

HAYTON PARISH COUNCIL

Parish Clerk: Nick Phillips, 14 Twickenham Court, Carlisle CA1 3TW

Tel: 0750 800 1602 Email: clerkhaytonpc@gmail.com www.haytonparishcouncil.org.uk

Minutes of Hayton Parish Council meeting held on Wednesday 16 November 2022 at 7.00pm in Talkin Village Hall.

Present: G Clubbs (Chair), D Byers, J Crozier, J Dowling, C Culley, G Jackson, R Tinnion

Also Present: N Phillips (Clerk/RFO) City Cllr S Higgs, County Cllr R Dobson, 36 members of the public.

Minutes

130.APOLOGIES FOR ABSENCE

Received apologies and approved reasons for absence from Cllr Tinnion (another meeting) City Cllrs Bowman and Christian

131.MINUTES OF THE COUNCIL MEETING held on Wednesday 19 October 2002

Authorised the chair to sign, as a correct record, the minutes of the meeting held on Wednesday 19 October 2022.

132.DECLARATIONS OF INTEREST

Cllr D Byers declared personal and prejudicial interest as a Member of Hayton Reading Room Committee

Cllr J Dowling declared personal and prejudicial interest as a Member of Hayton Reading Room Committee

Cllr G Jackson declared personal and prejudicial interest as a Member of Talkin Village Hall Management Committee

133.PUBLIC PARTICIPATION – 2 people eloquently and passionately spoke on behalf of the 36 members of the public, speaking against the planning application 1/22/9005 all agreed that they were in support of the comments made.

134.CITY COUNCILLOR AND COUNTY COUNCILLOR REPORTS – received the following items for information: City Cllr Higgs – Events: Christmas Lights switch on Sunday 21 November, Christmas Market 2-11 December. Sands Centre now open.
County Cllr R Dobson – Willingness from officers to meet to discuss closing layby at Hayton. Matters were highlighted to be raised with the relevant Highway Authorities by Cllr Dobson, these included, Millriggs, lowering kerbs at Eden Chester, road marking on Little Corby Road.

135.POLICE MATTERS – resolved not to submit any matters.

136.PLANNING APPLICATIONS -

a. resolved to submit the observations below on the following applications

1-22-9005	Esk Quarry, Sand Pit Number 2, Faugh, Brampton, CA8 9EG	An extension of the end date of extraction to 31st December 2032 for the continued working of a known mineral reserve, subsequent restoration infilling and ancillary aggregate recycling at Faugh Sandpit No.2.
The council unanimously agreed to object to the application in totality.		

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22-0727	Holme Eden Farm, Warwick Bridge, Carlisle	Variation Of Conditions 1 (Approved Documents) & 2 (Materials) Of Previously Approved Application 18/0239 (Conversion Of Existing Redundant Buildings To Form 8 Residential Units) To Make Alterations To The Approved Scheme
No observations		
22-0832	10 Hurley Road, Little Corby, Carlisle, CA4 8QF	Erection Of Single Storey Side & Rear Extension To Provide Snug, Garage, Utility, Bedroom And Extended Kitchen/Diner
No objections		
22-0779	Heads Nook Hall, Heads Nook, Brampton, CA8 9AA	Erection Of Detached Garage, Gym & Workshop
No observations		

137. FINANCE

a. Payments- authorised schedule of payments totalling £2797.28 (VN 45-55)

VN	Inv. Date	PAYEE	CHQ. NO/ Ref no	Purpose of Expenditure	AMOUNT £	VAT INCLUDED £	NET AMOUNT £
VN45	17/11/2022	N Phillips	Exp NOV	Expenses November	20.89	-	20.89
VN46	17/11/2022	N Phillips	SAL NOV	Salary November + back pay	1,076.70	-	1,076.70
VN47	17/11/2022	HMRC	783PH00166975	PAYE/NIC	183.44	-	183.44
VN48	17/11/2022	Messrs. Rowley Trading as Maughanby Farm	XmasTreesHayton PC	Christmas trees	325.00	-	325.00
VN49	17/11/2022	Country Wide Grounds Maintenance	Hayton Tree Delivery	Christmas Tree Delivery	140 -	28	168
VN50	17/11/2022	Talkin Village Hall	Hayton PC room hire NOV	Room Hire November	30.00	-	30.00
VN51	17/11/2022	The Cumbria Clock Company Ltd	inv 16419	Church Clock	155.00	31.00	186.00
VN52	17/12/2022	N Phillips	SAL Dec	Salary December	719.65	-	719.65
VN53	17/12/2022	HMRC	783PH00166975	PAYE/NIC	11.60	-	11.60
VN54	01/12/2022	Open Spaces Society	68778	Annual Membership	45.00	-	45.00

