

Cornwall Against Dean Superquarry forced to take Cornwall Council to Judicial Review.

9.6.2015 The Secretary of State for Communities & Local Government, Greg Clark concludes there is a need for an Environmental Impact Assessment (EIA) at Dean Quarry. He "...considers that that the risk of significant harm is such to justify EIA".

Cornwall Council on 23.6.2015 refused to accept The Secretary of State Greg Clark's condemnation of their failure to consider Shire Oak's proposed development of Dean Quarry on the Lizard Peninsula as 'EIA development'.

This forces the action group, Cornwall Against Dean Superquarry (CADS), to commence a Judicial Review via their solicitors Stephens Scown. The Secretary of State Greg Clark's clear demand for a screening opinion echoes Stephens Scown's initial objection, on behalf of CADS. From the start, it formed the basis of CADS's case against Shire Oak's proposed development to reopen, and massively upsize, the mothballed local quarry.

The site of Dean Quarry is within the Coverack to Porthoustock Site of Special Scientific Interest (SSSI), within an Area of Natural Beauty (AONB), adjacent to National Trust (NT) land at Lowland Point, on the South West Coast Path, surrounded by the Lizard Special Area of Conservation (SAC) and extends seaward into the Manacles Marine Conservation Zone. This is one of only 27 MCZs in the UK, hard-won, and only recently designated, with 174 MPs and Lords as signatories. They have each been alerted to this issue. Another tranche is under consultation and if The Manacles MCZ is breached, it will be a test case for the integrity of the entire chain of UK MCZs.

All these highly protected areas were not considered as part of the developer's initial application for buildings to facilitate the reopening of Dean Quarry, because of the all-too common approach by developers to 'split' or 'salami slice' their applications. This approach is soundly refuted by the Secretary of State, who believes, as CADS do, and many councillors, that an application which points toward, and is inextricably linked with, a much larger project, causing serious environmental impact on its surroundings should not be regarded in isolation. Case law is increasing in this sensible direction.

The next planning application from Shire Oak Quarries Limited, in scoping stage, involves a 535m long, 50m wide breakwater jutting into the MCZ with jetties from which 10,000 tonne

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barges would be loaded and launched on a continuous basis, day and night, in order to ship millions of tonnes of rock quarried from Dean, to form the 5.9 mile long barrier for Tidal Lagoon Swansea Bay. Shire Oak Quarries sister company, Tidal Lagoon Power plans at least a further four, much larger lagoons along the Welsh coastline and Severn estuary.

The reopening of Dean Quarry constitutes a more than 500% increase in the amount of quarried rock from its previous operation. The Chinese contracting firm China Harbour Engineering Company (CHEC) is currently the front-runner for the contract both for Tidal Lagoon Swansea Bay and for Dean Quarry.

Solicitors Stephens Scown requested a screening direction regarding this key environmental issue to the Secretary of State on the 7 April 2015, on behalf of CADS. The Planning Application from Shire Oak was passed by a narrow vote of 7-6 the following day by Cornwall Council without consideration for any environmental information.

CADS has not taken the decision to proceed with a Judicial Review lightly, but feels with the recent, welcome government intervention the time is right to fight for justice in the planning procedure. CADS are looking to fundraise £20,000 for the legal costs needed to challenge Cornwall Council's planning decision. Further funds will need to be raised to fight the developer's planning application for the third of a mile long breakwater and jetties. Donations can be made on the CADS website at www.cads2015.com.

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ENDS

NOTE TO EDITORS

Future extraction levels of rock armour and aggregate at Dean Quarry could be as high as a 1500% on historic levels. CADS have been conservative in quoting a more than 500% increase in future production due to consistently, inconsistent figures by Shire Oak Quarries.

Further information and imagery available from:

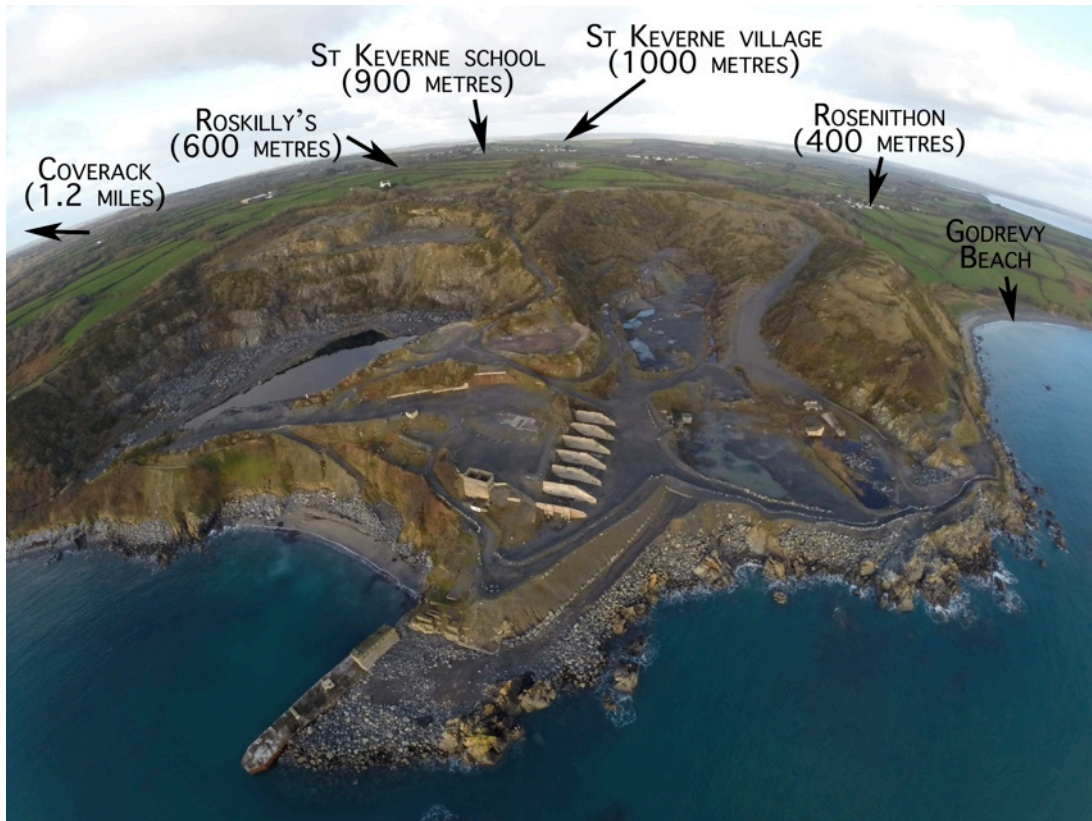
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Aerial view of Dean Quarry prior to re-opening and upscaling.