutions is shown in Exhibit E3 – again in colloquial terms.

In conclusion, Residents and Neighbours of TRU at Sinks Pit do not have a problem with a thriving business on their doorstep. They just want TRU to operate with consideration to their lives and amenity.

END OF PART 1

PART 2 THE COMMUNITY LIASON GROUP (CLG) AND ITS IMPACT

P2 INTRODUCTION

Part 1 of this case study describes Resident's dissatisfaction with their amenity due to pollution from Sinks Pit.

Distribution of this (Part 1) account to senior executives of ESC, SCC and the EA (the Agencies) drew attention from our MP.

The most senior executives from the Agencies were called together to determine a way forward.

It was agreed to form a Community Liaison Group (CLG) to manage issues to resolution. The terms of reference are given in Exhibit E1.

This group has been important in driving change for the benefit of Residents (and arguably TRU7).

The constitution of the CLG includes:

- SCC chair (Agency political not executive)
- Senior ESC planners
- Senior SCC planners
- SCC site managers
- The Environment Agency
- Little Bealings Parisch Council (LBPC)
- A resident representative under the umbrella of LBPC
- TRU7 representative (including noise consultancy)

The CLG meets quarterly where formal notes and actions are taken.

P2.1 COMPLAINTS HANDLING

Throughout the lifecycle of Part 1 of this case study, complaints have been the fulcrum for change. Residents were encouraged to complain formally to the Agencies, but their response was in chaos. Individually and collectively the Agencies had no formal complaints register (possibly for many customer complaints).

This situation was one of the first issues for the CLG. Residents were keeping a log of complaints, but the Agencies initially could not keep aligned.

The CLG asked for a cross-agency complaints handling process and record. After considerable feasibility studies, the Agencies declare this impossible (this ambition has never been delivered).

Nevertheless, complaints have been a measurement mainstay at the CLG by asking each Agency to report the number of complaints they have received. To this end, complainers were asked to report via 4 email routes (later 5 including TRU7 site management). These are:

East Suffolk Council EP	ep@eastsuffolk.gov.uk
East Suffolk Environment	environment@eastsuffolk.gov.uk
Suffolk County Council	planning.enforcement@suffolk.gov.uk
The Environment Agency	ics@environment-agency.gov.uk
TRU7 Site Management	sitemanagement@tru7.com

A rolling register of complaint numbers is shown in Exhibit E5

The mainstay of complaint handling has been East Suffolk Council Environmental Protection team (ESCEP) (ESC hold the Noise Abatement notice served on TRU7).

There have been many location visits by ESC EP people to complainants where assessments were made of their problems, however these observations and judgements are subjective. What was needed was **evidence**.

P2.2 ANALISING THE PROBLEM

At the inception of the CLG, TRU7 appointed a specialist consultant to determine the source of problems and to suggest solutions. The consultant specialised in noise pollution – which was by far the major form of complaint.

The Agencies and TRU7 agreed that a rolling “voluntary improvement plan (VIP)” would produce quicker results than a formal / legal plan. This was proved to be the case for “quick wins” many of which are noted in P2.3.

However, a more rigorous assessment was required to identify deep rooted problems and conformance to relevant professional standards. (Previous Agency attempts to evaluate internally and through their consultants (at the time) were proved demonstrably flawed.)

There have always been issues regarding measuring against the noise standards as in BS 4142. The levels specified are based on average levels over time. However, Sinks Pit West side noise is very loud, percussive and disruptive, noises which do not average out to exceeding standard thresholds. It is contended that BS 4142 does not adequately cover the nature of noise pollution from Sinks Pit.

Technical details of sound profiles were often shown at CLG meetings.

P2.2.1 POLLUTION MEASUREMENT

“If you can’t measure it, you can’t manage it!”

Under the direction of TRU7 consultancy (Hydrock SPLtrack), technical measuring devices were setup at a Little Bealings residency (and at several other locations).

- A microphonic sensor transmitting noise measurements directly to the noise consultancy was installed for 7x24 monitoring.
- A particle monitor to measure dust. This monitor resolved no issues.

In addition, ad-hoc measurements and observations were made alongside many personal visits by Agency staff with and without portable noise measurement devices.

The results of the formal assessments are are given in “Kesgrave Quarry Noise Assessment for TRU” (Ref 29658-HDY-XX-XX-RP-AC-0001 – S3 27 October 2023).

This document lists the noise mitigation initiatives adopted since January 2022 some of which are described in P2.3.

P2.3 SOURCES OF POLLUTION AND SOME SOLUTIONS

From a geographic perspective, the TRU7 Sinks Pit site is a hole in the ground bordered by landfill to the north and an SSI nature reserve to the south. This has significance. The site is a bowl resonating like mining and aggregate working in valleys. A common feature is that sound is projected out of the bowl like the effect of a horn loudspeaker. Sound inside the bowl can be much less than experienced outside.

Residents without access to the TRU7 site have difficulty identifying sources of pollution. There is no common language to describe or identify where pollution comes from. It is believed that the Agencies have this problem too.

The Sinks Pit site is divided into two zones: West Side mainly concerning TRU7 plant hire and maintenance business, whilst East Side is a mineral processing business producing aggregate by disintegration of demolition recovered materials, sorting / grading for re-sale. Raw quarry material is also imported from other quarry sites for sorting, grading and re-sale or use in concrete production

There is also a sizeable concrete batching plant on site.

From the perspective of regulation, it became clear that the EA held the key permit for mineral processing (East Side). Both SCC and ESC have planning responsibility across both E and W sides depending on the nature of the planning application / permissions`.

This confused Agency responsibility has been a major frustration for Residents – and cross-finger pointing for responsibility amongst Agencies.

The CLG has forced ESC, SCC and the EA to come together to finally sit around the same table to solve their customers’ issues together.

A detailed list of noise mitigation measures undertaken by TRU7 can be found in section 6 of the TRU7 Acoustic Report some of which are summarised here.

P2.3.1 EAST SIDE – MINERAL PROCESSING

In general, pollution falls into three categories: noise, dust and light (and occasionally odour from contaminated mineral processing input).

P2.3.1.1 NOISE

There are four major sources of noise pollution:

- Vehicular movements and operation
- Mineral processing plant operation (e.g. crushing)
- Grading materials
- Concrete batching

The general approach to noise reduction has been enclosure and modified operational procedures.

P2.3.1.1.1 Vehicular movements

HGVs and major plant equipment are required to have reversing alarms. Commonly, these alarms are “bleepers” and, by their very nature, are loud. All-day bleeping was driving Residents to distraction.

> ***Mitigation:*** *TRU7 site vehicles were initially re-fitted with white noise reversing alarms and later video monitors in the driver’s cab. The site was reorganised to provide one-way traffic routes to minimise visiting vehicles reversing noise.*
>
> ***Efficacy:*** *Significant improvement.*

At the Sinks Pit site, vehicles discharged minerals to be processed by tipping. This creates noise when the materials “slide out”. When (nearly) empty drivers habitually rattled the lorry body to discharge the last remnants of the load. When lowering the trailer body, the tailgate was left to rattle / bang to closure

> ***Mitigation:*** *Tipping points on site were located behind large concrete walls acting as sound barriers. Site management direction encouraged drivers to avoid rattling.*
>
> ***Efficacy:*** *Significant improvement, but this relies on continuous direction and training of drivers who have significant staff turn-over. However, larger vehicles in operation are insufficiently masked - the concrete walls will need to be heightened.*

Minerals are loaded for site export by large “digger / loaders”. In addition to bleeping, these loaders also had the habit of noisy “bucket rattling” to unload their last drops.

> ***Mitigation:*** *Mineral storage and distribution points on site were located behind large concrete walls acting as sound barriers. Site management direction encouraged drivers to avoid rattling.*
>
> ***Efficacy:*** *Significant improvement, but this relies on continuous direction and training of operators who have significant staff turn-over.*

The grading process requires stock of raw crushed material to be loaded into the grading machine. Often there are stockpiles of minerals which are loaded into the grader by excavator plant – which originally bleeped continuously moving back and forth

Mitigation: *Along with other TRU7 site plant, quieter revering alarms fitted*

Efficacy: *Significant improvement.*

The road sweeper. The TRU site is dusty. The site is patrolled by road sweepers (similar to those one would expect to see on public roads). These machines use turbo technology to “suck-up the dirt”. Due to the geography of the TRU7 site, the whining of these turbo escapes and is a very disturbing noise.

Mitigation: *The root cause of excessive noise was the “clogging” of the suction discharge pipe. A new manifold cowling was designed and implemented. Cleaning of this is incorporated in the TRU7 site maintenance process.*

Efficacy: *Significant improvements - when the adapted machines are used and cleaned!*

Caterpillar tracked vehicles. The plant-hire site has a concrete base. Caterpillar tracked vehicles make a loud “clanking” noise when moving over this surface characterised by residents a “machine-gun” fire.

Mitigation: *Two methods of noise reduction have been proposed:*

- *Speed reduction*
- *Soft surface manoeuvres*

Efficacy: *No improvements: TRU7 can not keep to speed limits! The vehicles trundle over concrete site platforms*

Traffic. No noise complaints have been made regarding traffic movements along local road routes. General vehicle noise within the Sinks Pit site has been reduced by adopting one-way traffic flow and speed limits

P2.3.1.1.2 MINERAL PLANT PROCESS

Minerals enter the Sinks Pit site either as raw materials from quarry sites (Sinks Pit is no longer a quarry site) or as materials from demolition sites.

Demolition material needs to be reduced to manageable size (for grading) by crushing and dismantling to isolate recoverable materials. These can be minerals, metals or hazardous substances (possibly asbestos).

P2.3.1.1.2.1 Crushing

Mineral crushing is undertaken upon incoming recovered minerals (concrete bricks etc.) before grading into materials suitable for re-sale. These machines (often mobile) are very noisy.

