

Chris McCarthy  
Executive Director of Environmental Economy  
Devon County Council

13 April 2010

Your Ref: SP/DCC/2975/2010

Dear Mr McCarthy,

**County Matter Planning Application: Development of the ‘New England Resource Recovery Centre’ near Lee Mill, Devon.**

Yealmpton Parish Council recognises that no community will welcome a development of this type and that waste has to be disposed of somewhere and so we approached our assessment with an open mind regarding the balance of benefit to the wider region and the inevitable blight on this locality.

We have studied carefully and in detail key areas of the planning application and the SLR Consultancy justifications and reassurances, on behalf of Viridor, in respect of those areas of concern to our residents. We have also considered many of the evidence-based papers, proposals and arguments for and against the use of incineration in the management of municipal solid waste. The resources available to us to assimilate all 18 sections of this application have not been comparable to those deployed by the applicant so we have had to confine our assessment to the six sections which we believe are of most concern to our parish. Absence of any comments on the remaining sections does not imply that we support their opinions.

Although we have primarily restricted our views to the planning issues that directly affect Yealmpton, since this proposal has potential to impinge on the lives of people over a very large area, we have also considered issues beyond our parish boundary.

References cited refer to the relevant sections of the application or its accompanying Environmental Statement.

**Transport**

Movement of 303,000 tons of waste per annum by road is said to require nearly 300 heavy lorry movements daily including Sundays of which some two thirds will approach from the west. Access to the site from the eastbound A38 presents a major problem for the community of Lee Mill and for residents of the wider area. The SLR study acknowledges that there will be a 45.2% increase in heavy goods vehicle movements, a large proportion of which will

travel along the residential Western Road. We do not accept the applicant's view that an additional heavy vehicle every 2 minutes (ref. 6.188) will be indiscernible.

The applicants have acknowledged that improvements to the A38 eastbound exit should be considered (ref. 6.202) but, having determined that such necessary improvements cannot be achieved, accept that no mitigation of the impact on Lee Mill can be pursued.

We understand that consideration was given to routing eastbound traffic via the next junction at Ivybridge but that both the Highways Authority and Devon County Council rejected the idea on the basis of capacity and layout issues. Our view is that an exit through Western Road is even less acceptable and that the proposed mitigation measures of yet further traffic calming and carriageway narrowing will not make it more so. Contrary to the applicant's expressed view that the development will have an insignificant impact in traffic and transport terms, we believe it will be intolerable for the residents and business along the length of Western Road.

The proximity of the development to local homes is of concern to residents who fear a return of the nuisance which occurred when the site was a working quarry. This arose from the noise from vehicles, particularly the sound of highly intrusive beepers, required by law, when they reverse. The numbers of heavy vehicles manoeuvring around the site in low gear will also create constant noise pollution.

## **Air Quality**

Air quality matters are dealt with at great length in Section 7. and have an impact on both ecosystems and human health. The following issues are considered to be of concern to the parish:

- The wind rose illustrated in the application suggests that stack emissions will be predominantly away from the parish, however, recent climate observations in the parish have suggested that this can change. During the recent spell of high pressure, sustained wind directions have been from the east and north east. The implication of this is that stack emissions may well be blown across the parish during prolonged spells of high pressure.
- The applicants claim that the incinerators will be the most efficient to date in respect of reducing stack emissions, (which we assume is on the basis of optimum – though unspecified - operating temperature) and it is claimed that modelling of stack emissions for a wide range of toxins suggests that stringent UK, EU and Environment Agency (EA) limits will not be surpassed. Whilst this is reassuring, concern must be expressed in respect of toxic polychlorinated p-dioxins, dibenzofurans and other biphenyls (dioxins and PCBs). This is because these substances are toxic to humans and wildlife and by their nature are persistent and bioaccumulative in the environment for very many years. Whilst we understand that the incinerator operator will be striving to adhere to recommended emission levels of toxic substances including metals and dioxins, we have concern regarding the frequency and type of monitoring that will be undertaken.

- As modern incinerators come on stream there is evidence to suggest that toxic stack emissions are reducing, however, there are two important issues of great concern. Firstly, it is widely held that there are in fact no 'safe' environmental levels of persistent toxic substances like dioxins and PCBs. Secondly, as metals and other toxins are removed from stack emissions their content must increase in the residue from the scrubbed emissions i.e. the concentration in incinerator fly ash/bottom ash will be increased. This has implications in the event of disruption of the proposed storage facility due to natural disasters including flooding and ground movements.

