

**Regulation 25 Request: Lower Brenton Farm, Kennford (DCC/4337/2023)**


**Appendix 1: Additional Environmental Information Required to Enable Consideration of the Grant of Planning Permission**

Ref.	Subject	Request (Items with an asterisk (*) in the first column are specifically made under Regulation 25 – all other requests are for clarification)	Reason	Requested By
	<b>General</b>	Ensure that all sections of the Environmental Statement meet the requirements of paragraph 3 of Schedule 4 of the EIA Regulations 2017 to provide an outline of the likely evolution of the environment without implementation of the development.	To meet the requirements of the EIA Regulations	DCC
<b>1. Landscape &amp; Visual Impact</b>				
1.1*	Effects on landscape character and views during landfilling operations	Existing baseline viewpoints from close-hand public rights of way include only part of the application site, and some could be better positioned to allow understanding of the site character and nature of likely impacts. The extent of the application site is not clear from annotations on both close-hand and more distant views. The viewpoint photos lack detail that predicts the extent of infilling and associated infrastructure that would be visible during each phase, and the effects of proposed mitigation. No photographs are included	The magnitude and adverse nature of visual impacts during waste operations is not adequately communicated.	DCC

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		<p>that convey what a waste operation and associated infrastructure looks like.</p> <p>Viewpoint 4 is inadequate as a baseline view to assess effects against as it provides only a partial view of the northern part of the site and is not adequately conveying the site's characteristic valley topography or the far-reaching views. The effectiveness of the proposed mitigation needs to be demonstrated in order to judge whether this would reduce adverse effects to acceptable levels within a reasonable period. The proposed screening bunds themselves are likely to detract from the valued scenic qualities and block views. There is doubt whether proposed hedge management and new planting would provide adequate screening, especially in early phases from more elevated sections of PROWs.</p> <p>The applicant is requested to:</p>		

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		<p>a) Provide existing views from immediate PROWS that include the whole extent of the site, i.e., extended in a wider horizontal field of view. Increase the width of the sheet as necessary and provide two hard copy sets of good quality prints. Applies to viewpoints 3, 5, and - if required - 8, with alternative new location required for viewpoints 4 and 7 (see viewpoints A and B on attached plan)</p> <p>b) Provide clearer annotations on other (more distant) viewpoints to allow the extent and magnitude of each phase to be understood.</p> <p>c) provide Type 2* visualisations for close-hand viewpoints from PROWs that show the extent of each of the phases potentially visible, and the effects of proposed screen bunds and other mitigation at the start of each phase.</p> <p>*Ref Landscape Institute TGN 06/19 Visual representation of Development Proposals.</p>		

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1.2*	Effects on landscape character and views once restored	<p>Evidence is required that demonstrates the extent to which the restoration proposals would conserve and enhance the characteristic rolling topography and far-reaching views currently enjoyed.</p> <p>Applicant is requested to provide Type 4* photomontages that accurately visualise the proposed landscape once restored, to be based on the baseline views described above for viewpoints 3, 8, A and B.</p> <p>*Ref Landscape Institute TGN 06/19 Visual representation of Development Proposals.</p>	The extent to which the proposals would conserve and enhance the landscape once restored is questioned; likely residual effects are not adequately communicated.	DCC

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1.3*	Effects of northern settlement lagoon on gently rolling topography	The proposed lagoon is located on a slope and could appear like a 'bomb crater' with steep and uniform sides.	No information is submitted that would allow judgement as to whether such a feature could be integrated successfully into the gently	DCC

