

**From:** [REDACTED]  
**To:** [REDACTED]; "Bunten, James"  
**Cc:** Emma Conwell; daniel.kirk@environment-agency.gov.uk; "Appeals\_NPS"; [REDACTED]  
**Subject:** RE: FCC Appeal re Daneshill  
**Date:** 24 April 2024 10:13:22  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[r2p2.pdf](#)  
[Hodgson and Darnton Paper 2000 re mesothelioma and lung cancer.pdf](#)

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Actually there are a couple more  
Chris



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** [REDACTED]  
[REDACTED]  
**Sent:** Wednesday, April 24, 2024 10:03 AM  
**To:** [REDACTED]; 'Bunten, James'  
<JAMES.BUNTEN@planninginspectorate.gov.uk>  
**Cc:** 'Emma Conwell' <Emma.Conwell@freeths.co.uk>; daniel.kirk@environment-agency.gov.uk;  
'Appeals\_NPS' <Appeals\_NPS@environment-agency.gov.uk>; [REDACTED]  
**Subject:** RE: FCC Appeal re Daneshill

**Last document**

All the other information is on the EA website or the EU Directives for BAT or in the papers before the panel so I assume you do not need me to send them.  
Clearly I will not be referring to the entire documents so it is unfortunate you wanted them so early before the hearing as I could otherwise have simply directed you to the pages necessary to print off.

Chris

[REDACTED]  
[REDACTED]  
[REDACTED]



[Redacted]

[Redacted]

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**From:** [Redacted]

**Sent:** Wednesday, April 24, 2024 9:59 AM

**To:** [Redacted] 'Bunten, James' <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Cc:** 'Emma Conwell' <[Emma.Conwell@freeths.co.uk](mailto:Emma.Conwell@freeths.co.uk)>; [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); 'Appeals\_NPS' <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [Redacted]

**Subject:** RE: FCC Appeal re Daneshill

Part 1

Chris



[Redacted]

[Redacted]

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**From:** [REDACTED]

**Sent:** Wednesday, April 24, 2024 9:22 AM

**To:** 'Bunten, James' <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>; [REDACTED]

**Cc:** 'Emma Conwell' <[Emma.Conwell@freeths.co.uk](mailto:Emma.Conwell@freeths.co.uk)>; [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); 'Appeals\_NPS' <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [REDACTED]

**Subject:** RE: FCC Appeal re Daneshill

Hi James,

Apologies – for some reason I had 26 April in my head. I have been extremely busy working to court deadlines from the High Court in cases I am instructed in.

I assume that there is no need for me to send over any evidence that is already before the panel or any statutory law and standards relevant to the application and you are only wanting copies of public domain documents that I intend to refer to that are not before the panel.

I must say that the way this appeal has been co-ordinated is very unsatisfactory and I will be making that point when I attend.

I will get the documents that I intend to refer to that are not already before the panel to you today – in terms of what I am going to say, I have not prepared anything yet but will be doing so over the weekend.

I trust that will be acceptable to the parties.

Chris



[REDACTED]

[REDACTED]

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**From:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Sent:** Wednesday, April 24, 2024 8:55 AM

**To:** [REDACTED]

**Cc:** Emma Conwell <[Emma.Conwell@freeths.co.uk](mailto:Emma.Conwell@freeths.co.uk)>; [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); 'Appeals\_NPS' <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [REDACTED]

**Subject:** RE: FCC Appeal re Daneshill

**Importance:** High

Dear Mr Chambers

I refer to my email below advising that you provide any evidence you propose to give at the Inquiry in writing no later than 23 April 2024. I have not received any response from you for this deadline. Please be advised that if you arrive next Tuesday with a pile of material, then the Inspector is going to have to adjourn the Inquiry to let the Appellant consider it, which would be disruptive. You therefore have until the **close of play today** to provide any material in writing, as requested.

Kind regards

James

James Bunten

Case Officer - Environment, Transport and CPO Team

The Planning Inspectorate

Direct Line: 0303 444 5081

Helpline: 0303 444 5000

Email: [james.bunten@planninginspectorate.gov.uk](mailto:james.bunten@planninginspectorate.gov.uk)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

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**From:** Bunten, James

**Sent:** Wednesday, April 3, 2024 11:03 AM

**To:** [REDACTED]

**Cc:** Emma Conwell <[Emma.Conwell@freeths.co.uk](mailto:Emma.Conwell@freeths.co.uk)>; [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); 'Appeals\_NPS' <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [REDACTED]

**Subject:** RE: FCC Appeal re Daneshill

Dear Mr Chambers

Thank you for your email.

