

Please find comments on the planning that do not specifically form the basis of objections, but are a mixture of comments, requests for clarification of ambiguous or unclear statements, and desire to see more comprehensive detail on points of concern.

	Additional information/clarification requests	References	
		Planning Application Form	
	States current use of the site is as a <i>“hard rock quarry”</i> . Can the applicant provide evidence of this as they claim in their marketing that the site is currently used as a demolition waste processing facility?	Paragraph 14 of application form	
	The operations will require discharge of trade effluent into Dean Burn - why has it been stated that no trade effluent will be discharged?	Paragraph 16 of application form	
	Please clarify the statement that 65,000 tonnes (100%) of waste is categorized as <i>“municipal”</i> ? What proportion of the waste feedstock will be third party Commercial & Industrial waste (possibly sourced from outside the county) when the incinerator is planned to go live?	Paragraph 22 of application form	
	How can the absence of hazardous waste be established before the waste has been tested, and when the original waste stream is not comprehensively sorted and will very probably contain hazardous substances?	Paragraph 23 of application form	
		Planning Application Supporting Statement	
	Is the statement correct that existing quarrying permissions lie within an SSSI? This appears to be either ambiguous or wrong. Are these <i>“quarrying permissions”</i> active, or would they need a planning application?	2.1.5	
	Can the applicant confirm they understand that Special Areas of Conservation (SACs) have legally mandated buffer zones, and the site hence falls <i>within</i> the SAC for the purposes of regulation and development?	2.1.6	

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	Is the applicant aware that one of the existing planning restrictions on the site is that no waste may be transported to site, specifically in order to protect the amenity of the local community?	2.2.3	
	Can the applicant confirm that the previous application was withdrawn in part because the applicant was in breach of most of their ROMP conditions at the time and hence was very likely to be refused?	2.2.6	
	<p>The stated planning application boundary is incorrect. The existing roadway from the public highway at Strode Road is shown as constituting part of the site when it is in fact a private roadway owned by the Highways Authority and outside the leaseholder's (and we believe freeholder's) boundary. Detailed investigation of the lease appears to suggest that the leaseholder actually has no clearly demonstrated right of way over this stretch of private roadway but that their rights relate to an older (now non-existent roadway) to the South of the current roadway.</p> <ul style="list-style-type: none"> • Can the applicant demonstrate there is an existing right of way over this roadway? • Can the applicant demonstrate that any existing right of way would be transferable to the proposed operations including a technical change in activity? • Do the leaseholders pay a fee to the Highways Authority for use of this section of roadway? • Is it proposed that a fee will be payable to the Highways Authority under the proposed new change of use? • If so, what is the level of this fee? 	3.2.6	
	What mitigation measures are proposed so oil and toxic residue from the wheel-wash will not go straight into Dean Burn (there currently seem to be no mitigation measures)?	3.2.8	
	Can the applicant submit further visual illustrations that actually include the proposed 8m high stockpiles of dark black product when the site would be at <i>maximum capacity</i> as this will be a crucial point of consideration for the visual impact.	3.3.2	
	The visual illustration of the IBA facility is not clear. Can the applicant submit further visual illustrations that demonstrate more clearly the scale of the 10m high building and concrete bunkers. Perhaps a close up illustration of the concrete plinth including the exact height of the quarry surroundings relative to the development. Again this would appear to be a significant point of consideration for the visual impact.	3.4.2	
	<ul style="list-style-type: none"> • If the IBA does not generate dust and odour <i>after</i> it has weathered and formed a 	3.4.5	

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	<p>hard surface, does this mean that it does indeed emit dust and odour <i>before</i> it is weathered?</p> <ul style="list-style-type: none"> • What measures are proposed to stop wildlife (such as bats and Peregrine falcons consuming the toxic leachate in the lagoon? 		
	<p>Can the applicant be more specific in terms of job creation as it is not clear that some of the jobs "<i>created</i>" are not just existing jobs or employees that are transferred from other locations?</p>	3.4.9	
	<p>The applicant states that blasting can only occur between October and March but the previous bat survey states that the bats cannot be disturbed during the cold winter months. Please clarify winter blasting impact on hibernating bats and details of restrictions as the community understand that blasting would be legally limited to three months of the year in order to adequately ensure the habitats of protected species.</p>	3.5.8	
	<p>In order to demonstrate that the development is "<i>sustainable</i>" as claimed can the applicant provide more information on the following:</p> <ul style="list-style-type: none"> • The potential uses and identified markets for IBA in the UK, in context with estimated quantities of IBA to be produced by the 100 or so incinerators currently being proposed around the UK. • Given the likely competing sources of IBA (especially in Bristol) over what distance does transporting IBA-based aggregate become unviable? • Can they explain why many of their competitors will be paying to landfill their IBA? • Please clarify the likely mixture of IBA and demolition waste in secondary aggregate as the annual figures of 60,000 tonnes of IBA and 25,000 tonnes of demolition waste (half of which is estimated to be wood) do not seem to imply sustainability in the relative uses of the two product streams into a viable blended product (most obviously after the stored dolerite has run out). • Would the IBA have to be moved to another site for blending before final transportation in order to find more demolition waste to blend? Where would this be? • Of the 20% of estimated MRF throughput that is un-recyclable, what exactly is this likely to be? Is any of this likely to contain toxic elements and/or hazardous materials? • What happens to the approximate 50% of the demolition waste that is wood? 	3.5.11	

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	Will this be transferred offsite to be incinerated? Is that 50% by volume or weight?		
	<ul style="list-style-type: none"> • Can the applicant clearly and explicitly define the term “sustainable” that they imply and believe this application is to be measured against? • Where is the legal basis for their argument? 	4.1.2	
	<ul style="list-style-type: none"> • Is the site being classified as landfill or not? • Will a landfill license be sought? • Is the material proposed to fill quarry void to be deemed as recycled material and quarry engineering? • How would changes in this definition impact recycling and landfill diversion targets for Devon as a whole and the SWDWP’s targets specifically? 	4.2.3	
	The applicant is claiming there are no alternatives to this site. In the original 2008 planning application for an MRF, SGDL claimed they potentially had access to 4 acres of land in Heathfield, but they needed at least 5 acres which is why they needed Whitecleave Quarry. Under these new plans the MRF will only have access to a lot less than 5 acres of land. Can they explain this anomaly?	4.2.4	
	<ul style="list-style-type: none"> • According to regulations, IBA is considered to be a waste product until it is put to its final use. At what stage will “storage” in the quarry void be regarded as a final use? • Will landfill tax be paid on the material that is ultimately left in the void? • If landfill tax is paid, will the operator be contributing to the Landfill Community Fund and applying for landfill tax credits to help the local community? 	4.3.4	
	<ul style="list-style-type: none"> • More information is needed on classification and status of both product streams to be brought to site. What guarantees will be in place in relation to demolition waste and to eliminate the possibility of the almost inevitable presence of asbestos in some form? • The planning application is specifically for inert products - what evidence will be presented that the product is inert? • How does the applicant’s definition of inert co-exist with the statement from the Devon Waste Local Plan 2006 2.2.10: “The term ‘Inert waste’ now refers only to those wastes which are truly inert, such as concrete, glass, brick, clay and subsoil. Waste previously described as “inert”, such as topsoil, construction and 	4.3.5 on demolition waste	

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	<p><i>demolition waste, will in future only be classified as inert if it can be demonstrated to the satisfaction of the Agency that it is indeed inert”?</i></p>		
	<p>Considering the planning application is specifically for a plant processing inert waste, these issues should be a material planning concern:</p> <ul style="list-style-type: none"> • The applicant states their stance that <i>they believe</i> this product should be legally defined as ‘inert’ (according to the Landfill Regulations 2002 - a statement which contradicts the Waste Local plan 2006). Notwithstanding the above statement from the Waste Local Plan, where is the evidence to back this up? • Can the applicant supply a history of the lobbying campaign and correspondence between the Environmental Services Association and the Environment Agency to help explain why a product recently categorised as hazardous waste is now to be deemed as inert? • Is it possible to declare a heterogeneous waste stream such as waste Incinerator Bottom Ash as inert before the fact of its existence? • Is testing not an essential part of this classification process? • The definition of “<i>the product</i>” the applicant wishes to categorize as inert is ambiguous: we presume they are not trying to claim that the pre-processed IBA is inert? It should be recognised that pre-processed IBA (i.e. when it is first brought to site) will be officially categorized as a “<i>non-hazardous</i>” product. • Would the applicant like to comment on Viridor’s statement to Devon County Council in relation to their current application at New England Quarry that “<i>incinerator bottom ash (IBA) is classified on The European Waste Category as a ‘mirror entry’, hence must be subjected to a hazardous property assessment in accordance with the UK guidelines, as detailed in Environment Agency guidance. If IBA is found to possess any one of the fourteen hazardous properties, it will then be classified as a hazardous waste”?</i> • The Final Business Case for the Devonport incinerator states that “<i>The Payment Mechanism encourages MVV to meet its guaranteed landfill diversion target of 97%</i>” - this implies a payment for having the IBA categorized as inert. Can the applicant give details of this financial incentive? • Will the applicant reveal how much per tonne they will be paying the company Whitecleave Quarry Limited to take the ash off their hands and at which point 	<p>4.3.5 on IBA</p>	