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		Applicant to provide cross-sections indicating how this permanent feature would be integrated into the landscape and designed to provide wildlife habitats.	rolling topography and be designed to enhance biodiversity.	
1.4*	Assessing landscape effects once restored.	The LVIA applies a methodology that considers the scale of change the proposal would have on landscape character areas (8.3.13). Effects on the landscape once the site is restored are considered in terms of <i>“the scale of the landscape character assessment in comparison to the scale of the site and the nature of change on site in comparison to the baseline”</i> (8.9.7). The LVIA concludes that <i>“The larger scale of the National Character Area 148 assessment and the local Landscape Character Area 6.7 ‘Exe Estuary and Farmlands’ was not considered to be affected to a significant degree by the restoration phase. For these the change at the site was not considered to have a noticeable effect at these wider scales”</i> . GLVIA3 (5.48) suggests that the geographical extent over which landscape effects will be felt is just one of three	To provide a LVIA that is as useful and straightforward as possible in order to inform decisions about the degree of harm or benefits that would arise.	DCC

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		<p>considerations when assessing magnitude of effects, the others being the size/scale of change and duration and reversibility of effects. The first two paragraphs of 8.9.4 in the LVIA are not helpful as they focus purely on the geographical extent of effects rather than the fact that there would be permanent and irreversible change to some key site characteristics that are also typical of the local landscape. A more meaningful assessment is one that assesses the extent to which the key characteristics and special qualities of a stated area are conserved by the proposals, not simply the geographic extent of the site in relation to the LCA area. That said, GLVIA3 (5.48 – 5.52) could be clearer on this and has been open to interpretation by different landscape assessors, in particular regarding how to assess magnitude of landscape effects (as different from visual effects). This is evident from the nature and number of queries and resulting clarifications over this currently being</p>		

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1.5*	Assessing duration and magnitude of landscape effects during operation	<p>handled by the Landscape Institute Technical Committee GLVIA Panel. The LI are addressing this through publishing 'notes and clarifications' on GLVIA3 in due course. The LVIA assessor may wish to address this point.</p> <p>The LVIA methodology (8.3.13) suggests that magnitude of effects take account of duration of effects, which would be considered in terms of being short or long term. GLVIA3 (5.5.1) advocates the use of defined terms to describe duration of effects, such as short term (up to 5 years), medium term (5-10 years) and long term (15 years plus). However, the LVIA does not use any such defined terms but instead considers effects during operations as being 'temporary', which is not helpful in this regard and leads to criticism that the significance of effects on the enjoyment of the site's landscape qualities by walkers using the PROW network through and around the site has not been given sufficient consideration. An</p>	To ensure that the duration of effects is properly assessed.	DCC



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1.6*	Assessing landscape capacity to accommodate change	<p>adverse effect of 10 years duration remains worthy of highlighting and should not be underplayed simply because it is a temporary effect. The LVIA assessor may wish to address this point by amending the methodology and resulting assessment in line with this aspect of the guidance.</p> <p>The LVIA (8.4.26- 28) states “The capacity of the site to accommodate change is derived from the inherent landscape and visual sensitivities as described in the baseline investigations of this document, when considered against the specific qualities of the site and the type of development being proposed“. There is reference to studies from 2010 that use such an approach. However, latest guidance from Natural England on Landscape Sensitivity Assessment published in 2019 <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414242/An_approach_to_landscape_sensitivity.pdf">An approach to landscape sensitivity (publishing.service.gov.uk)</a> advocates consideration of the landscape’s susceptibility to change as well as</p>	To ensure that landscape capacity is properly assessed.	DCC

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		<p>landscape value when considering landscape sensitivity to a particular development proposal. It states that Landscape capacity “refers to the <u>amount</u> of specified development or change which a particular landscape and the associated visual resource is able to accommodate without undue negative effects on its character and qualities”. It is therefore considered that these paragraphs should not be given any consideration and, instead, it is appropriate for the LVIA to consider landscape susceptibility to the nature of proposed changes when assessing landscape sensitivity. The LVIA assessor may wish to address this point.</p>		
<b>2. Ecology/Biodiversity</b>				
2.1*	Lighting	<p>The Lighting Assessment should be revised to demonstrate that artificial light levels do not exceed 0.5 lux at existing and proposed hedgerows.</p>	To avoid impacts on bats.	DCC
2.2*	Biodiversity Net Gain	<p>Confirmation is required that all new habitats created through site restoration and mitigation measures will be maintained for a period of 30 years,</p>	To demonstrate that the long-term maintenance of new habitats will be achieved.	DCC

