

Tim Horsman, Assistant Director for Planning,
Planning Division
London Borough of Bromley
Civic Centre,
Stockwell Close,
Bromley, BR1 3UH

Our ref:

Your ref:

Date: 23 January 2023

**Land at Lower Hockenden Farm, Hockenden Lane, Swanley, BR8 7QH.
Planning Appeal submitted by Bournemouth Sand and Gravel Ltd.**

Dear Tim.

I refer to recent discussions between your Principal Planner, David Bord and my Installations officer, John Radclyffe, regarding the above matter.

The Council requested for the Environment Agency to provide a summary of information that we have in relation to the investigation of wastes deposited on land at Hockenden lane. The request has been made following service of an Enforcement Notice served under the Town and Country Planning Act 1990, by the London Borough of Bromley, which I understand is the subject of an appeal submitted by Bournemouth Sand and Gravel Limited.

We also know this area of land at Hockenden Lane as Windmill Hill Wood, which is adjacent to the boundary of Bournemouth Quarry. Bournemouth Quarry is an inert landfill with also includes a treatment activity. The site has an environmental permit reference EPR/LP335UG, issued by the Environment Agency permit on 26 January 2009. The permit was partially revoked by the Environment Agency on 26 July 2021, due to non-payment of subsistence fees over a three-year period. The following permitted operations, the receipt, handling, storage, treatment, and disposal of wastes were revoked.

Site visit by The Environment Agency to Bournemouth Landfill and land at Hockenden Lane, Swanley on 14 July 2021

A site visit was undertaken on 14 July 2021, by Paul Bennett and John Radclyffe of the Environment Agency to Bournemouth Landfill. We also inspected the agricultural land, known as Windmill Hill Wood; land adjacent to the A20 Swanley Bypass, which leads to Hockenden Lane, Swanley.

This agricultural land was accessible through the open rear gate of the landfill site. We observed residual shredded wood on the ground leading from the site and onto the agricultural land. We observed significant soil and stones stockpiles, indicative of construction wastes as well as

shredded wood and plastics partially buried under the soil stockpiles, around the edge of the adjoining fields, adjacent to the A20 Swanley Bypass, which led to Hockenden Lane Swanley. There was also visual evidence that the levels of some of the fields, on the opposite site of Windmill Hill Wood, leading to Hockenden Lane had been raised. Significant volumes of soil and stones indicative of construction wastes had been deposited and stockpiled. In some areas we considered that the land level had been raised by at least 2-3 metres with additional extensive soil, stone stockpiles noted since our last visit in 2019.

We took a number of photographs, and a selection of these photographs will be sent to you, as a separate attachment to this letter.

We identified shredded wood stockpiles and residue within Bournewood landfill, which appeared to have been the source of the shredded wood stockpiles on the land at Hockenden Lane.

Waste Exemptions registered with the Environment Agency.

A recent review of waste exemptions, registered Nationally with the Environment Agency have shown the following:

Two U1 exemptions, for the use of waste in construction, were registered in November and December 2017, and expired in 2020. They were registered with an ordnance survey grid reference located at the Farm track / footpath adjacent to Hockenden Lane, Swanley.

This farm track / footpath has been visited by David Bord and us on a previous joint site visit to gain access to the Windmill Hill wood and land at Hockenden lane.

The following four waste exemptions, all with an ordnance survey grid reference located within the centre of Bournewood Quarry / landfill have been registered.

1. U1. The use of waste in construction. Registered October 2021 expires in October 2024.
2. T6. Treating waste wood and waste plant matter by chipping, shredding, cutting pulverising. Registered November 2021, expires in November 2024
3. U10. Spreading waste to benefit agricultural land. Registered November 2022 expires in November 2025.
4. U12. Using mulch. Registered November 2022 expires in November 2025.

Waste exemptions are considered a low level activity, not requiring the need for an Environmental Permit and are incumbent on the applicant to register and comply with the requirements of the exemptions to ensure the strict limits are adhered to and that the activity does not breach the relevant objectives for which the exemption was registered; i.e. (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours; and (c) without adversely affecting the countryside or places of special interest.

The wastes and volumes deposited may not meet the exemptions registered. It should be noted that the most recent exemptions were registered after the date of the site visit undertaken in July 2021, whereby the wastes were already in situ.

It is considered that further investigation, excavation, sampling, and characterisation of the wastes deposited would be of benefit to show the extent, depth and types of wastes deposited and stockpiled on this land.

I understand the Environment Agency may be required to provide additional evidence and statements should the appeal proceed to public inquiry.

If you would like to discuss any of these matters further, please contact my installations officer, John Radclyffe at johnradclyffe@environment-agency.gov.uk,

Yours faithfully

PAUL BENNETT
Installations Team Leader
Kent, South London, and East Sussex

Land at Hockenden Lane Swanley Environment Agency site visit 14-07-2021.



















Bournewood quarry / landfill site visit 14-07-2021