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	<p>would MVV cease to be responsible for the ash?</p> <ul style="list-style-type: none"> • There would be landfill tax of around £80 a tonne by 2014 - this equates to approximately £5,000,000 per year for the “non-hazardous” product brought to Whitecleave Quarry. Does the applicant accept that this huge financial incentive to downgrade the status of IBA could leave the public suspicious of the process for downgrading the waste to inert? • Does the applicant accept that if the IBA is left in the void without paying landfill tax, that this could represent a tax saving/avoidance of approximately £20,000,000? (Both of these points could be important in relation to establishing potential Section 106 Agreements). 		
	<p>Can the applicant clarify how they believe that a single site located in Buckfastleigh accepting fully 100% (tonnage equivalent) of all the residual household waste from Teignbridge, South Hams, and West Devon combined (in a more concentrated toxic form) represents a “sustainable” way of managing the area’s waste?</p>	4.3.6	
	<ul style="list-style-type: none"> • Can the applicant expand upon their understanding of demand for the recycled aggregate in the South West and the impact of the availability of secondary aggregate from the China clay works on the viability of demand for this product? • Their traffic assessment seems to imply they understand that no-one West of Buckfastleigh will seek IBA as a product - is the St Dennis incinerator landfilling their IBA or selling into the same market West of Buckfastleigh? • Is it understood that demand from Holland may in fact be a better solution for disposal of this product, as has been indicated by officers of MVV at public exhibitions? • Indeed could not a big ship in Devonport Docks could be a better, and more sustainable place to weather, and subsequently export this waste stream? 	4.3.7	
	<p>Is the applicant aware that Strode Road, the proposed access to site, is indeed a residential road?</p>	5.4.5	
	<ul style="list-style-type: none"> • Which independent third party has been consulted about the possibility of tree transplanting? • Is this viable and what are the limitations of this process? • Has the applicant ascertained from Teignbridge District Council if the trees proposed to be removed are subject to Preservation Orders? 	5.6.4	

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	<ul style="list-style-type: none"> Is the applicant aware that Dean Burn, the river they propose to discharge leachate containing toxic compounds into is a Protected Area for Economically Significant Freshwater Fish? Are they also aware that being a tributary to the River Dart, it is a source of drinking water to Torbay and Totnes? 	5.7.7	
	<ul style="list-style-type: none"> With reference to overall policy, the majority of people who will be impacted by the development live in Dartmoor National Park so why is there no reference to the Dartmoor National Park Authority's strategy and Local Plan? This would be the key document in relation to assessing the impact on the socioeconomic wellbeing of the community and what alternative proposals to the site could be better suited to local aspirations and employment opportunities as well as enhancing local economic benefit. 	6.2	
		Appendix 4 Transport Statement	
	<ul style="list-style-type: none"> Is the applicant aware of the history and controversy surrounding the 40mph limit on this road and are they prepared to help address it in order to help ameliorate residents' concerns of the dangers of this road? Where exactly was the average speed survey taken? Is this location truly representative of the risk of high speed traffic along the whole stretch of this road and the threat to pedestrian/cyclist safety? 	4.3	
	<ul style="list-style-type: none"> What other points regarding road safety have been raised by residents which cannot be picked up in a desktop study of statistics? Why were these points of concern not raised in this document? What mitigations have been proposed to address the concerns raised that have not been mentioned in this document? 	4.5.2	
	Where is the Highway Agency's Technical Note as it is not contained in Appendix 1 as indicated?	5.1	
	<ul style="list-style-type: none"> Can the applicant clarify that this statement means that for specific periods of time (weeks at a time), there is the possibility of 200 daily movements of lorries along Strode Road <i>in addition</i> to the regular site traffic? How has this threat of peak traffic been analysed in terms of congestion and risk 	5.5.7	

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	<p>to other road users?</p> <ul style="list-style-type: none"> Does the applicant recognise that average measurements of traffic distribution are irrelevant in this context, and peak traffic and the threat to particulate concentration and human health and well-being are relevant? 		
	<ul style="list-style-type: none"> Regarding the statement <i>"That assessment concludes that...the significance of impact on the B3380 will be 'Low/Moderate'...the impact in environmental terms will not be significant."</i> - can the applicant elaborate on why moderate significance can be translated in conclusion as <i>"not significant"</i>? Does this impact represent the worst case impact on the scale for something only denoted as of merely <i>"District Significance"</i>? i.e. the applicant's measurement scale means that unless a traffic increase were to be of national significance, they have already deemed it as insignificant - this seems a spurious argument. 	7.3	
	<p>Would modification of the junction to include a roundabout not be more appropriate in helping to slow and merge traffic, rather than eliminating the acceleration lane and creating two over-lapping right-turn lanes (as indicated in Figure 11.1) that will likely cause confusion and create dangerous blind spots? Is their proposal cheaper than the roundabout option?</p>	12	
		Planning Application Drawings	
	<p>The cross section drawings provided seem to relate the development in the best possible light and not truly representative of the visual impact. Can there be at least one additional cross-section drawing that is centred on the proposed weigh-bridge/turning circle location which would demonstrate the maximum viewable aspect of the site at a normal level within town. A cross-section somewhere between A-A and B-B, fully extended across town.</p>	PA10	
	<ul style="list-style-type: none"> The term <i>"inert C&D material"</i> is ambiguous - does this include processed IBA? If so, what are the likely proportions of the mix between C&D material coming through the MRF, and the IBA that will be stored in the void? Is it possible that IBA could eventually constitute close to 100% of what is eventually left in the void? 	PA11	
	<ul style="list-style-type: none"> Is it understood that the proposed area of quarrying could not be pursued in its own right unless further planning permission beyond the existing ROMP 	PA12	

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	<p>conditions was sought?</p> <ul style="list-style-type: none"> • Is it understood that quarrying of this rock outcrop was specifically precluded in earlier planning permission as this was deemed essential to maintain a barrier to town and the A38? • Is the applicant aware that the Mineral Local Plan explicitly declared that extension of quarry workings at the site is not viable? • Given the incredibly intrusive nature of removal of this rock and the fact that it is possibly the single most objectionable aspect of the proposals for various reasons, is it not possible that the site could be redesigned within the existing quarrying permissions in order to accommodate the site with little loss of functionality? 		
	What exactly is the purpose of the “ <i>emergency sump</i> ” in the quarry void leading from the IBA leachate lagoon?	PA16	
		Environmental Statement	
	Introduction	Chapter 1	
	<ul style="list-style-type: none"> • Where are guarantees or methodology that other hazardous building and demolition material such as asbestos will not be brought to site by third parties (guarantees that are currently lacking at site)? • Can it be confirmed that third parties will be allowed to bring waste to site on payment of a gate fee? • Can the applicant give an estimate as to what portions of the gate fee they believe represents operator value-added, and what portion represents access to a hole in the ground? 	1.3.7	
	Need more details of the methods of dust and noise suppression at the MRF.	1.3.10	
	<ul style="list-style-type: none"> • Is it understood that when the whole plateau is concreted over that will be deemed to have “<i>sterilised</i>” the mineral site? • What year is this possibly going to happen? • Would leaving the rock outcrop alone mean that the dolerite would survive longer as an unsterilised asset and could be quarried at a later date should an issue of unavoidable “<i>overriding national need</i>” override legitimate planning concerns? 	1.3.11	