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		together with the mechanism by which that maintenance will be secured.		
2.3*	Cirl Bunting Habitat	An outline Construction Environmental Management Plan and Landscape & Ecological Management Plan are required to demonstrate how the proposed measures for cirl bunting habitat are to be established and managed. These should include timing of grazing and stock type and density; timing of removal of existing hedges and scrub; frequency of hedge management; provision for periodic cirl bunting surveys following establishment of the new habitat and habitat monitoring visits to determine if measures are being delivered.	To ensure that appropriate habitat delivery is achieved.	RSPB
<b>3. Drainage &amp; Flood Risk</b>				
3.1	Surface Water Drainage	Provide further details of the existing culvert within the south-east part of the southern fill area and an assessment of whether a channel exists downstream of this culvert.	To demonstrate that the culvert is in a suitable condition.	DCC
3.2	Surface Water Drainage	Provide an assessment of whether a bund or similar feature should be constructed along the boundary of the dwelling	To demonstrate that the proposed surface water management arrangements	DCC

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		adjacent to the northern fill area to deflect any overflows or flows that are not contained within the proposed surface water system.	will adequately accommodate anticipated flows.	
3.3	Surface Water Drainage	Provide model outputs and flow control details for the proposed settlement lagoons, together with clarification of whether these flow controls will remain following restoration of the site and, if so, what arrangements will be put in place for their maintenance.	To demonstrate that the lagoons are of a suitable size to manage anticipated flows and to clarify future maintenance requirements.	DCC
3.4	Surface Water Drainage	Provide evidence that inert material to be deposited in the southern fill area will have no leachate possibility.	To demonstrate that pollution of the watercourse will be avoided.	National Highways
3.5	Surface Water Drainage	Provide confirmation of the maintenance frequency for the settlement lagoons.	To demonstrate that all suspended material is captured effectively prior to discharge for the duration of landfill operations.	National Highways
3.6	Surface Water Drainage	Provide a survey and capacity assessment of the 900mm culvert.	To demonstrate that the culvert is still operational and suitable for the intended function.	National Highways

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3.7	Surface Water Drainage	Provide confirmation of the proposed wheel washing facilities for vehicles exiting the site and crossing Shillingford Lane.	To demonstrate that the deposition of sediment and fines on the highway will be prevented.	National Highways
<b>4. Public Rights of Way and Other Recreational Routes</b>				
4.1	Crossing of Shillingford Lane	Provide details of the arrangements for the crossing of Shillingford Lane by the internal haul road for Phases 1 and 2 of the landfill site, including hedge removal, visibility splays, surfacing and signage.	To enable the impacts on the local landscape and the safety of road users to be assessed.	DCC
4.2	Public Rights of Way	Provide details of how the safety of users of Kenn Footpath 16 can be achieved, given that the proposed use of gates would potentially be an unlawful obstruction of that path.	To clarify how safety can be achieved through lawful measures.	DCC
4.3	Public Rights of Way	Provide details of how access to and along the public rights of way will be achieved for the duration of landfilling operations to enable routine and necessary path works including seasonal vegetation cuts.	To demonstrate how satisfactory path maintenance can be achieved.	DCC
4.4	Public Rights of Way	Clarify the nature and position of the temporary fencing to be installed alongside public rights of way.	To confirm whether the proposed arrangements ensure the safety and amenity of users of the rights of way.	DCAF