Mitigation: *The crushing machines have been placed behind concrete wall sound barriers.*

Efficacy: *Great improvement, noise complaints have been significantly reduced.*

P2.3.1.1.2.2 Grading

Raw material either from gravel pit excavations or reprocessed materials needs to be graded before suitable for re-sale. This process is like sieving through graduated screens – on a massive scale. At TRU7 this is accomplished by two separate processes.

The first process – colloquially known as the “wash plant” is designed to remove soil and debris which involves water treatment.

The second process sends minerals up an escalator fitted with graduated screens. Minerals of defined size ranges drop out of the screens into bays for onward use. This machine is massive and extremely noisy. This screener is a major source of noise pollution across all frequency ranges, but particularly very low frequency (~ 30HZ) characterised as rumbling or vibration.

> ***Mitigation:*** *Small improvement was achieved by limiting the input volume of material to reduce load and modifying some component parts of the machine. However anticipated improvements following new / alternative parts has (at the time of writing) failed to reduce low frequency noise.*
>
> *Subsequent noise cancelling measures have also been unsuccessful.*
>
> ***Efficacy:*** *Very little: a major outstanding problem.*

P2.3.1.1.2.3 Metals

Metals, for example concrete re-enforcement rods and other materials are separated during the crushing process. These are collected and extracted for recycling. The dumping process involved dropping material from a height into skips.

> ***Mitigation:*** *Relocation of the metal handling site. Site management instruction to “drop gently”.*
>
> ***Efficacy:*** *Significant improvement.*

P2.3.1.1.2.4 Concrete batching

A new concrete batching plant has been installed at TRU7. Noise issues arise from the refilling of the cement silos The pumping is noisy through inadequate turbo pumps.

> ***Mitigation:*** *External suppliers’ vehicles have been substituted by direct supply by TRU7 lorries. However, “turbo pump” noise is regularly heard*
>
> ***Efficacy:*** *Significant improvement, but turbo noise is still intrusive while cement is pumped into silos.*

P2.3.2.2.5 DUST

Clouds of dust have been seen blowing out of Sinks Pit. Cars, trees and our taste buds witness minerals. We hope none of this is asbestos!

Particular sensors have not detected any specific threats – but results depend on the direction of wind.

Mitigation: *Sweepers try to keep dust down*

Efficacy: *Slight*

P2.3.2 WEST SIDE – TRU7 CONSTRUCTION PLANT HIRE and MAINTENANCE

TRU7 plant business involves the hire / supply of heavy-duty environmental construction equipment. This involves the supply and maintenance of heavy machinery.

The main pollution from this business is noise.

P2.3.2.1 NOISE MANAGEMENT

Significant emphasis in the TRU noise management plan is focused on educating the workforce to increase their awareness of the importance of noise control. This is achieved through staff induction training and regular “toolbox” talks.

P2.3.2.1.1 Vehicle Washing

Vehicles returning to site are often / always dirty. Cleaning involves jet-washing and body washing – as in a car wash. These two activities were carried out in open-air causing significant power tool noise.

Mitigation: *Enclose jet washing into dedicated buildings*

Efficacy: *Successful.*

P2.3.2.1.2 Plant Testing

Significant noise was produced by testing equipment open-air. In particular, vibration equipment was tested in a metal enclosure producing “battle-field” level of noise.

Mitigation: *Enclose in rubber enclosed housing.*

Efficacy: *Largely successful.*

P2.3.2.1.3 Plant Maintenance

With limited workshop facility, much plant maintenance is implemented open-air. This is extremely noisy when heavy duty techniques are used. Pollution comes from pneumatic tools and “brute force and energy” techniques,

This is a major source of complaints.

Mitigation: *Enclose maintenance in dedicated sound-controlled / proofed buildings*

Efficacy: *None. This mitigation is currently stalled by the non-approval of workshop facilities and is a major source of daily complaints.*

P2.3.2.2 GENERAL

There are issues which cover both East and West side areas of the TRU7 site at Sinks Pit.

P2.3.2.2.1 LIGHT

This issue covers both East and West side areas.

Sinks Pit is a large site in a sensitive SSSI area. Residents are used to dark views over the site. Concern has been expressed over the impact of wildlife – especially bats.

There are two sources of light pollution: low level general site illumination, and intense activity illumination The site hours of operation set the limits of required illumination

Low level site illumination is a general facility similar to street lighting. This is controlled by timers linked to hours of operation.

> ***Mitigation:*** *Timer control to working hours*
>
> ***Efficacy:*** *Largely successful*

High level lighting is an issue due to overspill affecting Residents suffering from intense light invading their homes. This light mainly comes from high intensity site lighting installed on the “wash plat” and the concrete batcher.

> ***Mitigation:*** *TRU7 have been asked to adjust the angle of lighting to contain light within Sinks Pit*
>
> ***Efficacy:*** *Partial*

P2.3.2,2.2 ECOLOGY

Initial propositions for the development of Sinks Pit included ecological benefits – site restoration environmental enhancements etc.

In practice little of this is evident. On the contrary…

The TRU7 site seems to have intruded into the area of the Kesgrave SSSI, and pollution has been reported in the adjacent Buttler’s Brook stream. Landscaping has not been carried out.

Unapproved developments have caused concern about compromises regarding the water table and drainage. All this is under investigation along with the impact of the adjacent land-fill site.

> *Mitigation: None*
>
> *Efficacy: None*

P2.4. IMPACT on TRU7

Tracing the back-story of TRU7, it seems clear that the company was born with little experience of the mineral extraction and processing business. The company inherited existing permits and permissions and just went ahead without regard for the impact on local communities. Little attention was given to complaints from neighbours.

The turning point was service of a noise abatement notice by ESC Environment Protection Team and the intervention of our MP drawing attention to the most senior managers in ESC, SCC and the EA (the Agencies) to the problems local communities were suffering. This resulted in the creation of the CLG.

The intervention of the Agencies may have been a wake-up call for TRU7 to embrace their industrial and social responsibility.

P2.4.1 The TRU7 Noise Management Plan

The Environment Agency holds the permit for operation of the mineral processing business at Sinks Pit (East Side). In collaboration with TRU7 and their noise consultant (Hydrock SPLtrack), TRU7 has produced – as part of their corporate management system, a noise management plan (TRU7 NMP 2023V3). This document contains the Board statement:

> *"We, the board of directors of TRU7 group and its associated companies, hereby declare our commitment to the control of environmental noise to protect the amenity of our neighbours. We undertake to implement the procedures stated within this plan to the best of our abilities and to ensure that our staff are properly informed, trained and supported with respect to environmental noise control.*
>
> *We are committed to a program of continuous assessment and monitoring, sharing the results of our actions with stakeholders. We will rigorously assess any new equipment or processes that we bring to our business to ensure our environmental noise responsibilities are met."*

It is this document which is seen as the link between TRU7 and the Environment Agency as a basis of future management of their operating permit.

End of Part 2

Part 3 CONCLUSIONS, SUCCESSES AND OPPORTUNITIES FOR IMPROVEMENT

P3.1 RECAP

The whole debacle of Little Bealings Residents' amenity started in 2013 when the largely spent part of Sinks Pit (that not used for land fill) was sold by SCC. The site evolved over time into a multi-business line operation mainly concerning mineral processing (the East side) and construction plant hire and maintenance (the West Side).

Pollution (mainly noise) escalated to such a level that Little Bealings Neighbours were driven to make thousands of complaints – with little response.

In 2021 a formal complaint was made which caused attention from national and local Government which resulted in a noise abatement notice issued to the site operator and the formation of an interested parties working group to resolve issues – the Community Liaison Group (CLG).

The actions agreed and terms of reference of the CLG (Exhibit E1) plus the complaints of local residents as described in Part 1 form the basis of this Case Study.

P3.2 EXECUTIVE ACTIONS

This refers to the actions agreed between Agencies and MP as listed in Exhibit E1.

P3.2.1 Planning Conditions

Whereas Little Bealings Residents are not party to workings between Agency departments, questions have been asked at CLG meetings for progress. It is clear that key Sinks Pit operating permissions and permits were not reviewed at the sale point of the site and were inherited by TRU7.

In general, Agencies have pushed back on suggestions for varying planning conditions and none have been agreed.

P3.2.2 Noise Abatement

At the time of writing the noise abatement notice is still in-force and ESC have not begun legal action.

P3.2.3 Noise pollution Plan

A noise pollution plan has been produced and agreed between the Environment Agency and TRU.

P3.2.4 Noise Management Processes

Process for noise management between Environment Agency and ESC is not visible.

P3.2.5 Planning Permissions

More stringent planning permission parameters have not been currently produced

P3.2.6 Community Liaison Group

The CLG has been running quarterly.

P3.3 COMMUNITY LIAISON GROUP

The CLG modus operandum follows a fixed agenda involving reports from interested parties and outstanding action points.

However, the real CLG dynamic is driven by the key stakeholders – Little Bealings Residents and their specific complaints (see Part 1).

TRU7 responded by appointing a noise consultant who effectively took the leadership role in resolving noise issues.

P3.3.1 Complaints

Issues of complaint are listed in Part 1 of this case study and associated annexes. Over the lifetime of the CLG many new issues have arisen and have been addressed through the CLG process and recorded through CLG minutes. There are residual issues which will need to be addressed, and new complaints are continuously arising.

A major issue throughout the lifetime of this case has been the ability of the Agencies to capture, record, process and report on complaints. None of the Agencies seem to have adequate processes and IT to support the CLG. The production of the profile of complaint numbers as shown in P1 Exhibit 5 has been a painful exercise involving FoI requests for data – some of which is obtained from “manual” spreadsheets.

P3.3.2 Steps taken by the Agencies

Little Bealings Residents are grateful to the help and support of the ESC Environmental Protection team who have diligently observed, recorded and reported their complaints.