The Inquiry will re-open at 10am on 30 April so please do arrive from around 9.45am. You will likely be asked to speak promptly after the introductions and any housekeeping remarks are given. The Appellant has agreed to this approach.

The Inspector has asked that you provide any evidence you propose to give at the Inquiry in writing a week before, ie no later than **23 April 2024**. Ideally, earlier if it's already prepared.

Kind regards

James

James Bunten

Case Officer - Environment, Transport and CPO Team

The Planning Inspectorate

Direct Line: 0303 444 5081

Helpline: 0303 444 5000

Email: [james.bunten@planninginspectorate.gov.uk](mailto:james.bunten@planninginspectorate.gov.uk)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

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**From:** [REDACTED]

**Sent:** Tuesday, April 2, 2024 5:03 PM

**To:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>; [REDACTED]

**Cc:** [emma.conwell@freeth.co.uk](mailto:emma.conwell@freeth.co.uk); [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); 'Appeals\_NPS' <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [REDACTED]

**Subject:** RE: FCC Appeal re Daneshill

Hi James,

If 30 April works for everyone else then it works for me too.

Can I just check what "first thing" is as I assume it will start at 10am but can be there anytime and will make sure I am there 15 minutes early.

Chris



[REDACTED]

[REDACTED]

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**From:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Sent:** Tuesday, April 2, 2024 1:29 PM

**To:** [REDACTED]

**Cc:** [emma.conwell@freeth.co.uk](mailto:emma.conwell@freeth.co.uk); [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk); Appeals\_NPS <[Appeals\\_NPS@environment-agency.gov.uk](mailto:Appeals_NPS@environment-agency.gov.uk)>; [REDACTED]

**Subject:** RE: FCC Appeal re Daneshill

Dear Mr Chambers

Thank you for your email.

Please be aware that I took a call from Mr Prout this morning asking if there was the opportunity for you to attend and speak on 30 April instead, as I understand some of the local residents were under this impression. The Inspector has advised he can accommodate you earlier on the Tuesday AM, and suggests you speak first thing on **Tuesday 30 April**? and then the Appellant can start its evidence after you speak and respond if required.

It would be helpful if you could confirm you're available to attend and speak first thing on Tuesday 30 April, and whether both the Appellant and the Agency are content with this approach. If not, we can revert back to you attending on Wednesday 1 May as per your email below.

Kind regards

James

James Bunten

Case Officer - Environment, Transport and CPO Team

The Planning Inspectorate

Direct Line: 0303 444 5081

Helpline: 0303 444 5000

Email: [james.bunten@planninginspectorate.gov.uk](mailto:james.bunten@planninginspectorate.gov.uk)

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Twitter: @PINsgov

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**From:** [REDACTED]  
[REDACTED]

**Sent:** Tuesday, April 2, 2024 10:22 AM

**To:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Cc:** [emma.conwell@freeth.co.uk](mailto:emma.conwell@freeth.co.uk); [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk)

**Subject:** RE: FCC Appeal re Daneshill

Hi James,

Thanks for the e-mail and apologies for not replying sooner.

Shall we say first thing on 1 May if that is OK with the chair of the inquiry?

I will make sure that I bring three copies of anything I want to show to the panel and will highlight the relevant parts for all the parties concerned.

Regards

Chris



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Sent:** Thursday, March 21, 2024 8:14 AM

**To:** [REDACTED]

**Cc:** [emma.conwell@freeth.co.uk](mailto:emma.conwell@freeth.co.uk); [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk)

**Subject:** RE: FCC Appeal re Daneshill

Dear Mr Chambers

Thank you for your email advising availability to attend and speak at the Inquiry. Unfortunately, the Inquiry will adjourn tomorrow and not reopen until 30 April 2024.

The Inspector has advised me that you could attend to give oral representations in the second week, either on 1, 2, or 3 May (the earlier in the week, the better).

Please let me know if any of the above dates are convenient for you to attend, and the Inspector will make arrangements in his programme to accommodate your participation on the matters you



have set out in your email below.