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4.5	Public Rights of Way	Clarify whether users of Kenn Footpath 16 will be segregated from cattle using the proposed temporary cow track to the south-east of the recycling area.	To confirm whether the proposed arrangements ensure the safety and amenity of users of the rights of way.	DCAF
4.6	Public Rights of Way	The full extent of public rights of way within and outside of the application site should be consistently shown on each phasing plan including the current situation and the restored site.	To accurately portray the public rights of way network.	DCC
4.7	Public Rights of Way	<p>An explanation should be provided for the proposed diversion of Kenn Footpath 54 in the south-west corner of Phase 3 following restoration shown on drawing 519.128/A and how this would connect to the current alignment of that part of the footpath to the south of the site.</p> <p>ES 3.3.18-19 are inconsistent with the phasing drawings by indicating that a temporary diversion of Kenn Footpath 54 would occur prior to landfilling and that this path would be reinstated to its former alignment on restoration. This inconsistency should be corrected.</p>	To clarify the justification for the diversion of this footpath and correct inconsistencies.	DCC

**5. Human Health, Air Quality and Noise & Vibration**

Ref.	Subject	Request (Items with an asterisk (*) in the first column are specifically made under Regulation 25 – all other requests are for clarification)	Reason	Requested By
5.1*	Human Health	Include human health as a topic within the Environmental Statement to enable assessment of the potentially significant effects of the proposed development on the physical and mental health and wellbeing of the local communities, specifically in terms of impacts on users of the extensive public rights of way network and other land accessible to the public within and around the site and the potential for the development to discourage use of that network.	To ensure that health impacts from the proposed development are properly identified and assessed.	DCC
5.2*	Air Quality and Noise & Vibration	Include assessment within the Environmental Statement and supporting reports of the impacts from dust, noise and other emissions from the development and associated traffic on users of the public rights of way network and other land accessible to the public within and around the site.	To ensure that noise and air quality impacts from the proposed development are fully identified and assessed.	DCC
5.3*	Noise & Vibration	Provide clarification in Chapter 6 of the Environmental Statement and supporting noise assessment of the very high background noise levels of 61dB L90 <sub>(1 hour)</sub> at locations RO4 and RO8.	To ensure that noise impacts from the proposed development are properly identified and assessed.	Teignbridge District Council

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5.4*	Noise & Vibration	<p>Figures 5.1 and 5.2 of ES Appendix 6.1 show the extent of the topsoil bund incorrectly, as the bund around Phase 2 will not be in place while Phase 1 is being filled, and the bund around Phase 1 will have been removed when Phase 2 is being filled.</p> <p>These errors should be corrected and the noise modelling revised to reflect the extent of the bunds during each phase.</p>	To ensure that noise impacts from the proposed development are properly identified and assessed.	DCC
5.5*	Noise & Vibration	ES 6.2 fails to include any reference to relevant development plan policies including Policy W18 (Quality of Life) of the Devon Waste Plan and Policy S1 of the Teignbridge Local Plan, and these should be addressed.	To ensure proper consideration of the development plan.	DCC
5.6*	Air Quality	The Executive Summary and section 8.1 of ES Appendix 5.1 indicate that consideration of dust impacts is limited to the proposed recycling operation, with the implication that dust generation from the landfill operations (including soil stripping, construction of topsoil bunds, depositing of waste materials, tracking of vehicles across the landfill areas and reinstatement	To ensure that air quality impacts from the proposed development are fully identified and assessed.	DCC



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		of soils for restoration purposes) has not been assessed. Appendix 5.1 and section 5 of the ES should be revised to ensure that dust emissions from all parts of the proposed development are properly assessed.		
5.7*	Air Quality	ES 5.2.14 and Appendix 5.1 fail to recognise Policy W18 (Quality of Life) of the Devon Waste Plan, which should be rectified.	To ensure proper consideration of the development plan.	DCC
<b>6. Climate Change</b>				
6.1*	Climate Change	<p>Include the impact of the development on climate change as a topic within the Environmental Statement, to include:</p> <ul style="list-style-type: none"> <li>• baseline assessment of carbon/greenhouse gas emissions from the existing site;</li> <li>• assessment of carbon/greenhouse gas emissions from site preparation and restoration works (including from organic matter within stripped topsoils and vegetation);</li> <li>• assessment of carbon/greenhouse gas emissions arising from the transportation of materials to and from</li> </ul>	To meet the requirements of Regulation 18 and Schedule 4 of the EIA Regulations and Policy EN3 of the Teignbridge Local Plan.	DCC