Under the leadership of the TRU7 Consultant, members of Agencies have supported the progression of complaints towards resolution. At this level the Agencies seem to have overcome their reluctance to work together as a team. Long may that continue.

However, one aspiration of the CLG was to induce change in the way Agencies work in relation to planning and permissions (E1) related to Sinks Pit.

Agencies would rather blame “the system” than address change:

- Review of permits and permissions
- The appropriateness of standards to the Sinks Pit environment
- Review of the roles and responsibilities and process for planning control.

Little Bealings Residents often feel some complaints are deflected and there is reluctance to follow up – even when evidence is provided to back-up a complaint.

P3.3.3 Measures implemented by TRU7

By far the most credit for pollution mitigation must go to TRU7 alongside their Consultant. There has been significant change to noise levels and causes for complaint reduced.

Perhaps the serving of a noise abatement notice was a wake-up call and an opportunity to develop the company.

The many physical and management changes made are described in Part 2 of this case study alongside the TRU7 Noise Assessment and Noise Plan documents.

Colloquially, one might suggest that TRU7 has migrated Sinks Pit from the “wild-west” to a “mature” industrial site.

P3.3.4 Areas of concern raised by Residents

One cause of Little Bealings Residents complaint has been the division of responsibility for Agency management of Sinks Pit site East-side vs West-side. This situation is not resolved but could be an opportunity for more efficient mitigation of complaints. One unified complaints channel is required.

P3.3.5 Understanding technical information

In the times leading up to the CLG it could be said that Residents and Agencies had little understanding of the complexities of noise generation and propagation, nor of the standards and practices appropriate to Sinks Pit.

The TRU Consultant frequently gave presentations to the CLG of data obtained from sensors located at places around Sinks Pit. Frankly, most of this information went over heads, but the Consultant has won the CLG’s confidence.

P3.3.6 Potential for Further mitigation and Solutions

Much achieved – but more to do.

There are outstanding issues unresolved. Low frequency noise and vibration originating from the “wash plant” has not found a solution – despite significant analysis and effort.

The new workshop is not yet operational so it’s efficacy in reducing plant repair and maintenance noise is not yet tested.

P3.4 LITTLE BEALINGS PERSPECTIVE

In 2021 (and from 2013) Residents within audio range of Sinks Pit were driven to distraction (and some ill-health) by noise emanating from Sinks Pit. In 2025 the intensity of disturbance is reduced but is still a pollution to Residents most nearby.

The core complaint of Little Bealings Residents was / is that:

- Residents' basic human rights for a peaceful and private family life have been abused by TRU7 by failing to control pollution emanating from Sinks Pit.
- Government Agencies have failed to manage and monitor permissions and permits to minimise adverse impact on local residents.

The CLG has been a major success in managing change – driven by the Little Bealings community and supported by the Agencies and TRU consultancy.

Considerable noise reduction has been achieved. Zero noise was never possible, but levels have fallen - except for low frequency noise from the "wash plant".

It remains to be seen whether a noise balance is achieved between plant maintenance in workshop vs open-air when the new TRU7 workshop is operational.

P3.5 OPPORTUNITIES for IMPROVEMENT

There are always opportunities for improvement.

P3.5.1 TRU7

There are still gaps in pollution control. In terms of noise control, the "wash plant" needs to silenced. More noisy plant activities need to be silenced. Dust needs to be better controlled. More respect needs to be taken over environmental issues. Perhaps previously offered landscaping could be implemented & less encroachment into the local SSSI.

Much of the identification and analysis of Sinks Pit problems has been achieved through the monitors deployed by TRU7 Consultants. In the spirit of openness, it is suggested that audio and visual monitoring (CCTV) of Sinks Pit should be installed and be made available to Agencies and Residents through WiFi.

P3.5.2 Agencies

Without the CLG Agencies would not have achieved the successes reported here.

There is a systemic rivalry between Agencies exacerbated by the Sinks Pit East / West divide. There is also disconnection between agencies caused by ownership of permissions and permits. If there were to be a single preferred outcome, it would be that:

- One Agency has the lead interface with TRU7
- All permissions and permits are managed by this single Agency lead.

Across all three Agencies there is particular absence of Customer focus. Even within the CLG Agencies do not seem to recognise that their Customers are the Residents of Little Bealings. Complaints have been made to the Environment Agency in this respect.

There is a serious gap in the way Customer complaints are handled, recorded and managed. There are inadequate IT support systems.

The role of planning and planning control has been questioned. (What planning control?). A significant number of Sinks Pit issues were evident in plain sight and should have been captured and managed through Agency / TRU7 facing leads.

There is a significant cost of this failure for both TRU7 in recovering from retrospective planning issues, and for Agencies managing recovery – example new workshop building.

Post CLG there needs to be a future proofing process for maintaining and enhancing improvements made so far. It is unlikely the Agencies can be relied upon to implement this role without external guidance and a good complaint handling process.

At least the CLG has achieved Agencies sitting together around one table to discuss issues – even with external guidance.

End of Part 3

END OF CASE STUDY

EXHIBITS and ANNEXES

Exhibits

Exhibit E1	Community Liaison Group – Terms of Reference
Exhibit E2	List of observed pollutions
Exhibit E3	Summary of issues and suggested solutions
Exhibit E4	Sharps Redmore noise tests
Exhibit E5	Complaints
Exhibit E6	Agency management structure for complaints
Exhibit E7	Dust pollution
Exhibit E8	Light pollution
Exhibit E9	List & ownership of permissions (TBD)

Annexes:

Annex A1	A short history of Sinks Pit
Annex A2	Code of Practice for Noise and Vibration Control on construction and Open Sites
Annex A3	Dust Pollution from Sinks Pit

CHANGE CONTROL		
VERSION	**DATE**	**CHANGE**
V1.0	22/03/21	Draft
V 2.1	22/03/21	1st issue for peer review
V2.2	20/05/21	2nd Issue for local distribution
V3.0	26/07/21	Updated Complaints Section (This version sent to SCC and ESC Executives on 30/07/21) Dr Dan Poulter MP has this version
V4.0	Feb 2022	Updated Complaints section and Enhanced Dust Section (Annex 3)
V4.1	Feb 2022	Draft for Review
V4.2	Mar 2022	Issue for distribution
V5	Mar 2024	Expanded to CASE STUDY

Exhibit E1 COMMUNITY LIASION GROUP

Version 3.0 of this paper was circulated during the summer of 2021 to the most senior Executives of SCC and ESC (COs and CEs), Dr Dan Poulter MP, and later to the EA. It was also used as briefing during discussions with SCC and ESC Senior Managers.

As a result, Dr Dan Poulter MP called a cross Agency Executive meeting in Sep 2021 where it was agreed to set up a “Community Liaison Group” (CLG) to provide regular dialogue between the local community, regulating authorities, and the site operator.

Actions agreed:

1. Suffolk County Council (SCC) will seek legal advice about varying the planning conditions relating to “Point Y”
2. East Suffolk District Council (ESC) issued an abatement notice relating to noise (decibel limit exceeded). If the site is still in breach on 30 September 2021, ESC will begin legal action.
3. Environment Agency have told the site manager they must produce a noise pollution plan by 14 October 2021 and this must be regularly updated.
4. Environment Agency and ESC will liaise on processes to monitor and manage noise issues.
5. ESC and SCC will liaise to ensure more stringent planning permission parameters on the site in the future and relating to current applications, and how this may also relate to “Point Y”.
6. Agreed to constitute a liaison groupwith the Environment Agency, ESC and SCC to meet with the Parish and Site Owner every quartrt. To be chaired by Suffolk County Councillor Elaine Bryce.

CLG Terms of reference (Remit)

1. Discussions will cover the issues on [TRU] site that generate complaints, including:
2. Steps taken by the authorities to ensure mitigation of the causes of complaint
3. Measures being implemented by the [TRU] operator to achieve the necessary mitigation
4. Discussions on any areas of concern raised by residents through GLC members
5. Explanations to help understand an interpret technical information
6. Discussions will also seek to identify further mitigation and potential solutions as appropriate.

Issues to be raised at CLG meetings are listed in Exhibit E2 and Exhibit E3

Exhibit E2 LIST OF OBSERVED POLLUTIONS

This list represents what Residents have observed / experienced. Without access, visibility and guidance from TRU and the Agencies of the causes and sources of pollution, the list should be taken as “best educated guess”. Note: list in no particular priority order:

POLLUTION	DESCRIPTION	SOURCE
NOISE		
Bleeping	Reversing alarm on lorries	Plant moving around site
Banging	Heavy banging on hard surfaces	Lorry Tailgates Loaders dropping bucket
Scraping	Scraping metal on minerals	Delivery / dumping of raw minerals Relocation scrap metal
Rattling	Heavy duty rattle	Loaders & delivery lorries shaking out residual material
High pitched whining	Like a jet engine	Sweeper Cement delivery
Low frequency rumbling / Vibration	Massive helicopter overhead	Still under investigation
Percussive sharp bangs	Machine gun	Riveting Breaker testing (solved)
Rattling	Processing minerals Mixing concrete	Crusher McKlosky machine system Concrete batching plant
Metallic scraping	Tubular bells	Metal dumping
Rumbling (overnight)		Spoil cleansing
Horns	Lorry horns	Lorries / Plant
DUST		
Clouds of dust	White clouds drifting out of the site	Mineral delivery Crushing minerals Transfer of minerals on-site Stockpiles
LIGHT		
Intrusion into residences	Very bright lights shining into homes	High intensity site lights leaking beyond boundary
ODOUR		
Smell of rotting rubbish	Odious	Dirty glass
ENVIRONMENTAL		
Debris in stream	Particles floating	Waste discharge