Kind regards

James

James Bunten

Case Officer - Environment, Transport and CPO Team

The Planning Inspectorate

Direct Line: 0303 444 5081

Helpline: 0303 444 5000

Email: [james.bunten@planninginspectorate.gov.uk](mailto:james.bunten@planninginspectorate.gov.uk)

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**From:** [REDACTED]

**Sent:** Tuesday, March 19, 2024 4:06 PM

**To:** [emma.conwell@freeth.co.uk](mailto:emma.conwell@freeth.co.uk); [daniel.kirk@environment-agency.gov.uk](mailto:daniel.kirk@environment-agency.gov.uk)

**Cc:** Bunten, James <[JAMES.BUNTEN@planninginspectorate.gov.uk](mailto:JAMES.BUNTEN@planninginspectorate.gov.uk)>

**Subject:** FCC Appeal re Daneshill

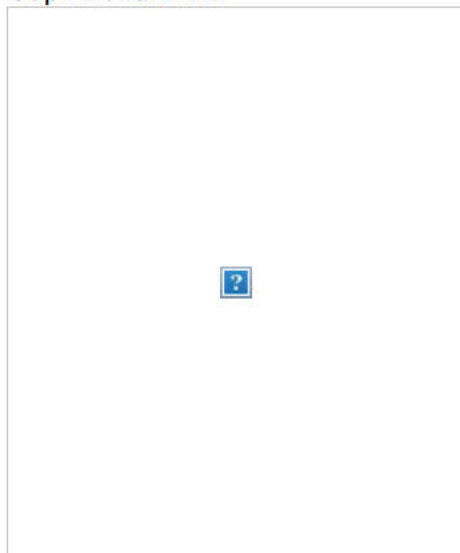
You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Daniel,

I have been asked to contact you by a local resident who suggested that I would be attending the hearing in the morning. Unfortunately I have two MS Teams conferences tomorrow so will not be available all day. I should however be available on 28 March if that helps as I understand from James Bunten that the Planning Inspector has agreed to accept these documents if I bring three copies to the meeting in person.

For ease of reference, the relevant parts that I will be referring to (and they are short) are:

Cape Document:



HSE guidance note EH36



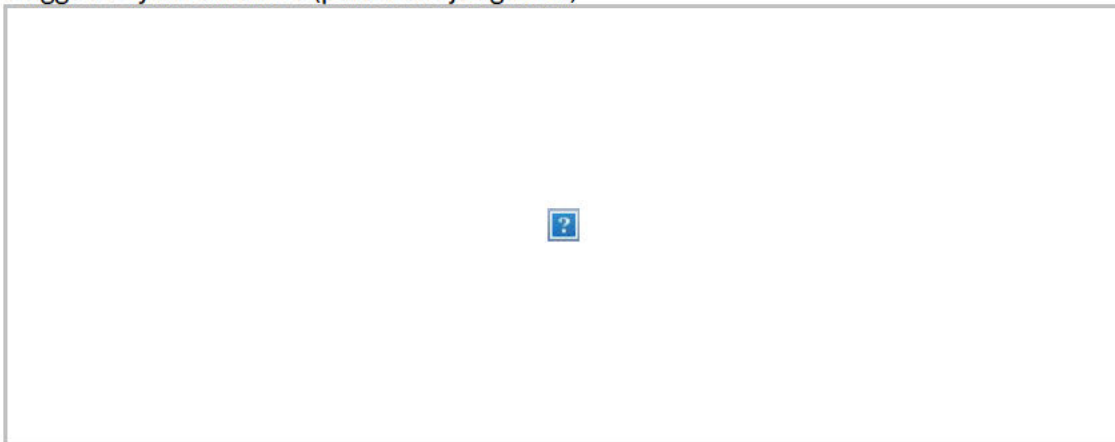
HSL Report 07/11



Dean v Armstrong (para from judgment)



Briggs v Drylined homes (para from judgment)



Essentially, the points I intend to make is that it is foreseeable that the cement materials contain amphibole and this is far more hazardous than chrysotile. As such the precautions need to be stricter. In the absence of sampling of all debris then it has to be assumed that the material contains crocidolite.

The second point is that the High Court has taken the view that very low levels of exposure to asbestos dust can cause mesothelioma. I gave evidence in both the cases referred to. All these points are in my written submissions, I am simply bringing the committee's attention to the evidence upon which they are based.

Am I OK to attend on 28 March and bring the extracts from these documents (I will highlight the relevant parts and keep my submissions to no more than 5 minutes). If so, would morning or afternoon be better?

Regards

Chris







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