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VN55	08/11/2022	Sally's	HPC181	Room Hire	31.00	-	31.00
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- b. **Monthly reconciliation (October 2022) – received and noted** the reconciliation and balances authorised by Cllr Culley, Internal Finance Auditor.
 - c. **Monthly budget update- received and noted**
 - d. **Receipt – noted** receipt from Matterdale Parish Council £136.66 (IN10) CiLCA fee, Kirkoswald Parish Council £19.04 (IN13) Toner cartridge.
 - e. **Invoices issued -noted** the following: Hayton Church (IN14) £77.50 50% cost of maintenance of church clock.
138. Budget and Precept – **resolved** to accept the budget proposal submitted and set a precept of £19500 to be levied in 2023-24.
139. **Boulders on grass verges – resolved** to report the issue to the Highway Authority.
140. **Parking on Highways- resolved** to take no action but to recommend that if cars are parked causing an obstruction that they are reported to the Police at the time.
141. **Councillors’ reports and items for future agenda**
142. **Date of next meeting**
The next meeting of the Parish Council will take place on Wednesday 18 January 2023 in Hayton Reading Room at 7pm.
Agenda items to be submitted to the Clerk by 12 noon on Monday 9 January 2023.

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18 November 2022

Mr R Cryer
Planning Officer
Development and Control
Cumbria County Council
Busher Walk
Kendal
LA9 4RQ

Dear Mr Cryer

Application 1/22/9005

At their meeting on Wednesday 16 November 2022 Hayton Parish Council heard objections to the planning application from 36 members of the public who attended the meeting, as well as many others who had taken the trouble to put their objections to councillors in writing. Some of these may, of course, overlap with those who have contacted you.

Councillors unanimously decided that they should object to the planning application for an extension to the end date for extraction to 31 December 2032 and ancillary aggregate recycling at Esk Quarry.

Briefly, the reasons for the objection fall into a small number of the Material Planning Consideration categories: highway issues, noise or disturbance, smells and fumes and adverse impact on nature conservation. These are mainly the same objections that the council raised in response to the retrospective planning permission application 1/20/9004, which has since been withdrawn.

Highway Issues

Local people expressed a concern that the recycling work has caused an increase in the volume of HGVs that are using the minor roads leading to the quarry. Whilst there was no suggestion that any of the vehicles operated by Wannops have been speeding or driven dangerously, there was concern that on a number of the roads the size and weight of the vehicles is causing an issue. One of the disadvantages of the one way system is that the roads used by goods vehicles exiting the quarry are unsuitable. The width of the C1035 and the U1197 vary in width from 4.4m down to 4.2 m, the national recognised width for two way traffic is a minimum of 5.5m for cars and light vehicles! Although there have been no reported accidents involving HGVs there is always a chance and many near misses have occurred as evidenced by comments from the local community.

In order to safely pass the HGVs travelling in the opposite direction vehicles often have to mount the verge to avoid collision. This is/will be damaging the verges and causing mud to be deposited onto the roadway, itself a hazard when vehicles are attempting to brake.

Whilst the quarry has been in place since the 1950s, at that time the weight being carried by the goods vehicles at the time was much less, gross vehicle weights were between 7 and 12 tonnes whilst today gross weights are up to 44 tonnes. Vehicles are also much wider today than they were in the 1950s. However, the roads are similar or the same now as they were then. They are not generally wider to accommodate the much larger vehicles.