Exhibit E3 SUMMARY OF ISSUES AND SUGGESTED SOLUTIONS

ISSUE	SUGGESTED SOLUTIONS	Ref.
Pollution		
Noise	Create and implement a noise plan	
	All static machinery should be enclosed	
	Mobile machinery replaced for low noise models	
	Open site operations screened to avoid noise escape from the site e.g. “bus shelters”	
	Stop “bucket & tailgate” rattling	
	Eliminate noise from reversing alarms (bleeping) and horn usage	
	Install permanent noise monitoring and analysis	
Dust		
	Create and implement a dust plan	
	Enclose all dust creation processes to avoid dust escaping out of site	
	Damp down dust at source	
	Install permanent dust monitoring and analysis	
Light		
	Adjust high-mounted intense lighting to avoid light escape from site	
	Stop illumination out-of-hours	
	Turn lights off when not in use	
Odour		
	Cleans glass waste	
Environment		
	Measure traffic volumes & weight on A1214	
General		
	Encourage quiet working culture	
	Stop extending hours of working	
Bureaucracy		
	Eliminate the East / West divide	
	Consolidate permissions etc.	
	Agencies work together as a single team	
	Introduce a single cross Agency “professional” complaints handling system	
	Open all new & retrospective planning applications to public scrutiny with stakeholders fairly consulted	
	Reject “bundled” planning applications	

	Introduce meaningful proactive planning control and sanctions for breached permissions	
	Involve Natural England and H&S executive in planning decisions	
	Install 24/7 audio / visual monitoring of site	
Personal		
	Put Customers (LB Neighbours) top priority for consideration regarding their health and amenity	

Neighbours of Sinks Pit are keen to work with TRU and Agencies through their local group SVEPG, LBPC and CLG towards improvements as detailed here in section 3.

Exhibit E4

SHARPS REDMORE SOUND LEVEL TESTS

Data obtained from SCC FOI 20188

	Specification	Limit values (C97/1501)			
		Position X		Position Y	
		45dB		48dB	
Oct 2015		**Light**	**Heavy**	**Light**	**Heavy**
	Result	40dB	44dB	42db	Not Tested
	Plant in Use				
	Powerscreen Crusher	Grader	Excavator		
Dec 2016	This test covers the sound levels from the new aggregates / soils washing plant only				
		No Wash	**Wash**	**No Wash**	**Wash**
	Result	46dB	45dB	45dB	48dB
	Plant in Use				
	Screening	Washing Plant		Clay press	Excavator
Mar 2017	Intended to evaluate a "worst case" scenario with all plant operating Above scenario not implemented due to resource limitations.				
		All off	**All on**	**All off**	**All on**
	Result	**45dB**	**47dB**	**46dB**	**52dB**
	Plant in Use				
	Excavator	Loading Shovel Track Pactor (no feed)		Tipping lorries	Soil washer

Notes:

Taking the Sharps Redmore report 2017the sound level limits are:

Position “X” 45dB – Pine Hills
Position “Y” 48db – Laundry Cottages (position LC is also referenced)

The requirement for testing (C97/1501) states that all plant at to be operating during tests.

Section 4.2 of the Sharps Redmore report 2017 states that not all plant was operating during testing. Nevertheless, in the report section 6.3, the test results at

position “Y” were judged to be 3db in excess of the permitted limit. A failure of the test. If all equipment were operational, the level of failure would have been greater.

Testing in 2021 has indicated similar results to above and also that a noise attenuation fence (proposed) would not significantly improve the situation.

Exhibit E5 COMPLAINTS

SINKS PIT COMPLAINTS

	SCC	EA	ESC	Total	*CLG Tot*
	772	1155	944	4894	2509
*25-Q1	15	15	15	45	CLG13
24-Q4	30	28	33	91	CLG12
24-Q3	33	38	40	111	CLG11
24-Q2	69	65	72	206	CLG10
24-Q1	63	63	86	*212*	CLG9
23-Q4	25	23	26	*74*	CLG8
23-Q3	53	*59*	*71*	*183*	CLG7
23-Q2	35	53	48	*136*	CLG6
23-Q1	49	52	50	*151*	
22-Q4	66	80	83	*229*	CLG5
22-Q3	72	86	87	*245*	CLG4
22-Q2	91	112	105	308	CLG3
22-Q1	92	119	166	377	CLG2
21-Q4	24	66	51	141	CLG1
21-Q3	31	108	79	218	
21-Q2	89	97	28	214	
21-Q1	16	48	22	86	
20-Q4	83	144	85	312	
20-Q3	46	108	43	197	
	SCC	EA	ESC		
**Carried Over To 20-Q2				1403	

* Incomplete Quarter data

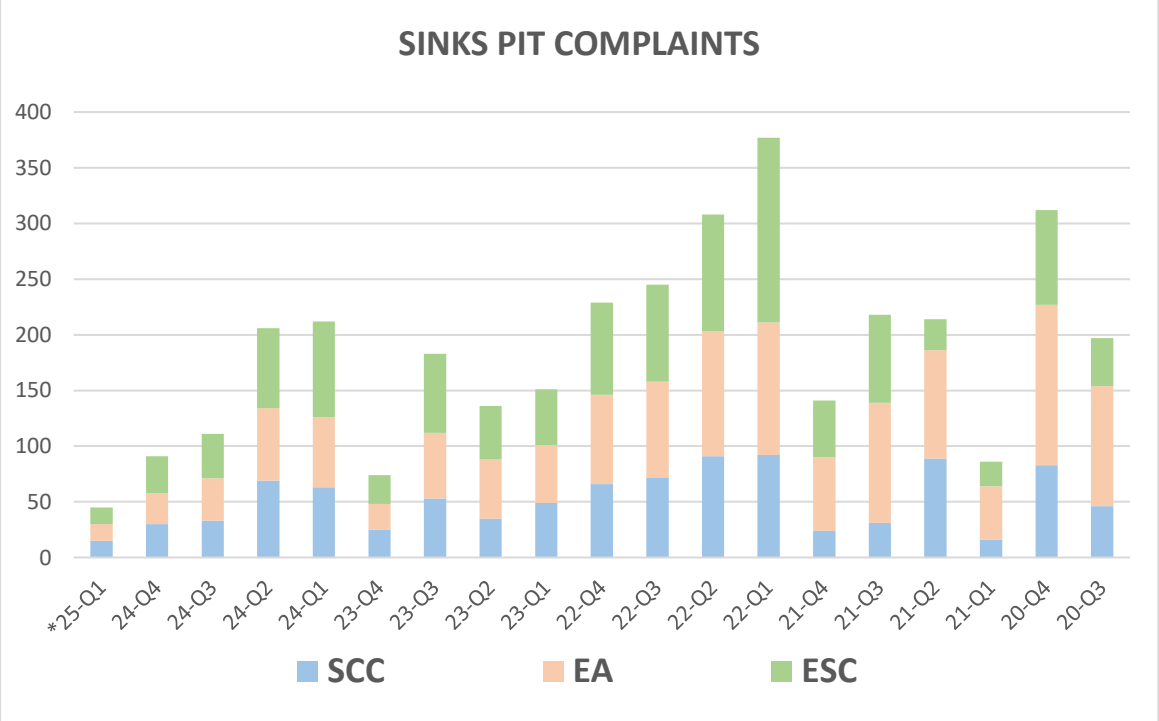


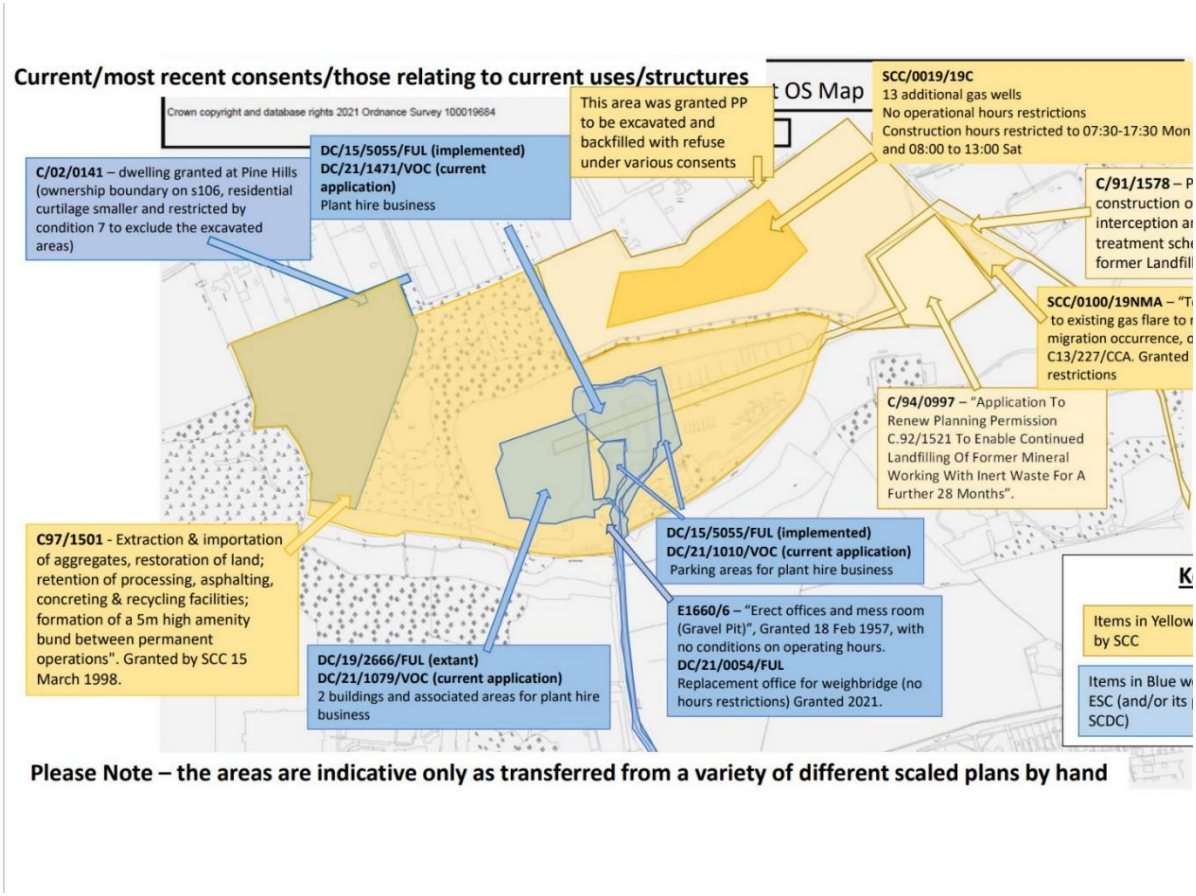
Exhibit E6 AGENCY MANAGEMENT STRUCTURE for COMPLAINTS