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	<ul style="list-style-type: none"> Does the applicant accept that the proposed development does not demonstrate that <i>"it is in the public interest"</i> and certainly in no way could be regarded as of <i>"overriding national need...which cannot be reasonably met in some other way"</i> as is required for developments that impact such key locations by the National Park? 		
	Does the applicant appreciate the ambiguity in their claims that IBA is inert but that it will be kept on an impermeable concrete apron?	1.3.13	
	<ul style="list-style-type: none"> Can the applicant explain in much more detail how IBA brought to site would be defined as <i>"non-hazardous"</i> and weathers to meet some arbitrary (and questionable) proposed definition of <i>"inert"</i>? Where does the toxicity in the leachate go? Is it appropriate to discharge this leachate into a water course that is a Protected Area for Commercially Significant Freshwater Fish and otters? 	1.3.17	
	<ul style="list-style-type: none"> Can the applicant detail the tests to be undertaken on the raw IBA at the site in Devonport explaining their frequency and quite how the organic and non-organic toxicity will be <i>"managed"</i>? Would the need to exclude the possibility of hazardous material being transported to Buckfastleigh require testing of every single batch of waste given the heterogeneous nature of the UK waste stream? Can the applicant detail the experience they have had with the UK waste stream? Can they explain in detail how the UK waste stream differs greatly in content and is far more heterogeneous than the waste stream they are more familiar with in Germany whose recycling rates are significantly higher? Does the applicant accept that the community should have the right to appoint an independent tester who can access the IBA and seek to confirm its status and relative toxicity, and have the power to see IBA removed to landfill if it fails these tests? 	1.3.18	
	Surely the best screening for Buckfastleigh would be to leave the rock outcrop (proposed to be blasted) <i>in situ</i> ?	1.3.21	
	<ul style="list-style-type: none"> In relation the proposed blasting and the statement that <i>"Specific consideration has been given to the local residents of Buckfastleigh"</i> - could they expand on this in more detail as the residents do not believe this to be the case? 	1.3.23	

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	<ul style="list-style-type: none"> Is a compensation scheme in place should damage to property occur during blasting (as is feared)? 		
EIA legislation and general methodology		Ch 2	
	<ul style="list-style-type: none"> Why were South Hams District Council not a statutory consultee when Dean Prior, an area likely to be greatly affected by increased traffic flows is in the South Hams? Why was the Bat Conservation Trust not a statutory consultee given their role in protecting the largest population of Greater Horseshoe bats in Western Europe? 	2.4.5	
	<ul style="list-style-type: none"> We understand that Tamsin Wray, the URS/ScottWilson consultant responsible for the report is also representing the Devon Bat Group? This appears to be inherently a conflict of interest. Has this conflict of interest been declared and has anything been done to mitigate it? Is it not appropriate that a more arm's length independent third party group is involved in the bat monitoring and mitigation? 	Table 2.3	
	Please see Buckfastleigh Community Forum's correspondence with Devon County Council dated 12th August 2011 seeking a Health Impact Assessment.	2.4.13-2.4.16	
	<ul style="list-style-type: none"> Is it appropriate to use a "Significance Matrix" measuring the "Magnitude of Impact" which predefines even the worst impacts of "District Importance" on a scale that can only be moderate, low, or negligible? Is this not an attempt to re-write the planning law so that any impact which is only measurable at a local level is irrelevant? 	2.5.16	
	"Cumulative effects" in this instance should surely relate to developments that are going to impact increased traffic flows on the A38. This will include the proposed Devonport incinerator, the proposed New England Quarry incinerator, and the proposed New England Quarry landfill as much of the associated traffic will travel past Buckfastleigh on the A38.	2.5.24	
The need for the proposed development		Ch 3	
	If a Construction and Demolition waste MRF is proposed at Heathfield, is it not a material planning issue that it is ascertained how much capacity is available at this alternative site? Particularly when this site appears to have significantly more capacity. The fact that it is not in the applicant's control is surely a matter of commercial interest but indicates that there are alternative sites and solutions available.	3.4.26	

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	<p>The statement <i>“The maturation process of the IBA transforms an inert ‘waste’ into a viable ‘product’”</i> is misleading because it implies the IBA is inert when it arrives at site which it is certainly is not.</p>	3.5.1	
	<ul style="list-style-type: none"> • In relation to the statement re the MRF that <i>“The business is local and only waste from the local area will be sorted at this facility.”</i> Is this a guarantee of some sort that only local waste will be treated and not imported waste from miles away? • What are the proposed limits on importation of non-local waste? This is important given the Environment Agency’s recognition that all forms of waste disposal represent a form of threat to human health and the environment so restricting waste to only local waste is imperative in ensuring the mandated <i>“sustainability”</i> of the proposals. 	3.5.7	
	<p>The previous application stated that Dolerite was not viable for extraction as it does not meet DoT standards. What has changed?</p>	3.6	
	<p><i>“The change in state from waste to product has been confirmed by the Environment Agency (EA).”</i> This statement appears wholly premature and misleading and this whole area needs more clarification:</p> <ul style="list-style-type: none"> • How can this be the case before the incinerator has even been built? • Is the applicant aware that the Environment Agency has erred before by declaring a product as being inert that later turned out to be highly toxic? <ul style="list-style-type: none"> ○ e.g. Byker? ○ e.g. Tesco Gerrards Cross/Amersham? ○ Is it the understanding of the applicant that as soon as the Environment Agency have <i>“signed off”</i> on the waste, they no longer have any jurisdiction over it? ○ Would any authority have jurisdiction over it? ○ What confidence can the public have in this regime? • Surely the protocols for IBA rely on testing of the waste material, not a predefined definition that it will be inert? • As at 7th August 2011 the Environment Agency’s official position was: <i>“Processed Incinerator bottom ash (processed IBA) can be used to create aggregates. These are useful in construction, for example as hardcore and fill material. Through the Waste Protocols Project we are in the process of gathering evidence on standards the material meets, markets it may be able to exploit, and most importantly any potential impacts on human health and the environment. The aim is to establish whether the waste can be considered to be fully recovered and used as a quality product.”</i> 	3.7.1	

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	<p>http://www.environment-agency.gov.uk/business/topics/waste/114416.aspx</p> <ul style="list-style-type: none"> • Why is the applicant so confident in the outcome that they feel they can pre-empt it? • Is this merely a whitewash facilitated by industry lobbying? 		
	<ul style="list-style-type: none"> • What is the estimated quantity of residual household waste in the SWDWP area in 2014/15 and how does this relate to the capacity of the proposed Devonport incinerator? • What proportion of the incinerated waste will be Commercial & Industrial waste in 2014/15 paid for by third party gate fees? • What proportion is likely to come from outside Devon? 	3.7.4	
	<ul style="list-style-type: none"> • If the assumption is that long-term “sustainability” in the UK is zero growth and zero waste, does the applicant believe that they will be able to source 250ktpa of waste by the end of the contract? • Given the business model and presumably the tax-payers’ best interests (although the information not in the public domain) is reliant on a waste driven power station, would they import waste from abroad in order to maintain their burn rates if they fail to find UK waste? • Do they understand why that would be unsustainable? • Does the applicant accept that their home market of Germany has become the largest importer of foreign waste in order to feed the overcapacity they have created in the incineration market? • Is this not a danger in Devon? • Could these questions be better answered in a full and open public enquiry into the proposed development at Devonport Docks? 	3.7.5	
	Land use - the site and surrounding area	Ch 4	
	At what point would the quarry be regarded as sterilised?	4.2.9	
	The statement “ <i>The proposed development, whilst within the official SSSI boundary will not impact upon the cave system</i> ” needs detailed clarification as disturbance of the water table could certainly cause the water level within the caves to change threatening the ecology of the cave system.	4.2.14	
	Alternatives to the proposed development	Ch 5	
	<ul style="list-style-type: none"> • Surely the alternative for SGDL is not to send their waste to landfill but to send it 	5.2.2	

