

## Lower Hare Farm, Whitestone - Regulation 25 Review Comments

1. From reviewing the planning application (and as stated within our previous comments), there is no overarching document that constitutes an Environmental Statement (ES). There is a "Response to Regulation 25" document and a document named "Planning (Environment) Statement V3" that includes a section on the 'Framework of the Environmental Statement'. It is best practice to provide a standalone ES which comprises a compilation of all the technical assessments undertaken for the EIA.
2. Similarly, a standalone Non-Technical Summary (NTS) has not been provided. A non-technical summary has been provided for each technical topic (air quality and dust, noise, ecology and LVIA), but it is best practice to provide a standalone overarching NTS which covers the technical assessments included in the main ES report. This lack of a compliant NTS makes it difficult for members of the public to access the conclusions of the EIA in a form that is clear, concise and explained in non-technical language.
3. The ES does not include any detailed assessment of the potential impacts from light and heat emissions during the construction and operational phases. If these latter potential effects are considered to be insignificant, then a statement needs to be provided in the ES to justify this.
4. The applicant states in the "Response to Regulation 25" document that, due to the state of the land during previous tipping operations, it does not contribute as effectively as it could to the farm and therefore the development will create a beneficial improvement on the land. There is no detailed Agricultural Land Classification (ALC) survey to demonstrate the ALC grade of the existing land only a statement to say that the quality of the land would improve post-importation of infill material. Therefore, without knowing the current ALC status of the site, it is not reasonable for the applicant to conclude that the imported material would result in an improvement.
5. The applicant states that whilst there are other locations technically available to serve the development, this site is the favoured option for the development. However, there are no details of the other locations that are available and therefore no comparison can be made to determine if the site would be environmentally favourable over the alternative site locations. The Lower Hare Farm Land Assessment map included with the Regulation 25 submission shows large areas of land which are not affected by the constraints listed in the key. For example, a significant area is located to the east of Exeter which would be much closer to the Cranbrook development and would therefore result in a much lower impact on climate change than the application site in relation to emissions from HGV movements. It is not clear in the Regulation 25 submission why the unconstrained areas shown on the land assessment map have been excluded from the assessment of alternative sites. As such, it has not been demonstrated that the Lower Hare Farm site is in fact the best site for the disposal of inert waste within a 5 km radius of Exeter.
6. The "Regulation 25 Response" document identifies that the key likely cumulative effects are transport-related. However, each technical assessment should present an analysis of the combined effect of the proposed development with other development schemes in the area (e.g. cumulative noise, air quality etc). All potential cumulative impacts should be considered for all technical assessments, not just transport.
7. The "Regulation 25 Response" document includes a section on "climate change" which identifies that the impact on climate will be through HGV movements and states that the applicant has offered to mitigate for all fuel used for the duration of the operation on an annual basis through carbon offsetting. No further information on how this will be undertaken is provided. Similarly, there is no assessment of cumulative effects with regard to climate change. It is also not clear if the application site is the most environmentally favourable location for the proposed waste disposal operation (refer to Point 5 above) and therefore it has not been established that the proposed development would give rise to a lesser impact on climate change than all alternative disposal sites.

8. The ES does not include a description of the methodology used to identify and assess significant effects on the environment, including details of difficulties encountered and uncertainties involved; therefore, it is not considered to be compliant with Schedule 4(6) of the EIA Regulations 2017. The Landscape and Visual Impact Assessment and Ecology Assessment include details of the methodology and limitations encountered during the assessments; however, this approach is not followed through into all technical assessments and is therefore considered insufficient as a result.
9. The Regulation 25 submission does not include an analysis of the structural stability of the land raising operation through geotechnical assessment. Infilling and land raising activities, especially where these are to significant depth such as in this application, have the potential to give rise to landslip issues. Whilst it may well be the case that the proposed quantum of land raising would not give rise to such effects, this has not been demonstrated and can therefore not be discounted as a risk.