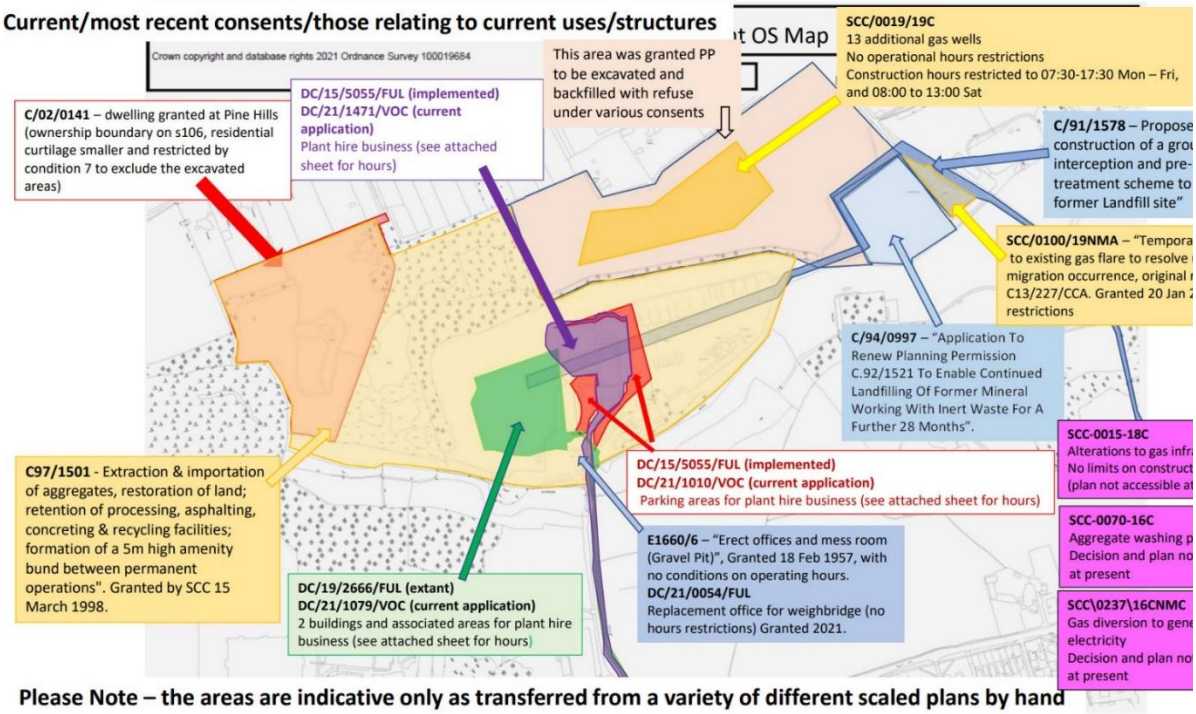
Exhibit E7 DUST POLLUTION

Exhibit E8 LIGHT POLLUTION

Lights have been observed as early as 05:00 on a regular basis
High intensity lights are shining in the proximity of the concrete batching plant nightly up tp 21:00
High intensity lights (as above) shine outside of Sinks Pit directly into neighbours homes.

Exhibit E9 OWNERSHIP OF PERMISSIONS (from FoI 343983465)





Annex 1 Short History of Sinks Pit and its local surroundings since mineral extraction was permitted

It is useful to look at the attitude of our local councils' approach to issues which have "come to pass" or have not "come to pass" both in relation to industrial activity in Sinks Pit and issues unrelated to the industrial activity. This gives a guide to how local councils view local residents living close to Sinks Pit and how they have failed to take our interests into account.

1950s – 1990

Mineral excavation started in Sinks Pit in mid 1950s. Subsequently Atlas Aggregates, Halls Aggregates and RMC made repeated applications over more than 30 years to extend the excavations. No restoration was ever done until planning permission C97/1501 was approved. During these years they obtained temporary permissions for other industrial activities including an asphalt plant, a concrete batching plant, gravel crushing and processing. For periods some activities had no permission from Suffolk County Council.

Suffolk County Council (SCC) opened a landfill site for general waste in the north-east corner of Sinks Pit close to residential properties along Hall Lane in mid1960s. The contents of the landfill were not recorded. For example, large quantities of organic solvents were dumped there over many years by a public laboratory near Ipswich. Organic solvents are health hazards as well as harmful to the environment. This landfill was closed in 1980 with a soil cap and with a flare stack to burn off some of the methane from the decomposing waste. Within a few years of closure, methane had migrated into adjacent gardens and threatened the safety of one house. Migration of methane from the old waste site, a few years later, led to another extraction pipe system between existing wells was installed. Leachate from the bottom of the site drains by gravity towards local water courses and this is monitored intermittently.

In 1988 Suffolk County Council proposed an extension to the closed landfill site in the northern part of Sinks Pit immediately behind properties in Playford Road. This was to be a relief site for about 2 years while work was to be done at the major landfill site at Foxhall. General waste was to be dumped 150 yards from the nearby properties. Following a thorough campaign by local residents all committees at district and county levels rejected the proposal. With the main committee of SCC unable to decide on the issue, the Secretary of State for the Environment intervened deciding that he would take this decision. He set up a Public Enquiry held in Ipswich in 1990. After a formal enquiry lasting 3 weeks the proposal was rejected.

1990 - 1998

As a result of the Town and Country Planning Act 1990 some activities in Sinks Pit became lawful having continued for more than 10 years without planning permission.

As a result of this bill the planning authority (SCC) lost overall planning control of the site. In 1992 the owners made a planning application for a permanent asphalt plant, a concrete batching plant, gravel crushing & processing, importation & storage of materials for these operations and a maintenance depot/workshop for Hales container vehicles. SCC rejected the application and 2 Enforcement Notices were issued. The owners appealed and an inspector quashed the notices.

In 1993 local residents complained of maladministration of Sinks Pit to the local ombudsman on three counts and on one count he found there was maladministration by Suffolk County Council. The six complainants received £500 each. Unfortunately this made no difference subsequently to the local residents' amenities.

In 1995 a public enquiry was held into an SCC proposal for a two lane dual carriageway road through Sinks Pit to relieve congestion along the A1214 situated immediately to the south of Sinks Pit. The inspector rejected the proposal but in the process it was discovered that this road was to be the start of a Northern Ipswich Bypass rather than a local relief road. It would have run through Sinks Pit, to the South of Playford Road 600 yards from the houses of local residents. Again In 2019 SCC proposed but subsequently withdrew a Northern Ipswich Bypass which would have passed close the houses of local residents on the other side of Playford Road. These relief road proposals illustrate how little consideration our county council has shown towards the local residents and our local environment.

After further legal action related to planning permissions at Sinks Pit, the site owner/operator of Sinks Pit and Suffolk County Council agreed the details of planning permission C97/1501. This amounted to restoration of land in the northern part including a prominent earth bund and to consolidate stockpiling, processing, recycling, workshops and offices into a permanent industrial site in the south-eastern part of Sinks Pit. In C97/1501 the conditions relating particularly to noise were set favouring the operator despite the longstanding complaints about noise from local residents previously. With C97/1501 SCC regained full planning control over industrial activities in Sinks Pit in 1998 as well as restoration of other parts over the next few years.

Subsequently local residents continued to suffer from excessive noise levels generated by industrial activity in Sinks Pit. In practice local residents' complaints about noise over the last 30 years had been avoided by polite inaction and sympathetic comments. However, No attempt has been made to alter the planning conditions relating to noise while over the same period further planning permissions by SCC in Sinks Pit were granted to the operator. Occasional noise measurements have been made according to the conditions set out in C97/1501 but as far as we can see the site operator is always notified beforehand. Unsurprisingly the activity measured is always within the permitted noise levels. When noise complaints have been more frequent SCC informs the operators and there may be some temporary reduction in noise. Other environmental pollutants such as dust and light were not considered in this planning permission.

1998 - 2020

In 2012 an attempt to start to restore the rough grass over the site was proposed by Little Bealings Parish Council with a band of indigenous trees alongside Hall Road which would hopefully be allowed to extend on to the edge of the old waste site. This was to be the start of a Jubilee Plantation celebrating the Queen's Diamond Jubilee and it could have started the permanent restoration of this brownfield site eventually producing a restored area for the public to use. The proposal as a first stage would have avoided the network of wells extracting methane by a wide margin. There is well documented evidence of effective previous restoration of old closed landfill sites in UK and USA by planting native trees and shrubs. The Waste Department of Suffolk County Council rejected the proposal without any explanation.

East Suffolk Council (ESC), formerly Suffolk Coastal District Council (SCDC), has had longstanding responsibility for environmental protection of our district. Despite frequent complaints and contacts between local residents and the district council employees there is little to show in relation to local environmental protection.