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	<p>to another MRF facility such as that proposed at Heathfield which would mean they could still achieve national objectives, just at some other operator's site?</p> <ul style="list-style-type: none"> • What are they currently doing with their waste? 		
	<p>Landfilling IBA is not the only alternative. As identified in the planning application for the Devonport incinerator MVV have several alternative sites for processing IBA which are already up and running and licensed. Holland has also been recognised as a final market for the product.</p>	5.2.5	
	<p>Is the applicant aware that SGDL took over a lease on a greenfield site and have (the community believe) groomed the site through a ROMP (specifically relating to commercial quarrying) in order to process waste?</p>	5.3.11	
	<p>Have MVV revisited the Challonsleigh site as we understand they are ready and licensed to process IBA there?</p>	5.3.31	
	<ul style="list-style-type: none"> • Does the applicant consider "good access" to the A38 to include driving one mile along residential streets that are a tourist route in the National Park that are to become a designated National Cycle Route? • The visual screening to town is going to be removed according to the plans so how does this still apply? • Does the applicant realise the site was greenfield in 2008? • Does the applicant realise that noise pollution to the town will be exacerbated by the back wall of the quarry that acts as an acoustic mirror, especially when the rock outcrop is removed? 	5.3.47	
	<p>Is there a specific reason the community were not consulted on the initial design phase of the site?</p>	5.4.1	
Description of the proposed Development		Ch 6	
	<ul style="list-style-type: none"> • Would the applicant like to rephrase the statement "The primary purpose of the EfW CHP facility is to manage the waste from the southwest Devon and surrounding area that cannot be recycled, reused or composted" [our emphasis] to confirm that much of the waste actually can be recycled, reused or composted if it was sorted to a standard similar to the facilities they operate in Germany? This statement appears to be highly misleading and represents a material planning issue should they claim the proposed development is "sustainable". • Can they confirm that should further proposed legislation be passed in the UK in 	6.1.2	

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	<p>order to move closer to zero waste that they may in fact be required by law to remove such waste before incinerating as these wastes can be utilised higher up the pyramid of the waste hierarchy?</p> <ul style="list-style-type: none"> • Does the applicant accept that a totally un-scaleable 25 year development could be perceived by some as unsustainable and contrary to the Waste Strategy? • Does their contract with SWDWP explicitly preclude adding material previously sorted for recycling to be incinerated (unlike in their home market of Germany where recycled plastic is routinely incinerated in order to maintain burn rates)? • Can they confirm what one could understand from the statement <i>“The remaining processing capacity will be used to process combustible Commercial and Industrial (C&I) waste from local markets”</i>, that they are contractually obliged to only burn locally sourced waste? This would enable residents to better comprehend that the recognised health and environmental impacts they will be subjected to are only from locally sourced waste and his more capable of being described as <i>“sustainable”</i>. • Is there a legal definition of the term <i>“combustible”</i> in this context? e.g. is food waste regarded as combustible? Are tin cans regarded as combustible? Are batteries regarded as combustible? • Can the applicant be very specific and detailed to confirm that NO waste that could possibly have any form of radioactive contamination whatsoever from the Dockyard or beyond would EVER be incinerated in the proposed incinerator at Devonport (disregarding the recognised potential for a localised contamination event in the dockyard to be sucked up through the incinerator chimney in the negative pressure environment and spreading the fallout over all of South Devon, which of course would be out of the applicant’s control)? 		
	<p>More details are needed on the MRF noise and dust suppression.</p>	<p>6.2.15</p>	
	<p>More details are needed on the typical chemical compounds and elements present in IBA - especially IBA that is produced from largely unsorted UK waste streams, not highly-sorted German waste streams.</p>	<p>6.2.45</p>	
	<p><i>“other inert C&D materials brought in from other contractors”</i> contradicts earlier statement. Will this just be local or from anywhere?</p>	<p>6.2.50</p>	
	<p>How many trees have TPOs? Why are the trees capable of being removed on the rock outcrop but not capable of being surveyed? There are many old, indigenous trees on this</p>	<p>6.2.59</p>	

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	rock outcrop.		
	<ul style="list-style-type: none"> Regarding discharge of the leachate into Dean Burn - what exactly is the likely type and proportions of the various ecotoxins poisonous to the aquatic environment (such as zinc oxide) that may be expected to be in this leachate? Are these toxins also a risk to human health and the drinking water supplies of Totnes and Torbay? Is the reason that otters are ignored in the chapter on ecology because the assumption is that if they are not there now, they certainly will not be coming back if the environment is toxic? Will residents be informed when discharge is to take place? Is there a fine for discharge that is substantial enough to act as a deterrent? Would the applicant consider as part of a Section 106 Obligation a significant payment to a community fund every time a discharge is made? 	6.2.62	
	Comments on Chapter 7 of the ES on Ecology will be made in a separate submission.	Ch 7	
	Landscape and visual	Ch 8	
	On the basis of the statement <i>“good design minimises landscape and visual intrusion”</i> has the applicant actually explored the option of not fully removing the rock outcrop? If not why not?	8.2.1	
	There is an understanding in the locality that Dart Bridge is actually a scheduled ancient monument - is this incorrect?	8.2.6	
	<ul style="list-style-type: none"> Is the applicant also aware that the Devon Minerals Local Plan also explicitly states that <i>“There is no potential for an extension to the working at Whitecleaves Quarry. The site’s proximity to Buckfastleigh and the A38 make it an extremely intrusive element in the local landscape”</i>? Why do they disagree with this assessment? 	8.2.19	
	<p>In relation to permissibility of development:</p> <ul style="list-style-type: none"> Does the applicant understand that as far as the community are concerned they have signally failed to adequately assess all the impacts of the proposed development? Does the applicant accept that their perceived <i>“overriding need”</i> could be met by other solutions which although may not be commercially acceptable to the applicant, are reasonable, acceptable in planning law, and more acceptable to 	8.2.23	

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	<p>the community who will bear the brunt of the harm caused?</p> <ul style="list-style-type: none"> • Is the applicant aware of the comprehensive and ongoing campaign by many well-informed residents of South Devon to demonstrate that there clearly are more reasonable and less damaging solutions available than the applicant's proposals although the applicant does not offer these solutions as part of their corporate offering? • Does the applicant understand that mitigation attempts on the sustainability of Greater Horseshoe bats have to go beyond "<i>satisfactory</i>" and, based on the precautionary principle, in European law must be "<i>guaranteed</i>"? 		
	In accordance with Policy C10 Would the applicant be willing to finance as part of their obligations significant external landscaping to the area around the site entrance which would create a far more pleasing and safe environment for the community?	8.2.30	
	Re Policy C17, can the applicant explain in specific detail why they believe the development demonstrates it has met these criteria as it is not apparent at all to the community that the development has either: (a) no alternative solution or (b) serves an identifiable imperative of overriding public interest, especially in light of the international significance of this site.	8.2.32	
	With reference to Structure Plan policy CO4 requiring a limited visual impact, does the applicant understand why the community feels this cannot be achieved according to the design of the application as it stands?	8.2.34	
	Does the applicant not accept that the visual impact of the removal of the rock outcrop will be most apparent in spring and summer when the greenery of mature deciduous trees on the outcrop will be far more discernible against the greys and browns of the rock face behind?	8.3.19	
	Despite an immense structure of statistical analysis, and the applicant admitting that " <i>professional judgement</i> " is involved, do they not accept that an independent third party survey of public attitudes towards the visual impact of the site would at least more fully inform what is primarily a desktop study? Is community involvement not a material planning issue?	8.3.23	
	This apparently comprehensive tree survey was only partially completed. The vast majority of trees that will be removed as part of the development (especially old, native species) have not been individually surveyed, apparently due to Health & Safety	8.5.25 & Appendix 8.4	

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	concerns. Please explain how these are able to be removed but not surveyed?		
	<ul style="list-style-type: none"> • Why was the local community not consulted on the location of visual viewpoints? • Does the applicant not understand that the visual impact will be just as great in the more touristed summer months, especially from walking sites in the National Park? This seems deeply deceptive, and not indicative of the true visual impact. • Despite the time taken to produce the photographs, only producing photographs in late winter is not acceptable, there need to be photographs taken in summer months in order to demonstrate the distinct contrast between the greys/browns of the quarry (and its new concrete pad and buildings) against the deep greens of the surrounding trees and countryside? • Some of the locations chosen and photographic techniques used (e.g. Viewpoint 6, blurred quarry with focus on foreground), with a deliberate choice of positions with screening immediately in front of the view is quite insulting to the community's intelligence and could well be construed as manipulative. <ul style="list-style-type: none"> ○ As Figure 8.3.1 demonstrates, the rock outcrop is visible from almost anywhere in and around town, including the A38 the main tourist artery. ○ 8.3.2 demonstrates the MRF is also visible to many areas in and around town. ○ 8.3.3 demonstrates that the large concrete plinth and IBA processing area will be clearly visible to large areas both within town and on the rural Western fringe of town (the limited study area fails to demonstrate the wider impact within the National Park). 	8.5.29 and Figures 8.3.1 to 8.7.14.1	
	The subjective interpretations of visual impact should be open to challenge by the community in further consultation, with independent third party verification.	8.5.31 - 8.5.45	
	Why was the community not consulted at this stage of the development? Does the applicant think that involvement at this early stage could have encouraged participation and buy-in?	8.6.4	
	The following statement appears to be ignored/underplayed/denied elsewhere in the report and we would like to see this statement more fully explored: <i>“the completed development would continue to indirectly influence the character of the areas close to the site in terms of a reduction of relative and perceived tranquillity; due to the removal of the stone outcrop, which forms an effective noise buffer to works inside the quarry bowl”.</i>	8.7.10	