On the roads used by the HGVs for the quarry there has been no resurfacing carried out since 1982 other than 40m of resurfacing at How Mill funded by a section 278 agreement with Esk Quarry in 1992. Accepted good practice suggests that this should be carried out every 20 years on roads carrying thousands of HGV standard axles.

It is expected that a section of the C1026 is likely to be closed at some point in the future to allow Northern Gas Networks to complete the gas main replacement up to Heads Nook. This means that all traffic will be diverted and use the narrow unclassified roads in the area. Whilst this may be suitable for light traffic and delivery vehicles, laden goods vehicles carrying quarried materials or materials for recycling would cause much damage.

The submitted transport assessment in section 3.16 states that the maximum number of HGV movements (ie in and out) was 20 per day over the period of the survey. Section 4.6 states that a maximum number of HGV movements would be 60 per day, a 200% increase. When average numbers are looked at the survey showed 16 per day whilst the proposal would be an average of 40 per day, a 250% increase in heavy goods vehicle traffic. Either case will have an even greater impact on the deteriorating road surfaces. Based on the above figures the projected number of standard axles of quarry HGVs over 10 years will be in excess of 100,000. The damaging effect of the HGVs is equivalent to 5 billion cars.

Application 1/16/9001 allows for a maximum weight of material exported from the quarry as 30,000 tonnes per annum. This application allows for 110 HGVs entering and exiting the quarry per week which equates to 5720 per year, with a maximum load capacity of just over 24 tonnes this would mean a maximum import and export of material from the quarry of 137,280 tonnes of material per year an increase of 357%

At the Parish Council meeting in October 2021 Mr Wannop stated that only Wannop owned vehicles used the site and that this allowed him some level of control over speed of vehicles, routes of vehicles, whether they are sheeted etc. The Parish Council therefore makes an assumption that since Mr Wannop has an operators licence for 8 vehicles he either intends to purchase more or third party contractors will now use the site, the latter giving him little, if any control, over routing, speed, sheeting or quality of waste.

Noise or disturbance

Many residents mentioned noise both from the number of HGVs travelling past their houses and also from the recycling plant at the quarry itself. It was stated that previously the more intrusive noise disturbance from the quarry itself were limited to specific times and might occur more sporadically throughout the week. However, the noise from the recycling was reported to be more of a continuous noise.

In the supporting statement for the application 1/20/9004 there was a calculated noise envelope of between 42 to 48db in the gardens of the closest houses in Faugh. As the machinery is already in place it would be possible to put noise sensors in the gardens of the nearest properties in order to measure how intrusive it is on a day-to-day basis. It would also be possible to provide noise baffles to screen and or deflect the noise if measurements show it to be an issue.

Noise and Vibration Management plan

There is no account in the noise management plan for vibration disturbance for properties near the quarry. Several occupiers have reported problems caused by the quarry operations. Standard rules of environmental permits require a noise and vibration management plan where local human population is affected by nuisance, loss of amenity or loss of sleep.

Smells and fumes

The supporting statement for the application suggests that the crusher will use 5 gallons per hour of fuel, with more being needed by ancillary equipment. How are the exhaust gasses from this to be dispersed so that they are not blown over neighbouring properties?

The application 1/20/9004 stated that the primary source of blown dust is from the movement of vehicles over unsurfaced roads. Do the crusher and the screening machine produce no dust at all? How is this to be managed?

Residents have mentioned the costs to them as householders from having to carry out regular gutter cleaning as a result of blown dust from the quarry as failure to do so would result in their gutters, downpipes and drains becoming clogged with blown sand/dust.

Driving heavily laden vehicles through residential areas, as opposed to empty vehicles, increases the volume of diesel particulates released. Diesel particulates have been shown to have a detrimental effect on people's health, particularly those with asthma.

The one way system partially alleviates this if, and only if, the vehicles entering the quarry are unladen.

It was also mentioned many times, both at the meeting and in written comments, that whilst vehicles leaving the quarry were covered or sheeted, there were many entering the quarry that were not sheeted, potentially allowing waste materials to be lost from the vehicles as suggested by comments made to the council. The lack of sheeting also allows dust to be blown from the recyclable material.