The current owner/ operator of the industrial site applied for a headquarters and workshop for his hire company of heavy equipment in Sinks Pit in late 2013. The planning application, DC/13/3408/FUL received many objections mainly centred on local pollution noise. It was strange that no noise assessment was required during the consultation period from the environmental protection department of SCDC. Prior to the planning application being received by SCDC the Environmental Protection Department appears to have changed its policy relating to the need for a noise assessment when they received a planning application which was environmentally sensitive. Much evidence against this proposal was presented and our district councillor made considerable efforts to modify the approach of the planning department. Permission for this development was given. Subsequently the Environmental Protection Department's policy relating to the requirement for a noise assessment in proposals which were environmentally sensitive reverted to its original form. It is ironic that not long afterwards the hire company was sold and the building was not constructed.

Since then the current owner has added to his activities with a headquarters, workshops, a busy waste recycling area and a new concrete batching plant All planning applications have been successful with ESC's assistance setting minimal conditions. This has occurred despite local residents using all means to oppose these activities on environmental grounds bearing in mind the close proximity of local residents' properties (180M+). Each development has added to the noise generated in Sinks Pit but this overall effect has never been taken into account. The original permission, C97/1501, favourable to the owner/operator remains in force unchanged despite the step increases in noise generation with each planning permission.

Dust generation mainly arising within the waste recycling section is a serious issue. Light pollution is a factor for some properties. There is continuous lighting for security outside normal working hours.

The Environment Agency (EA) issued a permit for waste recycling in 2014. Since then in two steps EA has approved an increase of over four times the amount of waste to be handled. At no stage was the issue of dust assessed. The issue of noise is curious in that the local EA office has decided that there is a noise problem but EA has no direct responsibility for noise in the permits which they issue. Also EA is aware of the clouds of dust which are generated from Sinks Pit mainly from the waste recycling and the complaints from local residents. No action has been taken so far.

Since 2015 over 6000 complaints from local residents have been recorded by local councils concerning noise, dust, light pollution vibrations and working outside permitted hours. Noise levels have been measured many times in the surrounding area and they come within the generous levels permitted in C97/1501 but almost always the site operators are aware of when measurements are being made.

Conclusion The local authorities, SCC and ESC (SCDC), have been largely ineffective in protecting the local environment and local residents from decades of industrial activities. It is becoming increasingly clear that resolution of the environmental issues, particularly the noise problem, will require outside intervention if a reasonable balance between permitted business and local residential amenity is to be struck in this crowded setting.

Annex 2 CODE OF PRACTICE FOR NOISE AND VIBRATION CONTROL ON CONSTRUCTION AND OPEN SITES

The framework for noise control at Sinks Pit comes under the governance of Permit C97/1501

The Noise Measurement Scheme produced by RMC (then operators of the site) forms the platform for noise measurement testing. This document refers to "MPG 11:1993 The control of noise at surface mineral workings" now superseded by **BSI BS 5228-1** which came into effect Jan 1st 2009.

The following is a list of quotes and references from BS 5228-1 which are relevant to the management of noise from Sinks Pit. Readers should note that this extract covers issues from a Little Bealings Resident's viewpoint only.

Note: For the purposes of this document, the term NSP (Noise-Sensitive Premises) used in BS 5228-1-1:2009 should be equated to the Residents of Little Bealings.

FORWARD

"This British Standard refers to the need for the protection against noise and vibration of persons living and working in the vicinity of, and those working on, construction and open sites. It recommends procedures for noise and vibration control in respect of construction operations and aims to assist architects, contractors and site operatives, designers, developers, engineers, local authority environmental health officers and planners. Noise and vibration can cause disturbance to processes and activities in neighbouring buildings, and in certain extreme circumstances vibration can cause or contribute to building damage. "**Noise and vibration can be the cause of serious disturbance and inconvenience to anyone exposed to it and in certain circumstances noise and vibration can be a hazard to health."**

3. TERMS AND DEFINITIONS

"**3.9 Noise-Sensitive Premises (NSPs) - any occupied premises outside a site used as a dwelling (including gardens),** place of worship, educational establishment, hospital or similar institution, or any other property likely to be adversely affected by an increase in noise level"

"**3.11 Open site** where there is significant outdoor excavation, levelling or deposition of material NOTE 1 **Examples include quarries**, mineral extraction sites, an opencast coal site **or other site where an operator is involved in the outdoor winning or working of minerals**.

NOTE 2 **Waste disposal sites** and long term construction projects can, in most cases, be **treated as open sites.**"

4. COMMUNITY RELATIONS

“Good relations with people living and working in the vicinity of site operations are of paramount importance….. **Good relations can be developed by keeping people informed of progress and by treating complaints fairly and expeditiously**”

5. NOISE and PERSONS ON SITE

“5.1 Operatives should be trained to employ appropriate techniques to keep site noise to a minimum, and should be effectively supervised to ensure that best working practice in respect of noise reduction is followed. All employees should be advised regularly of the following, as part of their training:

a) the proper use and maintenance of tools and equipment;
b) the positioning of machinery on site to reduce the emission of noise to the neighbourhood and to site personnel;
c) the avoidance of unnecessary noise when carrying out manual operations and when operating plant and equipment;
d) the protection of persons against noise;
e) the operation of sound measuring equipment”

6. NEIGHBOURHOOD NUISANCE

6.1 Disturbing effects of noise. The effects of noise on noise-sensitive premises (NSPs) are varied and complicated. They **include interference with speech communication, disturbance of work or leisure activities, and disturbance of sleep, annoyance and possible effects on mental and physical health**. In any neighbourhood, some individuals will be more sensitive to noise than others.

6.3 Issues associated with noise effects and community reaction

A number of factors are likely to affect the acceptability of noise arising from construction and open sites and the degree of control necessary. These are described as follows.

a) Site location. The **location of a site in relation to NSPs will be a major factor. The nearer a site is to NSPs, the more control that might be required upon noise emanating from the site.**

b) Existing ambient noise levels. Experience of complaints associated with industrial noise sources indicates that the likelihood of complaint increases as the difference between the industrial noise and the existing background noise increases. Some types of open sites, such as quarries and landfill sites, are usually assessed in this manner

c) Duration of site operations. In general, the longer the duration of activities on a site, the more likely it is that noise from the site will prove to be an issue, assuming NSPs are likely to be significantly affected. In this context, good public relations and communication are important.

d) Hours of work. **For any NSP, some periods of the day will be more sensitive than others**. For example, levels of noise that would cause speech interference in an office during the day would cause no problem in the same

office at night. **For dwellings, times of site activity outside normal weekday and Saturday morning working hours will need special consideration. Noise control targets for the evening period in such cases will need to be stricter than those for the daytime** and, when noise limits are set, the evening limit might have to be as much as 10 dB(A) below the daytime limit. Very strict noise control targets might need be applied to any site which is to operate at night; this will depend on existing ambient noise levels. The periods when people are getting to sleep and just before they wake are particularly sensitive.

e) Attitude to the site operator. It is well established that people's attitudes to noise can be influenced by their attitudes to the source or activity itself. **Noise from a site will tend to be accepted more readily by local residents, if they consider that the contractor is taking all possible measures to avoid unnecessary noise**. The attitude to the contractor can also be improved through good community liaison and information distribution and the provision of a helpline to respond to queries or complaints. The acceptability of the project itself can also be a factor in determining community reaction.

f) Noise characteristics. In some cases a particular characteristic of the noise, e.g. the presence of impulses or tones, can make it less acceptable than might be concluded from the level expressed in terms of LAeq, T. This is because these characteristics are likely to make the noise more disturbing than a noise with the same LAeq, T level that does not have these characteristics. **Examples would be impulsive noise** from driven piling, **rattling type noise from vibratory rollers, machine reversing alarms, etc.**

7. PROJECT SUPERVISION

This section of BS 5228-1 2009 relates to the relationship between site operators, their process designers and those responsible for authorising the planning and acceptance of projects / works.

7.3 Execution of works

All available techniques should be used to minimize, as far as is appropriate, the level of noise to which operators and others in the neighbourhood of site operations will be exposed.

Measures which should be taken include the following.

a) **The hours of working** should be planned and account should be taken of the effects of noise upon persons in areas surrounding site operations and upon persons working on site, taking into account the nature of land use in the areas concerned, the duration of work and the likely consequence of any lengthening of work periods.

b) **Where reasonably practicable, quiet working methods should be employed,** including use of the most suitable plant, reasonable hours of working for noisy operations, and economy and speed of operations. Site work continuing throughout 24 h of a day should be programmed, when

appropriate, so that **haulage vehicles will not arrive at or leave the site between 19.00 h and 07.00 h.**

c) **Noise should be controlled at source and the spread of noise should be limited, in accordance with Clause 8.** if changes in machinery or project designs are introduced, by a suitably qualified person appointed specifically for the purpose.

A method of noise measurement should be agreed prior to commencement of site works. If this is not specified, the method used should be one of those described in Annex G.

e) On those parts of a site where high levels of noise are likely to be a hazard to persons working on the site, prominent warning notices should be displayed and, where necessary, ear protectors should be provided (see also Clause **5**).

When potential noise problems have been identified, or when problems have already occurred, consideration should be given to the implementation of practicable measures to avoid or minimize those problems. Local authorities, consulting with developers and their professional advisers or with site operators, will need to consider the extent of noise control measures necessary to prevent the occurrence of significant problems, and will also need to consider whether the implementation of those measures will be practicable. Local authorities might wish to consider whether to specify quantified limits on site noise and whether, additionally or instead, to lay down requirements relating to work programmes, plant to be used, siting of plant, periods of use, working hours, access points, etc. The latter approach will often be preferable in that it facilitates the monitoring of formally or informally specified requirements, both for the authorities and for the site operators.

4. CONTROL OF NOISE

BS 5228-1 2009 has extensive guidance on the control of noise. Only selected extracts can be quoted here. Readers are encouraged to consult the complete BS standard.