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	This statement needs clarification: <i>"The existing planning permission allows for this stone outcrop to be removed and therefore this adverse effect has already been permitted"</i> . Removal of this rock spur was specifically precluded in earlier planning, and it is not clear that this restriction has been removed and is often referred to in the report as <i>"outside the current planning consent."</i>	8.7.19	
	The conclusion is unsatisfactory: <i>"The key residual effect is the removal of the wooded stone outcrop, this will increase the area of exposed quarry face for the majority of receptors ... The quarry face however is not uncommon or uncharacteristic for this area of countryside and the study area."</i> Because the statement fails to acknowledge the fact that the concrete plinth surrounded by a concrete wall, numerous 8m high stockpiles of material, concrete storage bunkers, a 10m high building and various machinery and equipment (all of which will be clearly visible from outside the site) are certainly NOT common sights in the National Park.	8.8.1	
	<i>The statement "...by the existing"</i> makes no sense. <i>"minimal visual impact"</i> could clearly be further reduced by not removing the rock outcrop in its entirety.	8.9.3	
	This whole paragraph is at best subjective, inconsistent with the evidence produced and in some parts blatantly contradicts earlier statements.	8.9.4	
	This is unsubstantiated.	8.9.5	
	This subjective opinion based on <i>"professional judgement"</i> paid for by the applicant is in direct contradiction with the views of the local community and demonstrates a failure to adequately consult.	8.9.8	
	Contamination - land and water quality	Ch 9	
	The applicant fails to disclose that the Environment Agency stated that the <i>"scoping report may need to include an assessment of aquatic ecology if it proposed to infill a quarry lagoon."</i> The Environment Agency had not been made aware that the quarry lagoon had already been drained and infilled. The report notes that the quarry water had been controlled into a small pond where its green tint was due to cement dust (which is toxic).	9.2.12	
	The report fails to note that the site was declared to be considered a greenfield site in the 2008 planning report.	9.4.12	
	The report fails to note the status of Dean Burn as a Protected Area for Economically Significant Freshwater Fish.	9.4.16	
	The report fails to acknowledge that Totnes and Torbay take their drinking water from	9.4.18	

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	the River Dart at Littlehempston downriver from the site.		
	As the site has a history of significant pollution incidents in discharges to Dean Burn (as recorded in Table 9.11) does this have a bearing on the application?	9.4.31	
	This risk could be more closely identified as part of a comprehensive Health Impact Assessment.	9.5.6	
	Is there an existing example of the site's "Response Planning" to pollution incidents according to PPG21?	9.6.2	
	Given the risk to the aquatic environment is identified as "high", are there further details of mitigation and additionally what disincentives are in place for damage to the aquatic environment.	9.8.8	
	Can there be more detail on "industry standard" mitigations to lessen the risk to Dean Burn?	9.8.12	
	"The risk from contaminated dusts (including any derived from the processing of IBA) will be controlled with good working practices such as dust control measures (dampening) and the appropriate use of PPE during construction and decommissioning works." This needs further detail to give any confidence to the public that dust mitigation is taken seriously.	9.9.13	
	The conclusion that "the proposed development will not pose an increased risk to human health or the environment" is again subjective and not consistent with evidence presented. A Health Impact Assessment could perhaps shed more light on these issues.	9.10.1	
	Groundwater and hydrology	Ch 10	
	Could more information be provided in simple terms on where exactly the rainfall data is derived from and the relevance for Buckfastleigh given the highly diverse micro-climate conditions in the South Dartmoor area?	10.3.3	
	<ul style="list-style-type: none"> Is it safe to assume the rainwater collected in the quarry void historically (and going forward) is clean rainwater? Would it not pick up contaminants within the quarry such as cement dust and various elements such as barium and arsenic released from the previous quarrying operations? 	10.4.3	
	This statement clearly needs expanding on: "Such dewatering, if there were to be a connection would effectively drain not only the quarry but also the Potter's Wood area though there is no evidence of this." This surely means there is a significant unidentified or unquantified risk to the bat population and the cave shrimp (Niphargellus glenniei)	10.4.12	

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	poulation in Potter's Wood caves?		
	<ul style="list-style-type: none"> Regarding the statement "permitted a discharge to Dean Burn at a rate of up to 45 l/s and with a limit of 3888 m3 in any period of 24 hours." Is there a history of discharges made since 2008 under this license? How is this limit monitored as there is a feeling in the community that this has not been monitored properly, or discharges communicated effectively? Discharge of 45 litres per second seems excessive into a water course the size of Dean Burn, especially given the potentially toxic nature of discharge. 	10.4.13	
	<ul style="list-style-type: none"> Does the applicant acknowledge that declaring a substance as inert does not mean there is "no contaminants", but only a theoretical level of contaminants that has been declared as low in theoretical and specific context? The possibility for accumulation and concentration in water is therefore still present and potentially risks ecology. Is the applicant aware that one of the key arguments the SWDWP use against landfills (and in favour of mass burn incineration) as a means of waste disposal is the threat of toxic leachate into water courses and aquifers? (Source: South West Devon Waste Partnership <i>An evaluation of the environment and health impacts of residual waste treatments</i>) 	10.5.5	
	"This lagoon would allow control and settlement of the surface water runoff and any potential contaminants contained within." Can we have more specific detail on what contaminants are likely to be present?	10.5.8	
	<ul style="list-style-type: none"> Surely "greenfield rates of runoff" (of clean water) is totally unacceptable with regards to runoff of leachate containing toxins? Is the intention to store perimeter ditch water with lagoon water in order to dilute the toxins? 	10.5.11	
	<ul style="list-style-type: none"> Does this mean that in extreme rainfall, the IBA leachate will be discharged into the quarry void? Would that not invalidate the "inert" status of the quarry storage? 	10.5.14	
	<ul style="list-style-type: none"> Is it proposed that the settlement of proposed contaminants in the lagoon will be removed and tanked away to hazardous landfill? Will this lagoon be regularly tested for contaminants and toxins? 	10.5.16	
	Is this statement to mean that there is categorically no impact on the hydrology of	10.6.2	

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	Buckfastleigh Caves SSSI?		
	<i>"Dewatering of the quarry could lower the water level within Potters Wood by up to 20 m if there is a major conduit/fissure system that is intercepted by the quarry."</i> Where is the precautionary principle in protecting the bats here? This statement seems to suggest that it is possible that significant harm and damage has already been done to Potters Wood SSSI. The chart in Figure 10.5 suggests this may indeed be true.	10.6.4	
	<i>"The overall impact of the scheme on the subsurface environment for bats in the SSSI is considered to be minimal."</i> This statement appears to be totally unsubstantiated, especially in context with Figure 10.5 and especially in relation to the precautionary principle and European Regulations which require guarantees for bat colony preservation. We were led to believe by Devon Bat Group that a hydrological study was being undertaken <i>inside</i> Potter's Wood Caves - was this study undertaken and if so, are there any results from this study that have not been made available in the Environmental Statement?	10.6.5	
	Can the applicant give examples of the potential pollutants that could risk being released into the aquifer?	10.6.6	
	<i>"The information as to the nature of the other materials to be handled on site indicates that they are non-polluting."</i> Please back up this statement with some evidence.	10.7.2	
	Is there currently an oil interceptor on site as there have been reports of hydrocarbon contamination in Dean Burn that seem to originate from the quarry?	10.7.3	
	Where is the output from controlled dredging of the lagoon going to be disposed of, given its likely high concentrations of ecotoxins?	10.7.4	
	As previously noted, this conclusion appears to be based on a subjective and convenient assumption and not on any demonstrable fact.	10.9.2 & 10.9.3	
	Traffic and transport	Ch 11	
	Does the applicant accept that this opening statement on traffic volumes is misleading for several reasons: <ul style="list-style-type: none"> • There are significantly more houses and residents now living in Buckfastleigh than when large scale quarrying ceased. • Lifestyle expectations, concepts of amenity, and legally established protection of rights in terms of health and wellbeing are more significant and comprehensive now than they were when quarrying stopped. • The limits of quarrying potential (as recognised numerous times in the Mineral 	11.1.1	