Adverse impact on nature conservation

As of October 2021 no Environmental Impact Assessment had been carried out and therefore it was not possible to say whether there will be a positive or negative impact on nature conservation. Residents were concerned that this had not happened and wanted to see an impact assessment carried out. We are encouraged that some work has now been commissioned to address this. However, the Biodiversity report concentrates on the improved diversity seen after restoration as opposed to the impact that further quarrying and recycling will have. Of greater concern is the finding of protected species (Great Crested Newt) in water of poor quality that an

employee describes as coming from a silt settling lagoon. If water from the silt settling lagoon is entering the pond where the newts have been found then it must also be leaving this pond somehow unless the pond is growing.

Local land owners have raised concerns that any run off from the quarry will contaminate the beck which is used by farmers to water their livestock. Whilst the reports say that this is minimised by a raised roadway through the quarry, it does not state that this is impermeable down to a level where water cannot seep through. Since a member of staff at the quarry described the poor quality water found on site as coming from a silt settling lagoon, there would appear to be little to prevent this from entering the beck and the water must be leaving the pond.

In summary:

Hayton Parish Council objected to the application for recycling 1/20/9004, this not only covers that proposal but seeks to massively increase the amount of traffic, quarrying and recycling at a site which is plainly unsuitable and therefore the Parish Council objects to this application and ask that the Planning Authority decline the application to extend the life of the quarry.

The proposal is an intensification of activity, HGVs will now be laden on both entry and exit from the quarry with their numbers materially increasing between 200% and 250%. It is already having an impact on local people living in Hayton Parish and therefore the council objects to the application.

We are extremely disappointed that Wannop has been allowed to continue recycling waste material since 2013 with neither planning permission or without an environmental permit until December 2020.

We do not have any confidence in the current systems in place to monitor complaints from residents and would ask what actions would be taken by Cumbria County Council as planning authority or the Environment Agency as a result of complaints held in the complaints file by the quarry.

Whilst Hayton Parish Council would be very disappointed if the planning authority chose to disregard their opinion, they recognise that they are only a consultee and not a decision maker. The Parish Council would like to make a number of suggested conditions to be applied to the application, should the planning authority decide to grant permission against the views of the majority of local people:

- Only vehicles owned and operated by Wannop to be allowed to bring recyclable material and export suitable material;
- A minimum amount of sand to be extracted from the quarry annually so that the quarry fulfils the original and principal purpose for which it was granted planning permission. So that at the end of the 10 year extension the sand supply is no longer viable for quarrying. A system of checks should also be included such as the amount of sand extracted, the volume of aggregate imported for recycling and then re-exported.

- As highway improvements were carried out in 1992 using S106 and/or S278 agreements to cater for HGVs using the local highway network to and from the quarry, we would like to see a similar financial contribution to reconstruct and resurface of sections of highways, damaged by quarry traffic over the last 10 years, should the life of the quarry be extended. We doubt whether recovery of costs of repairing the highway network caused by extraordinary quarry traffic can be achieved using section 59 of the 1980 Highways Act and therefore would suggest that it is essential to agree a contribution during the planning process.
- Planning permission 1/16/9001 sets a limit of 30,000 tonnes of material that can be exported from the quarry annually and this is believed to include the recycled aggregate produced at the quarry. However, the Standard Rules Permit (SR2010no.12) limits the amount of aggregate that can be recycled annually as a maximum of 75,000 tonnes. There is no clear limit on the amount of aggregate that can be imported into the quarry in any given year. The limit on the amount of recycled materials exported from site is determined by the number of Wannop wagons proposed in the submission. The previous limit set out in the withdrawn application was 30,000 tonnes for both recycled material and sand. I.e. “the exportation limit” would also apply to the recycled aggregate produced at the site. We would therefore like to see limits set on the amount and type of material that can be imported on an annual basis as well as a cap on the amount that can be exported with a system of controls put in place to enforce this.

Yours sincerely

Nick Phillips
Clerk to Hayton Parish Council