8.1 General

Construction and demolition works [including waste processing] can pose different noise control problems compared with most other types of industrial activity for the following reasons:
• They are mainly carried out in the open;
• The noise they make arises from many different activities and kinds of plant, and its intensity and character can vary greatly at different phases of the work; and
• **The sites cannot be excluded by planning contro**l, as factories can, from areas that are sensitive to noise.

8.2 Control of Noise at source

8.2.1 General

There are many general measures that can reduce noise levels at source such as:

a) Avoid unnecessary revving of engines and switch off equipment when not required;
b) Keep internal haul routes well maintained and avoid steep gradients;
c**) Use rubber linings in, for example, chutes and dumpers to reduce impact noise;**
d) Minimize drop height of materials;
e) Start up plant and vehicles sequentially rather than all together.

The movement of plant onto and around the site should have regard to the normal operating hours of the site and the location of any NSPs as far as is reasonably practicable.

The use of conventional audible reversing alarms has caused problems on some sites and alternatives are available. Audible reversing warning systems on mobile plant and vehicles should be of a type which, whilst ensuring that they give proper warning, have a minimum noise impact on persons outside sites. When reversing, mobile plant and vehicles should travel in a direction away from NSPs whenever possible. Where practicable, alternative reversing warning syste

8.2.4 Enclosures

As far as reasonably practicable, sources of significant noise should be enclosed.

8.2.5 Use and Siting of Equipment

Plant from which the noise generated is known to be particularly directional should, wherever practicable, be orientated so that the noise is directed away from noise-sensitive areas. Acoustic covers to engines should be kept closed when the engines are in use and idling.

If compressors are used, they should have effective acoustic enclosures and be designed to operate when their access panels are closed.

Materials should be lowered whenever practicable and should not be dropped. The surfaces on to which the materials are being moved should be covered by resilient material.

When a site is in a residential environment, lorries should not arrive at or depart from the site at a time inconvenient to residents.

8.3 Controlling the Spread of Noise

8.3.1 General

If noisy processes can be avoided, then the amount of noise reaching the noise-sensitive area will be reduced.

Alternative ways of doing this are either to increase the distance between the noise source and the sensitive area or to introduce noise reduction screens, barriers or bunds.

8.3.3 Screening

On sites where it is not possible to reduce a noise problem by increasing the distance between the source and receiver, screening might have to be considered. For maximum benefit, screens should be close either to the source of noise (as with stationary plant) or to the listener. Careful positioning of noise barriers, such as bunds or noise screens, can bring about significant reductions in noise levels, although account should be taken of the visual impact of such barriers.

Planting of shrubs or trees can have a beneficial psychological effect but will do little to reduce noise levels unless the planting covers an extensive area.

The effectiveness of a noise barrier will depend upon its length, effective height, position relative to the noise source and to the sensitive area, and the material from which it is constructed.

8.4 Noise control targets

All reasonably practicable means should be employed to ensure the protection of local communities and of people on construction sites, from detrimental effects of the noise generated by construction operations.

Monitoring of noise at sites where noise is an issue should be regarded as essential. Measurement may be carried out for a number of reasons, including the following:

a) To allow the performance of noise control measures to be assessed;
b) To ascertain noise from items of plant for planning purposes;
c) To provide confirmation that planning requirements have been complied with.

Monitoring positions should reflect the purpose for which monitoring is carried out.

Monitoring to confirm that planning conditions imposed to protect local occupants have been met may be undertaken at NSPs or at the site boundary, with a correction applied. The choice of noise measurement locations to be included in the planning conditions should reflect the requirement to accurately assess the noise.
Monitoring is the responsibility of the site operator and should be carried out by suitably trained personnel.

Annex A3 DUST POLLUTION FROM SINKS PIT

The problems associated with dust released into the air from waste recycling and concrete batching in Sinks Pit Industrial Site and its adverse impact on local residents and the local environment.

Dust from Sinks Pit industrial site is a serious concern for local residents and this has become worse recently. Clouds of dust are seen above the industrial site particularly when waste recycling is in operation. Dust falling on to the ground is swept up by a cleaner and even then there is a cloud of dust thrown up when this is in operation particularly during dry periods. Cement batching is recognised as a dusty process and there needs to be a constant drive to keep this in check. Noise reduction has been the major focus up to now but the generation of dust and its spread into the local environment must be given equal importance. A Statutory Noise Nuisance has been served on the owner of the industrial site as a result of the impact of waste recycling on nearby residents. The problem of dust generation in Sinks Pit has been almost overlooked up to now.. Local residents have expressed their dissatisfaction at the impact of the activities in Sinks Pit for many years and they feel that they have been let down by Suffolk County Council and East Suffolk Council. Our district councillors have spent much time and effort publicising our problems of noise and dust from Sinks Pit. Our new county councillor is working hard to reduce the impact of the industrial site in Sinks Pit on the local inhabitants. Our Member of Parliament, Dr Dan Poulter, is involved in our problems with the Sinks Pit industrial site.

Defra Process Guidance Notes - PG3/1 and PG3/16 set out statutory guidance on Concrete Batching and Recycling of Inert Waste respectively. The relevant parts of these notes relevant to our problems are set out in Appendices 1 and 2.

Suffolk County Council and East Suffolk Council have issued planning permission and an operating permit for concrete batching. Relevant parts relating to our local environment are set out in Appendix3-

Local councils and the Environment Agency have issued permissions and an operating permit for waste recycling. Relevant parts relating to our local environment are set out in Appendix 4. .

Most of the waste material for recycling is from building demolition.. The original materials are mainly concrete, bricks, cement and stone and they are made up mostly of sand of various forms, gravel, cement mostly silica based, ground slag, fuel ash and brick clay. It is crushed, graded and transported about the industrial site releasing particulate dust. Forms of silica are the most important constituent of the particulate dust. The particles of medium size spread 200 – 500 metres and the smaller sized particles spread over 500 metres. These distances include properties in Heath Lane, Playford Road and the west end of Martlesham Road. Particulate dust has a nonspecific irritant effect and can trigger a dry cough. Those with chronic lung problems frequently complain about difficulty in breathing when the prevailing airflow is from the direction of the industrial site. Lungs are damaged by silica in its various forms and the effect is cumulative and irreversible. People with bronchial asthma are particularly sensitive to a dusty atmosphere.

Dust produced at cement batching plants come from leakages and spills which are inherent at these sites. Constant monitoring for these problems is required and regular washing down the equipment, hard-standing areas and vehicles is needed in an attempt to achieve dust control. Cement dusts contain silicates plus lime although a few contain organic compounds. When wet, cement is usually highly alkaline making it a hazard. Cement batching mixes cement with sand and sometimes it contains gravel, fuel ash and ground slag. Leakage of components of this process risks lung damage with long term exposure. Health outcomes in USA around large cement batching plants have shown that coronary artery disease, strokes and some cancers are increased. The owner of the new and enlarged cement batching plant claims that it is the biggest in Suffolk so dust from this operation needs to be taken seriously.

The amount and contents of the dust from Sinks Pit have never been checked despite the closeness of nearby residences. Operating permits for waste recycling were issued by the Environment Agency in 2014 and subsequently without any regard for the effects on the local inhabitants and the local environment. Dust rising from Sinks Pit is deposited everywhere on external surfaces in the neighbourhood. It is particularly obvious on the following – window panes, cars, garden furniture, plants in general but particularly on trees in the adjacent SSSI and along the adjacent public footpath. Dust in the atmosphere makes window catches on the side of houses facing the industrial site more difficult to operate.

Waste recycling and concrete batching are highly profitable businesses and as a result of planning permissions given previously local residents recognise that they are legitimate activities in Sinks Pit. There is no reason why all measures of best practice for dust containment cannot be instituted including adequate staff training, day–to-day supervision of these activities by the owner and long term monitoring of these practices in Sinks Pit. **Local planners tell us that current planning practices would not permit waste recycling or cement batching at Sinks Pit now if a new planning application were made owing to the close proximity of residential properties**. This makes it even more important to protect the local environment and residents by limiting the impact of these practices outside the boundary of the industrial site.

Annex 3. 1 Concrete batching

Annex 3. 2 Recycling of inert waste

Annex 3. 3 Concrete batching

Annex 3. 4 Recycling of waste

Annex 3. 5 Emission limits, monitoring and related provisions (PG3/1 and PG3/16)

Annex 3. 6 Control techniques in concrete batchin

Annex 3. 7 Definitions of materials in concrete batching

Annex 3..8 Dust Pollution emanating from Sinks Pit

Dr.R.C.G.Rowe, MB. BS, F.R.C.Path.
26/11/2021

Annex A3.1

Concrete Batching (Cement Batching)

Defra process Guidance Note (PG3/1) – Statutory Guidance for blending, packing, loading and unloading and use of cement (Sept 2012)

Concrete consists of all types of cement with a mixture of pulverised fuel ash, ground slag, crushed stone and sand. The batching process is wet or dry. This is a dusty process and there is a constant struggle to avoid spread of the particulate dust and droplets away from the installation. Protection of the local environment requires constant attention to details with regular, frequent monitoring of the processes. This statutory guidance gives the formal approach but here is a summary of the issues focussing on the local environmental problems.

A cement batching site is a notoriously dusty place. To minimise the dust escaping from the equipment potentially leaking at every stage, the operator and his employees must monitor all stages of the process from the arrival of the constituents, their storage, their transfer to the mixing process, dry or wet mixing, transfer to the concrete batch vehicles and their exit from the site. Silo inlets and outlets are to be monitored at time of delivery. Arrestment equipment at any point where dust contaminated air is extracted from the process requires monitoring as specified. Spillages are a recurring problem and wet handling methods must be used to clean them up promptly.

Dust control from these processes is mainly by the use of enclosures. Make buildings effectively dust tight and ensure correct storage of the constituents. Clean up dust on all external surfaces in order to minimise “fugitive emissions”. Cladding materials should be easily and readily cleaned. Vehicles should be washed frequently to reduce dust leaving the site. Hard surfaces need to be cleaned frequently to reduce dust accumulation.