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	Local Plan) suggest the residents can have a legitimate expectation that the quarry was “winding down” its activities due to the limited reserves and difficulty in quarrying under existing permissions.		
	Surely this represents a broad and generalised guidance on pedestrian crossings and fails to take into account site specific measures including traffic speed and width of road, as well as proximity of crossing points to junctions and bends? This in no way negates the need for a pedestrian crossing. We note the applicant has indicated their proposal to put a traffic island for pedestrians crossing the road to enter Whitecleave Quarry.	11.3.17	
	Why was the community not consulted?	11.3.6	
	The applicant states that the effects reflect mitigation measures put in place, but they are not putting in place any mitigation measures.	11.3.7	
	The applicant is using a very narrowly defined set of criteria which makes it practically impossible to determine a “significant impact”. The results have been determined before the evidence is even presented by creating such a narrow frame of reference.	11.3.8	
	The applicant seems to show no acknowledgement of the recognised concept of cusp-catastrophe theory in road networks where small incremental changes in traffic flow can have significant detrimental impact. Whether this is true in relation to specific traffic situations, or the impact on the amenity of the community, it should be considered.	11.3.9	
	Using a central lane for right turning vehicles is likely to increase risks at the junction due to eliminating the natural traffic slowing process of turning traffic, and creating blind-spots for traffic emerging from Plymouth Road. Has an independent third party consultant been sought for advice on road layout?	11.4.2	
	As previously noted, the speed survey is completely inadequate. More measurement locations are needed in consultation with the local community, and minimum and maximum speeds should also be shown as the data is incomplete and probably misleading, even allowing for the fact that the measurements were taken in an acceleration/braking zone.	11.4.3	
	The applicant seems to be unaware of the misleading use of the term “collisions”, in that it relates only to reported collisions where a police presence was required and there was a reported injury. They have not attempted to collate any data on other collisions. The generally one dimensional desktop analysis does nothing to allay concerns of residents that their amenity and health and wellbeing (either perceived or actual) will be severely impacted due to the increases in traffic.	11.4.26	

	<p>These arguments are absurd. Why is the fact that the B3380 used to be the A38 40 years ago deemed to be relevant?</p> <ul style="list-style-type: none"> • More people live here, more people use the road, more tourists use this route, more cyclists and pedestrians use the route for recreation, more houses have been built along this route (and south of the road), the town’s major tourist attraction is separated from the town centre by this road, more legislation is in place to protect the health, wellbeing and amenity of people in the area. Those are the relevant facts that need to be addressed. • The conclusion that no mitigation is required is contemptuous of the community and cannot possibly be reached by any sense of objective assessment unless a thorough consultation on the specific problems the community experiences with this road are researched on the ground in a thorough and legitimate consultation process. • Will this increase have a detrimental impact on road users and the community? Absolutely, unequivocally yes. If the right questions are asked the answers will be given. • According to the footnotes provided according to the IEA guidelines, severance is <i>“the perceived division that can occur within a community when it becomes separated by a major traffic artery. The term is used to describe a complex series of factors that separate people from places and other people. Severance may result from the difficulty of crossing a heavily trafficked road or a physical barrier created by the road itself. It can also relate to quite minor traffic flows if they impede pedestrian access to essential facilities. Severance effects could equally be applied to residents, motorists or pedestrians.”</i> These “complex factors” have been totally ignored by the applicant. • Also in their footnotes, according to the IEA guidelines, pedestrian amenity <i>“can be broadly defined as the relative pleasantness of a journey, and is considered to be affected by traffic flow, traffic composition and pavement width / separation from traffic.”</i> Again, none of this has been analysed by the applicant, but is a genuine and legitimate concern, a material planning consideration, and one which could potentially be mitigated if the applicant was willing to engage with the community. • All these factors could be addressed within a detailed Health Impact Assessment. 	11.5.1	
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	<p>The projections of volume of daily traffic movement appear to have gone up and down according to whatever has suited the applicant to ensure their projections are below what was the previous level of site activity at the quarry. This appears to be specifically in order to avoid being required to undertake a full traffic emissions survey which the community would dearly like to see undertaken given the incidence of respiratory problems in town. A Health Impact Assessment may be able to clarify this situation. Would the applicant make a commitment to using electric vehicles or vehicles using bio-diesel in order to mitigate the negative health impacts of their lorries and be more consistent with the objectives of sustainable development?</p>	11.6.2 & Table 11.9	
	<p>Peak traffic (which may be around 250 movements a day) for the proposed development would appear to be significantly higher than that of the previous use as a quarry due to the nature of demand for the product stored on site.</p>	11.6.3	
	<ul style="list-style-type: none"> • Does this mean that existing employment at site is currently 100% from outside Buckfastleigh? • What are the reasons for believing this would change if the application is approved? 	11.6.12	
	<ul style="list-style-type: none"> • Is there proposed to be some traffic planning system whereby HGVs are directed along a certain route? • How closely will the vehicles be monitored for respecting speed limits and the rules of the road? • Is there proposed to be a system in place to report incidents of bad driving? • Additionally, will there be assurance of the quality and roadworthiness/emission limits of vehicles as anecdotal evidence suggests the HGVs currently visiting the site reflect none of the above. 	11.6.13	
	<p>It is not clear that the total number of HGV movements actually only add up to the claimed 86 average per day. There appear to be a lot more.</p>	11.6.14 & 11.6.15 and tables 11.11 & 11.12	
	<p>The applicant is using a very narrow definition of what is deemed to be a significant impact. By the definition they are using it is practically impossible to have a significant impact on the local road network.</p>	11.6.27	
	<p>Can the applicant explain under what logic or legal obligation it is that the single pedestrian change they are proposing is to put a traffic island outside the Whitecleave</p>	Figure 11.3	

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	Quarry site to enable pedestrians to more safely enter their site?		
	Air quality	Ch 12	
	The areas of dust impact appear to be arbitrarily spaced with no account for the likely impact of wind dispersion or topography and imply all dust impacts will fall within a narrow boundary which is both logically and empirically a flawed assumption.	Figure 12.1	
	<ul style="list-style-type: none"> All the dust deposits that the applicant recognises will be found on clothing, personal articles (including one presumes gardens, people's mucous membranes, lung-linings, vegetables etc.) is deemed as "nuisance dust" and suggest this is of low significance. Can they explain the legal definition of the word "nuisance" and quantify the nuisance factor? Would nuisance be deemed to negatively impact health, wellbeing and amenity and hence make this a material planning issue? Could this dust actually create or exacerbate health conditions for especially for young and old residents of Buckfastleigh, with particular regard to asthma, silicosis or Chronic Obstructive Pulmonary Disease? Could all this be better answered in a Health Impact Assessment? Is the applicant aware that one of the arguments the SWDWP (their prospective employers) used against the idea of a wider use of composting as a method of waste disposal was that composting creates dust, and as such locations need to be at least 250m from the nearest housing, hence it is difficult to locate sites and get planning or get environmental permits? (Source: South West Devon Waste Partnership <i>An evaluation of the environment and health impacts of residual waste treatments</i>) 	Appendix 12.1	
	Anecdotaly the air quality in Buckfastleigh is very bad, and a Health Impact Assessment may actually vindicate the view in town that road traffic particulate emissions are contributing to the level or respiratory illness. It is not clear why the applicant is so keen to avoid an assessment of air quality. Does the applicant not believe that Teignbridge District Council should instigate an Air Quality Management area and that new legislation based on Sustainability would impel a full emissions survey when a new waste site is proposed?	12.1.8	
	Has the local authority taken action under Part III of the Environmental Protection Act to investigate or take action against the quarry operators in the past in relation to dust deposition? Does the applicant believe the local authority clearly have the resources to	12.2.3	

