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Will the dust ever settle on Chalk Pit conflict?

13 September 2023



Following years of complaints of dust and noise pollution from the **Chalk Pit** site on **College Road, Epsom**, residents and local campaigners say that stricter council enforcement is still needed amidst claims that site owners are operating outside of the conditions of their planning permission.

The land at The Chalk Pit, College Road, Epsom, Surrey is an industrial and commercial site home to several waste management facilities including **Skip It Epsom Ltd** and **Epsom Skip Hire.**

EPSOM AND EWELL TIMES EXCLUSIVE

An application to transform what was a waste transfer site to a materials recycling centre was first made in 2017 but such an upscaling of operations remained unlicensed until 2 May 2023 when retrospective planning permission was granted by **Surrey County Council** (SCC). The permission is subject to several conditions including limitations on working hours as well as the containment of operations within a secondary building to mitigate resulting dust and noise pollution.

Reports from locals say that the site is much quieter in recent months attributing this to enforcement from Surrey County Council to turn off a loud trommel which previously operated at the site. However, they also report that operations are taking place outside of the agreed hours of working resulting in continued distress.

Residents and local councillors have expressed repeated concerns since the change of operations in 2020 surrounding the impact of noise and dust to the mental and physical wellbeing of residents, as well as concerns surrounding the impact on the local environment.

At present a building to contain operations is under construction and operations are continuing pending its completion. Skip It made an application to SCC on 4 May seeking permission to continue processing waste outside of a building for up to 6 months whilst the building is under construction. Residents express strong opposition to the redactions.

Campaigners, including MP for Epsom and Ewell, **Chris Grayling**, have asked that tighter council enforcement of the planning conditions be implemented as well as urging the **Environment Agency** (EA) to maintain tight control on the waste permit conditions and to ensure the building to enclose operations is fit for purpose. Residents have also expressed concern over the number of lorries at the site causing noise in neighbouring roads which cannot be contained.

Skip It, who own the recycling centre, claim that their business has been victim to disproportionate targeting of complaints, saying that many of the passing vehicles belong to other site users and that their vehicle numbers are within council guidelines.

Skip It director, **Mo Maan**, told the **Epsom and Ewell Times**: “We modified a few things to suit our operation…no major change, because the building is going up.”

He continued: “If there was illegal activity, the Environment Agency and the council would have shut the site down, which they’re very good at doing. The same situation with dust – if the dust was so bad, don’t you think that we would have been shut down by now?”

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Aerial view of the Chalk Pit site cc Google Sat.

Planning documents, which can be found on the Surrey County Council website, show information regarding the extent of noise and dust assessments.

In July 2021 a Noise Impact Assessment by the EA (known as the 'Tofts report') stated that "NJB [land now operated on by Skip It Epsom Ltd] was at least 10dB louder than [Epsom Skip Hire] and was responsible for all of the measured noise" and stated the presence of "noise abnormal and prolonged enough to cause significant effect on human senses".

In November 2021, however, a report by **7th Wave Acoustics** stated that "it is likely that the noise from the on-site active processing operations will not result in adverse noise impact" and the site was "acceptable in noise assessment terms."

Skip It director Mo Maan told Epsom and Ewell Times: "We've had noise assessments done, which cost me a fortune to get done – independently, and by the Environment Agency and the council.**"** Maan continued: "We've got planning permission, we're putting a building up, but they're still complaining."

Former College Ward Epsom Councillor **Nigel Collin** told the Epsom and Ewell Times: "History has shown us that the operator plays the game well when it comes to observing the licence when a planning application is under consideration. Normal disruptive service resumes once the planning outcome is determined."

On 25 July 2023 Councillor **Bernie Muir** put a motion to council proposing that they install professional noise measurement equipment around the Chalk Pit site, leaving the equipment in place for a minimum period of three months, and responding to any breaches of noise regulations on the site with the imposition of a noise abatement order. It was suggested that £60k be allocated to the project. A vote on the motion has been deferred to the next **Environment Committee** on October 17.

Cllr Muir told the Epsom and Ewell Times that previous monitoring had not been sufficient in identifying which landowner was causing the nuisance and hence the results of the assessments were "unactionable".

Epsom and Ewell Borough Council (EEBC) has faced criticism from residents for failing to issue an abatement notice to cease operations during the period of unlicensed operations to put a stop to the resulting noise pollution.

Nigel Collin described the council's handling of the situation as "inept" and expressed concern over the lack of an overarching person or body taking responsibility for the situation.

EEBC told the Epsom and Ewell Times: "The areas of responsibility around the Chalk Pit site are complex and EEBC, SCC Planning and the EA all have different roles. EEBC have taken a leading role in co-ordinating a multi-organisational response to the various issues arising from the site. This includes regular multi-agency co-ordination briefings and a commitment to continue working with all agencies in trying to improve the lived experience of those living near to the Chalk Pit."

"EEBC takes its responsibilities to all residents seriously and will always act where sufficient evidence is found of a statutory nuisance. The evidence gathered during the noise monitoring demonstrated that there was certainly audible noise at times from the site which could be considered as having a negative impact on the local amenity, but not enough to be considered a statutory nuisance."

Nigel Collin, who has been a key figure in the fight against the unlicensed operations, said the definition of statutory nuisance was 'more than met'.

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Efforts from councillors to enforce restrictions at the Chalk Pit have been cross-party with councillors Steve McCormick (RA), John Beckett (RA) and Bernie Muir (Con) and Kieran Persand (Con) at the forefront of negotiations.

Epsom and Ewell Borough Council said that they have not closed the case and that they will continue to work with the SSC and the Environment Agency to ensure statutory nuisance thresholds are not exceeded.

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