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		<p>the site, recycling and landfilling operations, including use of energy and fuels; and</p> <ul style="list-style-type: none"> <li>the contribution of mitigation measures proposed within the application.</li> </ul>		
<b>7. Alternatives</b>				
7.1*	Alternative Locations	<p>Paragraph 4.3.8 of the Environmental Statement is ambiguous in stating “it is considered that sufficient consideration of alternative and reasonable sites has been undertaken and as such it is not proposed to further consider alternative sites”. Therefore, provide a clear statement on whether any locations other than Lower Brenton Farm were considered for the development and, if so, identify those locations and provide an account of the main reasons for the option chosen and a comparison of the environmental effects.</p>	To meet the requirements of Regulation 18 and Schedule 4 of the EIA Regulations.	DCC
7.2*	Alternative Site Designs	<p>Paragraphs 4.3.9-4.3.13 of the Environmental Statement provide justification for different elements of the proposed site design but do not clearly state whether any consideration of alternative options was undertaken. A</p>	To meet the requirements of Regulation 18 and Schedule 4 of the EIA Regulations.	DCC

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		<p>clear statement should therefore be provided on whether alternative design options were considered, including:</p> <ul style="list-style-type: none"> <li>• alternative landfill capacities and/or site profiles in the light of landscape qualities;</li> <li>• alternative means of providing vehicular access (the Transportation Statement refers to consideration of access from the new Peamore roundabout); and</li> <li>• alternative locations for the recycling and office facilities.</li> </ul> <p>If alternative site design options have been considered, these should be identified and an account provided of the main reasons for the option chosen and a comparison of the environmental effects.</p>		
<b>8. Cumulative Effects</b>				
8.1*	Cumulative Effects	Clarification should be provided in Chapter 10 of the Environmental Statement whether the cumulative effects identified in relation to the nearby waste management facility at Kenbury Wood have taken into consideration the increase in annual throughput of waste from 75,000 to	To ensure that consideration of cumulative effects takes account of known impacts from extant planning permissions.	DCC

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		120,000 tonnes approved in March 2021 under DCC reference DCC/4173/2020.		
<b>9. Application Form &amp; Supporting Documents (including errors and inconsistencies)</b>				
9.1	Application Form	Clarify whether the stated maximum annual operational throughput of the site of 450,000 tonnes includes the 300,000 tonnes stated to be landfilled each year, and that the balance of 150,000 tonnes will be recycled.	To enable understanding of the scale of the proposed development.	DCC
9.2	Site Permeability	Paragraphs 2.4 and 3.8 of the Agricultural Land Classification & Soil Resources report refer to the site's soils as being 'freely draining/drained'. However, paragraph 2.3.3 of the Flood Risk Assessment records a layer of clay which "creates a relatively impermeable strata of sufficient depth to locally increase surface water run off". Clarification is required of whether the site is 'freely drained' or 'relatively impermeable', and suitable corrections made to the documents.	To ensure consistency between supporting documents	DCC

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9.3	Road Safety Audit	Paragraph 7.4.7 of the Planning Statement and page 8 of the Statement of Community Involvement state that a road safety audit has been or will be undertaken, but no such audit has been submitted. If a road safety audit is not provided, the documents referred to above should be amended accordingly.	To ensure consistency between supporting documents	DCC
9.4	Timescale for Development	<p>Paragraph 2.2.6 of the ES indicates that “the assessment covers the period between 2023 to 2032”, but the commencement date (and therefore the completion date) is unknown and is unlikely to be within 2023, so this should be corrected.</p> <p>ES 8.5.1 uses different timescales for the phased landfill operations than indicated in ES section 3.3 and the Planning Statement, and all documents should be reviewed to ensure consistency in timescales.</p>	To clarify the period covered by EIA and timescales for phasing.	DCC