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	do this as the community are not convinced that they do?		
	This could be addressed better with a Health Impact Assessment	12.2.5	
	Would the applicant consider a planning obligation to finance the establishment of a comprehensive Air Quality Management Area (AQMA) should the proposals be permitted?	12.2.7	
	With regard to Local Plan, Policy ENV9 and the statement <i>“Development will not be permitted where it would result in demonstrable harm being caused to it or the amenity of nearby developments (existing or proposed), land uses, landscape or nature conservation interests by virtue of the release of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit, heat or other pollutants to any medium (land, air or water).”</i> Given that the community believe this is the case, how can this be demonstrated if the relevant studies are not undertaken? Is the onus not on the applicant to demonstrate that it does <i>not</i> cause the above described harm?	12.2.9	
	Does the applicant realise that the statement <i>“residents can potentially be affected by dust up to 1 km from the source”</i> would include most of the town of Buckfastleigh and contradicts their earlier statements?	12.3.5	
	<ul style="list-style-type: none"> • Where is the evidence that PM10s and PM2.5s are less likely to be present at mineral sites? • <i>“In general dust emissions associated with mineral extraction and waste management operations rarely represent an adverse risk to human health”</i> - are the applicants not familiar with the respiratory illnesses silicosis or pneumoconiosis? Do they realise they are contradicting Environment Agency guidelines with this statement? 	12.3.6	
	Is the applicant aware that the main town centre is downwind of the site on the prevailing wind?	12.3.9	
	Does this paragraph suggest that: <ul style="list-style-type: none"> • the lives of at least 23 households will be blighted by the dust generating activity on site? • and 3 households will likely experience significant negative health consequences? 	12.3.13	
	<ul style="list-style-type: none"> • What are the proposals to monitor fugitive dust? • What are the financial disincentives in order to reduce the likelihood of fugitive 	12.3.14	

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	dust? <ul style="list-style-type: none"> What are the procedures for reporting and taking immediate action? 		
	What exactly is this paragraph trying to say in English? That detrimental effects on amenity are to be expected and the developer will make it difficult to bring legally justified complaints?	12.3.16	
	Need more detailed information on what information has been collected about air quality in Buckfastleigh.	12.4.6	
	Given the large increases in HGV traffic proposed on the A38 and driving through town, in a valley location where air does not disperse effectively, combined with the knowledge that waste facilities do present a risk to health and the environment (the Environment Agency's official view), surely a new waste facility being developed creates an onus for air quality to be monitored more comprehensively in Buckfastleigh in order to fulfil the objectives of Devon's Waste Strategy that there should be no negative changes in relative health and deprivation in an area?	12.4.7	
	<ul style="list-style-type: none"> Can the full data table or chart be made available? Are annual averages the correct measure given the seasonal nature of pollutants? Should peak pollution not be the relevant statistic? Surely according to National Air Quality Objectives (Table 12.1) 24-hour averages should be considered? 	12.4.9	
	As above, and why is data only available to 2008?	Table 12.4	
	Can the applicant explain further why the sampling period February to October is not a full 12 months and accept that wind speeds are likely to be higher in winter?	12.4.16	
	As above.	12.4.17	
	These assumptions are not necessarily true and the wind would potentially be higher in the excluded months.	12.4.24	
	Does the applicant believe that the dominant source of particulate pollution is traffic either primarily or secondarily through air disturbance? What are " <i>residual and salt sources</i> " of particulate pollution?	12.4.27	
	Would the applicant extend their commitment to dust suppression to the public road system outside the site through regular watering and cleaning if planning permission is granted?	12.4.33	

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	Does the applicant understand that people have simply given up complaining as it appears nothing is ever done to address complaints, indeed with lack of resources to monitor at least once being given as a reason?	12.4.34	
	<ul style="list-style-type: none"> The applicant signally fails to note the restrictions currently in place on site regarding importation of waste <i>"In the interest of local amenity and to prevent the unnecessary increase in traffic attracted to the site"</i> What evidence is there that these schemes are being implemented and policed? 	12.5.1	
	A detailed submission of the <i>"Dust complaints response system"</i> should be made before planning is considered.	12.5.6	
	<ul style="list-style-type: none"> <i>"The deposited material would be composed of mineral dust and soil particles and would not pose a threat to human health."</i> Can this be substantiated? Can we have more specific details of what exactly the dust is likely to be comprised as we are led to believe that barium and arsenic are likely to be present along with other silicates? 	12.6.21	
	<ul style="list-style-type: none"> <i>"it is assumed that any risk of significant dust soiling effects is limited to receptors within 100 m of the site boundary"</i> - this appears to be a convenient and completely unjustified assumption, contradicted by other statements they have made. Were local people questioned about the history of the dust <i>"nuisance"</i> factor of the town, and if so, why have the results not been presented in this report? 	12.6.22 & 12.6.23	
	<ul style="list-style-type: none"> Based on historical experience, what evidence can be presented to encourage the community to believe that this site will indeed be <i>"well managed"</i>? Can the applicant provide details of how this will be enforced? 	12.9.2	
	<i>"Any deposits of this kind can be washed off the surface, making any impact reversible."</i> Notwithstanding health impacts that have been assumed away, as the applicant's business will be responsible, will they be prepared as part of any planning obligation to pay for cleaners to operate across town for streets and property such as cars and windows?	12.9.4	
	Noise and vibration	Ch 13	
	Why was the community not consulted?	13.1.2	
	<ul style="list-style-type: none"> Was the current activity of <i>"stockpiling of materials"</i> not explicitly banned under the existing 2002 ROMP Restrictions 2 & 3? See the existing restrictions: 	13.1.4	

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	<ul style="list-style-type: none"> ○ <i>"No materials for the purpose of storage, processing or resale shall be imported into the site"</i> ○ <i>"No refuse, waste or other imported materials shall be deposited on any part of the Mineral Site".</i> 		
	<ul style="list-style-type: none"> ● Does the applicant understand that the proposed working hours of 07:00 to 19:00 Monday to Friday are regarded as excessive and a significant threat to the amenity in the community which has many retired people and young families who are in the town all day? ● Does the applicant believe the community would be justified in requesting their council tax bills be reduced if the area is essentially turned into an industrial zone? 	13.1.12	
	<ul style="list-style-type: none"> ● Will the applicant acknowledge that the community believe there has been a catastrophic failure of consultation and communication historically on the site with respect to monitoring, compliance and enforcement of guidelines relating to health, environmental and amenity disturbances and hence the community has little confidence that they are indeed protected by the laws and regulations quoted? ● Does the applicant expect to provide certain details and guarantees of procedures for complaint and restitution in order to gain planning permission? 	13.2.1 to 13.2.3	
	Why were the community not consulted?	13.2.13	
	<ul style="list-style-type: none"> ● Is it reasonable to assume that any damage to property caused by blasting would have meant that ground vibration limits have been exceeded and hence compensation will be payable? ● Will the applicant place measuring equipment in properties deemed to be at risk? 	13.2.19	
	Why was noise monitoring not also carried out further away from the site as it is well recognised in town (and acknowledged in the report) that the rear quarry wall acts as a sound mirror and reflects noise deeper into town than where the monitoring stations were placed? Indeed the generally lower background noise on the far side of town means workings at the quarry are likely to have a <i>higher</i> perceived impact further away from the site.	13.3.1	
	Have the noise levels been calculated and compared using a model of the site both before the rock outcrop has been blasted, and the impact of removal of this rock outcrop	13.3.24	

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	as it is regarded within the existing permissions as both a blast barrier, and a sound and dust shield?		
	<p><i>“Outside of the ‘rush hour’ periods existing traffic flows are lower, therefore the impact of the development traffic, in particular HGV traffic, will be at its greatest.”</i> This desktop assumption is not borne out in practical experience. These working models are based on an assumption of a continual white noise type interpretation of the sound - the practical disturbance is much greater, especially on houses located near to the road. The presence of HGVs is definitely NOT <i>“imperceptible”</i>. The negative health impacts of road noise are clearly documented and this will merely add to an already high burden of road noise that is completely unmitigated in Buckfastleigh. Does the applicant have data that demonstrates the noise of an HGV at various speeds, at varying distances - as we believe that an HGV travelling with several metres can generate 95db or more of noise? A comprehensive Health Impact Assessment would be able to investigate the threat of traffic noise much more realistically.</p>	13.3.31 to - 13.3.33	
	<ul style="list-style-type: none"> • The results clearly demonstrate that various locations in Buckfastleigh are being subjected not just to high ambient levels of road noise, but to maximum road noise levels well beyond anything that could be construed as within normal bounds for a safe and healthy living environment. Several studies have demonstrated a link between traffic noise and ill health. • A study undertaken in Sweden in 2006 (<i>Road traffic noise in southern Sweden and its relation to annoyance, disturbance of daily activities and health</i>, Björk et al) concluded <i>“exposure to road traffic noise at high levels was common in the study population, and it produced frequent annoyance and disturbances of daily activities. Associations between road traffic noise and negative health effects were observed among the annoyed participants and in other important subgroups.”</i> (According to research at Queen Mary College London, <i>“Annoyance”</i> is considered a stress response to noise exposure implying reduced well-being and quality of life). • This could potentially demonstrate existing breaches of Section 8 of the Human Rights Act and the Environmental Noise Directive (END) and needs further investigation in order to pursue mitigation measures in compliance of the END. • This could be produced as part of a Health Impact Assessment. • The application would seem to go against the objectives of the Waste Strategy 	Table 13.4	