## **Human Health**

Health impact assessments in the planning application (ref. 16.1) are comprehensive. Risk assessments and risk screening are based on a conceptual site model and modelling is the basis for many of the conclusions reached by SLR. The modelling indicates that health risks to area residents are likely to be below the levels recommended by UK and EU government and safety agencies (except for dioxins, which present a complex problem). The following issues are raised in respect of the application and are of concern to the parish:

- Given the significant toxicity and environmental persistence of dioxins and some metals we are concerned that the potential risks to human health in respect of these toxins have not been fully evaluated. This is because these toxic substances can be introduced into the local environment in two ways; firstly via stack emissions (see above) and secondly via leachate from fly ash and bottom ash storage facilities.
- Furthermore, concern is expressed in respect of the very persistent nature of toxicity, which is likely to long outlive the life of the project. The concept of toxic substances being 'dead and buried for ever' does not satisfy concerns regarding worst case scenarios regarding water and ground movement.
- It is expected that human health issues regarding plant operatives (some of whom are likely to reside in the parish) will be covered by the operator's occupational health and safety monitoring arrangements. However even in those exposed to potentially high operating plant levels of toxins there are very few screening tests that are able to predict harm to health before it has occurred.

## **Hydrology and Hydrogeology**

The location of the proposed development adjacent to the River Yealm raises very significant concerns about the risks of contamination. Section 9. highlights a number of risk factors, both during the construction phase and, more worryingly, once it is operational.

It is noted that the huge volume of water in the quarry will need to be discharged into the Yealm before construction and that only limited surface water tests have been undertaken which, not surprisingly, show little significant pollution. It is acknowledged that further tests will be required at lower water levels before discharge into the river.

A major concern centres on the toxic leachate which will arise when the land-filled bottom ash mixes with rain water. It is claimed that this contamination will be contained by means of

a liner but no convincing evidence is given that such a measure can be relied upon to remain effective beyond even the short-term.

## **Landscape and Visual Impact**

The proposed development represents substantial change to a large section of the character area south of the A38 with the dome being a major focus. Yealmpton village centre is only 3 kilometres southwest of the site. Whilst the site would not be visible from the village centre it would be clearly visible from Dunstone farms and some dwellings within the parish as well as to walkers using the public rights of way and the Erme-Plym Trail.

In addition to the acknowledged negative impact of the dome, we wish to draw attention to:

- The vicinity of the proposed development already suffers from visual blights including the recently constructed Langage power station, many electricity pylons, the Lee Mill industrial estate and other developments along the A38 corridor.
- The stack is an intrusion into an Area of Outstanding Natural Beauty and its plume would add further degradation to the visual impact.
- Light pollution would be caused by night-time lighting of internal access roads and the proposed buildings.

Five of the Viewpoints studied by SLR are in, or directly concern, the parish of Yealmpton and whilst four of these are considered of only medium sensitivity, the South Devon AONB (Viewpoint K) is a high sensitivity area and the proposed development would contravene the principles of the AONB Management Plan in terms of the visually intrusive tower structures and external lighting creating sky glow.

The magnitude of change is substantial from Coyton Farm (Viewpoint I), Knapp Cross (Viewpoint J) and New England Road (Viewpoint M). From Treby Farm (Viewpoint L), the stacks would reach the Dartmoor skyline and significantly spoil the magnificent views currently enjoyed from the public footpaths along the River Yealm.

## **Ecology**

Section 7 identifies a number of species (dormice, badgers, bats, otter, birds, reptiles, and invertebrates) which have been surveyed.

The mothballed quarry site has developed a mosaic of semi-natural habitats in the years since its closure and currently supports notable species diversity. It is also situated within more natural features of well established vegetation of high nature conservation interest including marshy grassland, and wet and ancient woodland. The SLR report itself admits that the proposed development has the potential to have negative impacts upon a wide range of ecological receptors, including two County Wildlife Sites, populations of nationally scarce invertebrates, and legally protected species.

Mitigation and compensation measures have been proposed for the likely impacts but we believe it is essential to develop a credible strategy before any consideration is given to permitting any development. It is acknowledged that negative impacts on certain receptors may be unavoidable. The most significant in respect of ecology would be upon the current invertebrate assemblage.

We are concerned that there is no evidence that an overarching opinion has been sought from an authoritative and independent naturalist versed in this field regarding the conservation implications of allowing development at this site.

## Summary

It is our view that **this application should be refused** for the many reasons set out above but primarily due to three overwhelming considerations;

1. The proximity to the River Yealm.
2. The inability of the applicant to achieve a satisfactory transport solution in relation to the A38 exit for eastbound traffic
3. The risks to human health arising from potential pollution of both air and water.

Should the planning authority be minded to allow the proposed development, we would urge that the following minimum conditions be met.

1. That the access to the site for eastbound traffic approaching along the A38 is properly resolved.
2. That the reliability and integrity of the proposed liner to contain water-borne contamination is adequately demonstrated and that a viable scheme is in place to monitor it throughout its life expectancy.
3. That further tests are conducted on deep level water before any discharge into the River Yealm is permitted.
4. That an ecology study is commissioned from an expert who is independent of the applicant.
5. That the frequency and type of environmental monitoring will be sufficient to protect the environment and human health. Apart from the obvious stack emissions and any impact upon local air quality, it is also imperative that farmland, food and milk production and water quality is stringently and continuously monitored for presence of bioaccumulative toxins.

Yours sincerely,

Michael Stickland, Clerk  
On behalf of Yealmpton Parish Council