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9.5	Peamore Roundabout	ES 3.3.29 refers to the HIF funded roundabout being constructed by March 2024, but this should be corrected to reflect the removal of the roundabout from the HIF scheme and the uncertain timescale for its delivery.	To correct an error.	DCC
9.6	Topsoil Bunds	ES 3.4.1 incorrectly refers to Phases 2-4 when only three phases are proposed, and also refers to bunds being up to 3.5m high – this contradicts ES 3.4.4, which refers to bunds being between 2m and 2.5m, and paragraph 6.14 of the Agricultural Land Classification & Soil Resources report which recommends a maximum height of 3m.	To correct an error and inconsistency.	DCC

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9.7	ES Non-technical Summary	<p>NTS 2.3.6 on page 7 incorrectly refers to the use of an access in the north-eastern corner of the site and a recycling area in a central-northern position, which appears to be describing the previous planning application rather than the current one. These errors require correction.</p> <p>Paragraphs 2.3.4 to 2.3.6 on page 7 should be renumbered as 2.2.4 to 2.2.6 to avoid confusion with subsequent paragraphs.</p>	To ensure clarity and correct errors.	DCC
9.8	Units of Measurement	Care should be taken to ensure that all documents refer to appropriate units of measurement – for example, the reference in ES 11.4.12 to '19.69' without stating what is being measured.	To ensure clarity	DCC
9.9	Need Statement	The Need Statement (and associated references in the Planning Statement and the Environmental Statement) should be revised to reflect the availability of 2022 data from the Environment Agency and Devon County Council's Inert Waste Landfill Capacity Position Statement.	To ensure the supporting documents are up to date.	DCC

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9.10	Mud on Highways	Although ES 3.5.11 and 3.5.26 refer to the use of a wheel wash facility to control deposition of mud on roads, no such provision is made within the submitted drawings. The provision of appropriate wheel wash facilities should be indicated on the relevant drawings (0519.123, 0519.205 and 0519.129C) to demonstrate the measures that will be provided to avoid mud from vehicles being carried onto the public highway, including Brenton Road and Shillingford Lane.	To ensure the provision of suitable mud management measures.	DCC
<b>10. Highways and Traffic</b>				
10.1	Transport Statement	The Transport Statement includes numerous errors and omissions and requires comprehensive revision as indicated in Appendix 2.	To enable proper assessment of the impacts of the development on the highway network and its users.	DCC



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### Appendix 2: Transport Statement

The submitted Transport Statement (revision D) [TS] contains a number of errors, inaccuracies and omissions that require correction to enable the transport and highways implications of the proposed development to be addressed, and these are outlined below.

In addition to revising the Transport Statement, care should be taken to update equivalent parts of the Planning Statement [PS] and Environmental Statement [ES] to ensure that all documents are consistent in their description of transport matters. As an example, while revision D of the Transport Statement added reference to a cycle route in the vicinity of the site, the equivalent reference in paragraph 2.2.26 of the Environmental Statement was not updated.

### Vehicle Movements for Trood Lane

The current planning permission for the Trood Lane facility (05/02796/2004) is subject to a S106 Agreement that includes the following restriction on vehicle movements: “The number of vehicles travelling to and from the Premises shall be limited to a maximum of seventy five two way, movements in any one working day” [*emphasis added*]. There is no provision within this Agreement for this limit to be exceeded at any time.