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	<p>not to create <i>"negative effects"</i> through waste planning, in particular because this application is dependent on the Devonport incinerator. The cumulative effects of traffic of both of these developments (on the A38 and local roads) as well as other waste developments in the locale need to be considered.</p> <ul style="list-style-type: none"> • It is noted that MVV have offered to build 3m high acoustic fences for parts of the development in Devonport but they have offered nothing in Buckfastleigh. 		
	<i>"If necessary, acoustic barriers or enclosures to be provided for specific items of fixed plant."</i> This should be more detailed and encouraged as part of planning obligation.	13.5.1	
	If planning permission is granted, the website should enable two way communication and an public forum for registered users in order to ameliorate the concerns of non-compliance, lack of monitoring and lack of consultation and communication.	13.5.3	
	Is this a joke? Designing the site to maintain the rock outcrop would have provided the best shielding.	13.5.7	
	As per earlier comment, noise activity at the quarry is likely to be even more discernable from background noise further away from the site on the other side of town. These locations have not been analysed.	13.6.1	
	<ul style="list-style-type: none"> • <i>"Such concern is also frequently the result of the recent discovery of cracked plaster or brickwork that in fact has either been present for some time, or has occurred due to natural processes and unrelated to blast induced vibration."</i> Is this statement in order to pre-empt legal cases against the applicant for blast damage? • Does the applicant propose to carry out an inventory of properties before blasting where the owners may be concerned about potential damage? 	13.6.11	
	The word <i>"should"</i> must mean <i>"will"</i> - this is not clear.	13.6.14	
	What is this mitigation?	13.6.21	
	Does this demonstrate that houses immediately adjacent to (10m from kerb) the A38 are experiencing average noise levels of 80db? Surely there is now a legal requirement to mitigate this as part of the Environmental Noise Directive?	Table 13.9	
	As per earlier comments the conclusion of <i>"negligible increases"</i> in noise levels on local roads is a misleading conclusion. Over 200 lorry movements per day along Strode Road at peak times will certainly have a serious impact, create <i>"annoyance"</i> and create a negative effect to the existing burden of ambient noise.	13.6.23	
	As per previous comments, more measurements are needed further from the quarry to	13.8.4	

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	take into account the mirror effect of the quarry wall.		
	The community may need to be consulted further on this as the conclusion that no further mitigation is needed is based on what appear to at best incomplete, and at worst, spurious conclusions about the impact of additional noise created by HGV traffic on local roads. This could be carried out as part of a Health Impact Assessment.	13.8.6	
	Socio-economic and Tourism	Ch 14	
	<ul style="list-style-type: none"> • Why has “<i>Socioeconomic</i>” impact been defined purely as tourism? • What are the other impacts that have not been identified? • Does the applicant agree that a wider focus should be considered according to the Waste Planning Authority’s obligations under a Sustainability Appraisal? • What have been identified as the socioeconomic aspirations of the town? • How many jobs may be lost by the impact of this development? • How many jobs will not be created in other areas? • What will the impact of sucking approximately £10,000,000 out of the wealth of the Buckfastleigh economy have on the area when there is a one-off downgrade of relative house prices to other localities in the area (such as Ashburton) as the area is perceived to be re-industrialising and suffering again from dust deposits etc. etc.? • Has the Dartmoor Local Plan been referenced in terms of maintaining sustainable tourism? • How is the character of the historic mill town being enhanced as according to the Dartmoor Local Plan? • Is the proposed development consistent with any Dartmoor NPA policy at all? 	14	
	Who are these “ <i>key stakeholders</i> ”? Why was a more detailed community consultation not undertaken?	14.2.1	
	What about holiday cottages or people in town who (as is common) rent their private houses out over the summer period?	14.3.3	
	Does the applicant have any idea quite how much this figure of £1.7mn value from the tourist economy is understated, and that the potential loss of day visitors and overnight visitors is a very significant concern for the socioeconomic wellbeing of the town?	14.3.8	
	These observations appear to be remarkably casual and lacking in depth.	14.3.9 to 14.3.11	

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	<p>Does the applicant acknowledge that the South Devon Railway and Otters & Butterflies are across Strode Road (the main route the development's HGVs will take), and that encouraging more pedestrian traffic from the attractions into the town centre is a key issue for the sustainability of the town centre (and the Valiant Soldier) - this is an aspiration that will be much harder to achieve given the "severance" (either perceived or actual) that increased use of this road, particularly at peak times would bring?</p>	14.3.12	
	<p>The statement "visitors are concerned with the time and safety aspect of any journey; which includes the 'perception of safety' as much as the reality of safety" equally applies to residents, although this was completely ignored in the earlier chapter on traffic.</p>	14.3.16	
	<p>"However, at present, there are no dedicated walks that feature Buckfastleigh in any depth." Does the applicant appreciate that their proposed development is likely to ensure that it stays this way? Is it considered that perhaps a Sherlock Holmes Walk (encompassing locations that inspired <i>The Hound of The Baskervilles</i>) could be established in Buckfastleigh from the old church to Gripper's Hill and Huntingdon Warren that would include Wallaford Road and a direct line of site onto the IBA facility?</p>	14.3.21	
	<p>A coast-to-moor walking route is an excellent idea. An opportunity for a Section 106 Agreement?</p>	14.3.22	
	<p>It is essential for Buckfastleigh's tourist future (and for local amenity) that Buckfastleigh is joined onto this National Cycle Route (NCN2) - the fact that the route coincides with the proposed route of the development's HGVs serves to highlight the dangers that users of this road face, either perceived or real. The increased level of HGV traffic on this section of road travelling at 40mph and faster (as they often do) will be a very big disincentive for people to use it. Please note that the risk of death if hit by a vehicle (let alone an HGV) is 4 times higher on a 40mph road than a 30mph - there is an 80% chance of death if hit at 40mph - and that is by a car.</p> <p>At sections along both Plymouth Road and Strode Road there are double white lines which will make it impossible (or extremely dangerous) for HGVs to overtake, and will be incredibly dangerous and disruptive to traffic flows if vehicles are limited to cycle speed for long stretches (as they would legally be obliged to do unless the cyclist was travelling at below 10mph, which is unlikely).</p>	14.3.23	
	<p>The view of the proposed site from the A38 is would suggest an unpleasant industrial area to tourists driving by Buckfastleigh and is very likely to eliminate the possibility of</p>	14.4.1	

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	opportunistic tourism.		
	Ironically the uses listed in this paragraph are examples of activities that have been suggested as an alternative use for Whitecleave quarry that would be both extremely popular amongst the local community, and likely to be <i>far more</i> economically beneficial for the town of Buckfastleigh. We understand there were earlier planning applications for such development.	14.4.5	
	Again ironically, a Geopark is another alternative opportunity for Whitecleave Quarry and the community agree with the statement that <i>“a relationship between the Geopark and Dartmoor National Park would be ideal to fit with this remit.”</i>	14.4.10	
	We disagree with all these conclusions (based on the previously commented on evidence); they appear to be derived from what conclusion is required by the applicant rather than by what comprehensive evidence would impel them to conclude. Again the statement <i>“would be no worse than when the existing quarry site was fully operational”</i> highlights quite how bogus (and condescending) this comment is given the increase in tourist activity since the quarry was last active, and the civic aspiration of a town (that was <i>once</i> one of the top-ten most deprived areas in the UK) has changed beyond recognition.	14.5.3 to 14.5.5	
	We believe the site of several thousand square metres of concrete topped by 8m high mounds of ash and building material <i>will</i> actually have a detrimental impact on people’s enjoyment of the area.	14.6.3	
	It is unclear why it is suggested that there is a minimal impact on tourism now, but that this may change over time and needs to be monitored?	14.8.5	