The operator will investigate, remedy and record any abnormal emissions including spills and inform the regulator. Complaints of visual emissions (dust clouds) and complaints of dust from an installation which extends beyond the site boundary (public footpaths, SSSI) are of particular concern to the regulator. If corrective action of a persistent leak has been unsuccessful the regulator can order indicative or quantitative continuous monitoring of the polluting discharge. The operating permit may have a particular measure added by the regulator. All staff need systematic training in their activities of site operation and particularly in those aspects which have a bearing on the risks of dust spreading beyond the site.

Annex A3. 2

Recycling of inert Waste

Defra Process Guidance Note (PG3/16) - Statutory Guidance for mobile crushing and screening (Sept 2012)

Dust Control Factors – techniques.

No. 4 - Emissions, Monitoring and other provisions

It is expected that harmful emissions will be contained within 10 M from plant. Visible emissions from conveyors and stockpiles will not be allowed to cross the site boundary. Site operations of long duration may require monitoring stations to be set up around the site with the operator using deposition gauges to demonstrate that arrestment techniques are controlling emissions satisfactorily. If dust still is not satisfactorily controlled the regulator may decide that air monitoring is necessary. The permit may need to be varied in order to deal with this problem.

Best Available Techniques (BAT) are required to control dust containment from arrival of material to its site exit. The layout, design, construction and maintenance of the process equipment is extremely important to control of emissions and require the attention of experienced competent personnel including the training of site operatives. As the size of the process increases so does the control of dust becomes more difficult. The emission of dust is controlled by containment at all stages and **effective** suppression of dust is achieved with water. The removal of dust from the site floor is also an important item of control.

Where there are problems which, in the opinion of the regulator, may be attributable to the installation, such as local complaints of visual emissions or dust from the installation is being detected beyond the site boundary, **the operator shall investigate** in order to find out which part of the operation(s) is the cause.

As set out in PG3/16, the operator should monitor emissions, make tests and investigations of the activity including keeping records as specified. The operator will also respond as specified to adverse emissions to air, such as dust.

No. 5 – Control Techniques

These factors underlie the best available techniques (BAT)

Wind dynamics – fencing and bunding. **Suppression** – water +/- suppressants and adequate coverage by sprays. **Coverings** – housings. **Appropriate siting** away from boundaries. **Reduction of site size** as appropriate

The operator should be able to demonstrate that the selection of processes represent BAT equipment and dust control strategies. This includes adequate training of the site operatives and supervision of the process.

Asbestos should not be crushed or screened.

The siting of dusty stock piles should take into account prevailing winds, proximity of neighbours to the site boundary and site operations. Wherever possible loading/unloading should take place at sheltered points around the stockpile.

Annex A3.3

Concrete Batching (Cement Batching)

Defra process Guidance Note (PG3/1) – Statutory Guidance for blending, packing, loading and unloading and use of cement (Sept 2012)

Concrete consists of all types of cement with a mixture of pulverised fuel ash, ground slag, crushed stone and sand. The batching process is wet or dry. This is a dusty process and there is a constant struggle to avoid spread of the particulate dust and droplets away from the installation. Protection of the local environment requires constant attention to details with regular, frequent monitoring of the processes. This statutory guidance gives the formal approach but here is a summary of the issues focussing on the local environmental problems.

A cement batching site is a notoriously dusty place. To minimise the dust escaping from the equipment potentially leaking at every stage, the operator and his employees must monitor all stages of the process from the arrival of the constituents, their storage, their transfer to the mixing process, dry or wet mixing, transfer to the concrete batch vehicles and their exit from the site. Silo inlets and outlets are to be monitored at time of delivery. Arrestment equipment at any point where dust contaminated air is extracted from the process requires monitoring as specified. Spillages are a recurring problem and wet handling methods must be used to clean them up promptly.

Dust control from these processes is mainly by the use of enclosures. Make buildings effectively dust tight and ensure correct storage of the constituents. Clean up dust on all external surfaces in order to minimise “fugitive emissions”. Cladding materials should be easily and readily cleaned. Vehicles

Annex A3.4

Collectively Suffolk County Council, East Suffolk Council and the Environment Agency have issued planning permissions and operating permits for this activity in Sinks Pit.

Recycling

Environment Agency transferred permission (EPR/BB3106GJ in 2014 to Prentice Aircraft and Cars Ltd, subsequently to Nicholls Ltd, for the facility for the treatment of waste to produce soil, soil substitutes and aggregate. Subsequently the permitted maximum amount of material to be handled was increased by a factor of over 4 by 2018. A Dust Management Plan was issued in 2019 for this recycling. Dust has been monitored at all visits and in September 2020 dust noncompliance was found. The Environment Agency states that they have no responsibility to analyse dust.

East Suffolk Council (Suffolk Coastal District Council) issued 15/00001/B for mobile crushing and screening. Relevant permit conditions:

No. 3 – No visible particulate matter beyond installation boundary.

No. 4 – Particulate matter – avoidance of visible emissions crossing the (construction) site boundary

No. 7 – Crusher must be totally contained or fitted with a water suppression system over the crusher aperture

Table 1 - Emission limits, monitoring and related provisions					
Row	**Substance**	**Source**	**Emission limits/provisions**	**Type of monitoring**	**Monitoring frequency**
1	Particulate matter	Whole Process	No visible airborne emission to cross the site boundary where harm or nuisance may be caused	Operator observations	At least daily
		Silo inlets and outlets (*for silos new since 1st July 2004)*	Designed to emit less than 10mg/m^3	Operator observations	At time of delivery
		Silo inlets and outlets	No visible emission		
		Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow >300m^3/min. (other than silo arrestment plant)	50mg/m^3	Recorded indicative monitoring	Continuous
				*Isokinetic sampling	At least once to demonstrate compliance, then as necessary to provide a reference for the continuous indicative monitor.
		Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow >100m3/min. (other than silo arrestment plant)	No visible emission Arrestment equipment should be provided with a design guarantee that the equipment can meet 50mg/m^3	Indicative monitoring to demonstrate that the arrestment equipment is functioning correctly	Continuous
		Arrestment equipment, or any point where dust contaminated air is extracted from the process to atmosphere, with exhaust flow <100m^3/min. (other than silo arrestment plant)	No visible emission	Operator observation Or Indicative monitoring	At least daily Or Continuous
2	Droplets, persistent mist and fume	All emissions to air (except steam and condensed water vapour)	No droplets, no persistent mist, no persistent fume.	Visual observations	*On start-up and on at least two more occasions during the working day*
Only emissions to atmosphere are required to comply with the emission limits within this table.					
Notes: *All periodic monitoring results shall be checked by the operator on receipt and sent to the Council within 8 weeks of the monitoring being undertaken.* a) The reference conditions for limits in Table 1 are: 273.1K, 101.3kPa, without correction for water vapour content, unless stated otherwise. b) All periodic monitoring shall be representative, and shall use standard methods. c) The emission limits do not apply during start-up and shut down. All emissions shall be kept to a minimum during these periods.					

Annex A3.6

Control techniques in concrete batching

Summary of best available techniques

Table 5.1 provides a summary of the best available techniques that can be used to control the process in order to meet the emission limits and provisions in Section 4[8]. Provided that it is demonstrated to the satisfaction of the regulator that an equivalent level of control will be achieved, then other techniques may be used.

Table 5.1 - Summary of control techniques

Sources of dust	Control techniques
Loading and unloading processes • transfer of aggregate to bins • transfer of dry batch to mixer • transfer of dry batch to lorry	Containment Suppression • use of ring spray bars Reduced drop heights • use of variable height conveyors • use of chutes Dust arrestment (loading area) • bag filters • cartridge filters
Double handling transfer points	Site and process design
Delivery from road tanker to silo Overcharging of silos can cause the pressure relief valve to lift, thereby causing an unacceptable emission	Various techniques
Silos	Dust arrestment • bag filters • cartridge filters
Aggregate stockpiles	Wind dynamics management • use of fencing, bunding, profiling etc Reduced drop heights Suppression • water and/or suppressants • well positioned spray guns • sufficient coverage by sprays Covering • below ground or covered stock bins • dust covers • housing
Conveyors, conveyor transfer points	Containment • wind boards Reduced drop heights Appropriate siting away from site boundary especially if near residential or other sensitive recep tors
Blending, packing processes etc.	Containment Reduced drop heights Dust arrestment • bag filters / cartridge filters
Roadways including haulage roads	Suppression • site and process design
External operations • conveyors • stockpiles • roadways	Appropriate siting • away from site boundary especially if near residential or other sensitive recep tors Wind dynamics management • use of fencing, bunding, profiling etc.
Vehicles - bodies and wheels	Wheel-wash and vehicle washing facilities Exhausts that do not point vertically down

[8] … of Source document

Annex A3.7

Definitions

Silica – a hard nonreactive colourless compound which occurs as mineral quartz. Excessive Inhalation of angular silica (sharp sand) is a serious health concern.

Quartz – a hard crystalline mineral compound of silica.

Sand – granular material compound of finely divided rock and mineral particles. Commonest constituent is silica; less common is calcium carbonate. Sand used in the construction industry consists of angular particles. Grains of sand come from eroded sediments (eroded rock).

Gravel – a mixture of naturally occurring rock fragments bigger than sand

Crushed Stone – a form of construction aggregate.

Concrete – a bland aggregate, mostly natural sand and gravel or crushed rock bonded together by a binder.

Cement – a binder, used for construction that sets, hardens and adheres to other materials to bind them together. In construction, this is usually inorganic, often lime or calcium silicate based.

Ground Slag – a by-product from a blast furnace producing iron. A constituent of a blended cement for high performance concretes.

Pulverised Fuel Ash – fine particles produced by burning pulverised coal.

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