DCC Policies	Considered	Reference
<b><i>Devon Waste Plan 2011 – 2013 (December 2014; Devon County Council)</i></b>		
Policy W1: Presumption in Favour of Sustainable Development	YES	This policy is referred to in the planning statement that is submitted as part of the application.
Policy W5: Reuse, Recycling and Materials Recovery	YES and NO	This policy is referred to in the planning statement that is submitted as part of the application. However, there is no reasoning as to how the proposed development meets the requirements of the policy.
Policy W7: Waste Disposal	YES and NO	This policy is referred to in the planning statement that is submitted as part of the application. However, there is little detail as to where the inert will be sourced from and whether the application is environmentally the most favourable disposal site.
Policy W11: Biodiversity and Geodiversity	YES	An Ecological Assessment report has been undertaken and submitted as part of the planning application and this included a desk and field survey of protected species within the site and surrounding area and provides mitigation measure where necessary.
Policy W12: Landscape and Visual Impact	YES	A Landscape and Visual Impact Assessment has been undertaken and submitted as part of the planning application and consider the relevant planning policy.
Policy W13: The Historic Environment	YES	A Heritage Impact Assessment has been submitted as part of the planning application and considers the potential impacts of the development on the nearby heritage assets.
Policy W17: Transportation and Access	YES	A Vehicle Route Assessment has been undertaken and is submitted as part of the planning application. Although there is no details on where the inert material for the proposed scheme will be coming from. It suggests that it is likely to come from Exeter and it is confirmed in the transport statement that the applicant is willing to enter into a Vehicle Routing Agreement to confirm the appropriate route to the site from Exeter.
Policy W18: Quality of Life	YES and NO	Although the impacts of noise and vibration, air quality and dust have been considered within planning application there is no reference to the impact of light pollution, litter and windblown materials and/or odours.
Policy W19: Flooding	YES	A Flood Risk Assessment has been submitted as part of the planning application in accordance with the NPPF.
Policy W20: Restoration and Aftercare	YES	Although a Landscape and Visual Impact Assessment has been undertaken and submitted as part of the planning application and includes a reference to this policy with accordance to aftercare phasing plan. However, no further details on this.

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Teignbridge Local Plan 2013 – 2033 (May 2014; Teignbridge District Council)		
Policy S6: Resilience	YES and NO	The impact The proposed development has on Climate change is considered within the Regulation 25 Response which has been submitted as part of the planning application. Climate change assessment is weak.
Policy S11: Pollution	YES	A Hydrogeological Risk Assessment has been undertaken and submitted as part of the proposal and this considers the risk of pollution from the scheme on surface water and groundwater. A Noise impact assessment has been undertaken and submitted as part of the application and considered the risk of noise pollution. Similarly, an air quality impact assessment has been submitted with regard to potential air pollution.
Policy S22: Countryside	YES	A Landscape and Visual Impact Assessment has been undertaken and submitted as part of the planning application and consider the relevant planning policy.
Policy EN2A: Landscape Protection and Enhancement	YES	A Landscape and Visual Impact Assessment has been undertaken and submitted as part of the planning application and consider the relevant planning policy.
Policy EN4: Flood Risk	YES	A Flood Risk Assessment has been submitted as part of the planning application in accordance with the NPPF.
Policy EN5: Heritage Assets	YES	A Heritage Impact Assessment has been submitted as part of the planning application and considers the potential impacts of the development on the nearby heritage assets.
Policy EN6: Air Quality	YES	An air quality and Dust Assessment has been provided as part of the planning application.
Policy EN7: Contaminated Land	YES	A Hydrogeological Risk Assessment has been undertaken and submitted as part of the proposal and this considers the risk of pollution from the scheme on surface water and groundwater. Imported materials will be inert.
Policy EN8: Biodiversity Protection and Enhancement	YES	An Ecological Assessment report has been undertaken and submitted as part of the planning application and this provides enhancement opportunities for the proposal development.
Policy EN9: Important Habitats and Features	YES	An Ecological Assessment report has been undertaken and submitted as part of the planning application and this included a desk and field survey of the site habitats. The site hedgerows were considered to be priority habitats and the loss of the semi-improved grassland and tall ruderal habitat is not considered to be of ecological significance.
Policy EN11: Legally Protected and Priority Species	YES	An Ecological Assessment report has been undertaken and submitted as part of the planning application and this included a desk and field survey of protected species within the site and surrounding area. This confirmed that common lizard were recorded on site and a number protected and notable species were recorded within a 2

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		km radius of the site (bats, badgers, dormice, birds) and mitigation measures were provided where necessary.
Policy EN12: Woodlands, Trees and Hedgerows	YES	An Ecological Assessment report has been undertaken and submitted as part of the planning application and this included a desk and field survey of the site habitats. The site hedgerows were considered to be priority habitats; however, these will remain intact during the proposed ground-shaping with an appropriate buffer width included e.g. 5 m width.