However, the TS, PS and ES misrepresent the limitation in the S106 Agreement as representing an average number of movements:

- TS 3.2.27: “the average trip generation per day for the Trood Lane landfill is currently 75 two way movements for HGVs and 3 two way movements for site operatives”;
- TS 5.3.2: “it is proposed to maintain the current level of vehicle movements for the Application Site as that of Trood Lane Landfill, i.e average 75 two-way movements for disposal of inert material, with a peak demand of 100 two-way movements”;
- TS 6.2.2: “To maintain the status quo on the existing highway network it is proposed to maintain the current level of vehicle movements for the Application Site as that of Trood Lane Landfill, i.e average 75 two-way movements for disposal of inert material, with a peak demand of 100 two-way movements...”;
- PS 7.4.3: “To maintain the status quo on the existing highway network it is proposed to maintain the current level of vehicle movements for the application site as that of Trood Lane Landfill, i.e. daily average 75 two-way movements (approximately 7 inbound and 7 outbound vehicles per hour) for disposal of inert material, with a peak daily demand of 100 two-way movements (approximately 7 inbound and 7 outbound vehicles per hour)”;
- ES 2.2.40 & 4.3.13: “To maintain the status quo on the existing highway network it is proposed to maintain the current level of vehicle movements for the Application Site as that of Trood Lane Landfill, i.e

average 75 two-way movements for disposal of inert material, with a peak demand of 100 two-way movements”.

It is incorrect for the planning application documents to portray a proposed level of traffic movements for Lower Brenton Farm of an average of 75 daily movements and a peak of 100 daily movements as being comparable to Trood Lane, for which 75 daily movements is the approved peak level, with the average number of movements inevitably being lower.

The reference in TS 3.2.27 to trip generation at Trood Lane “currently” being 75 two-way movements is questioned, given the statement in TS 3.2.21 that “during the survey period [May 2023] on average 4 loads per day entered Trood Lane”.

It is clear from data available from the Environment Agency that annual inputs to the Trood Lane landfill site have varied greatly over recent years [these figures represent landfill deposits only and therefore will exclude materials imported for recycling and subsequently exported]:

2014: 19,673 tonnes  
2015: 16,607 tonnes  
2016: 19,630 tonnes  
2017: 107,179 tonnes  
2018: 265,505 tonnes  
2019: 478,393 tonnes  
2020: 394,877 tonnes  
2021: 79,309 tonnes  
2022: 29,545 tonnes

Given the degree of variation over this period, an explanation is required as to the level of annual tonnage that can be achieved at Trood Lane within the S106 limit of a maximum of 75 two-way daily movements. It is clear from the references to a peak demand of 100 two-way daily movements that Trood Lane has exceeded the S106 Agreement limit, and clarification is required of the degree to which it has been breached.

### **Proposed Vehicle Movements at Lower Brenton Farm**

The proposed level of vehicle movements stated in TS 5.3.2 of “average 75 two-way movements for disposal of inert material, with a peak demand of 100 two-way movements” is portrayed as continuing the level of movements at Trood Lane in order to “maintain the status quo on the existing highway network”. Given the doubts raised above regarding the accuracy of the movement figures for Trood Lane, the TS should be revised to provide an explanation of how importation of waste materials equivalent to the volume required to achieve the landfill levels stated in the application will be achieved over the anticipated timescales [variously stated to be 6-9 years or 10 years], with all assumptions [for example, on HGV size/capacity, hours of working, etc.] clearly stated.

While TS 5.3.2 refers to “movements for the disposal of inert material” [*emphasis added*], these calculations should also include movements associated with the importation of inert materials for recycling and the subsequent transportation of recycled materials away from the site.

### **Proposed Access at Lower Brenton Farm**

TS 4.2.1 indicates that the field access onto Brenton Road is currently used by farm vehicles, but evidence for the frequency of such use should be provided.

Consultation responses from the County Council's road safety and highways officers indicate that visibility from the proposed access relies on the control of vegetation on land that is not within the applicant's control. An explanation of how visibility will be maintained is required, together with submission of a GG 119 compliant stage 1 road safety audit.

The version of drawing 0519.123 (Site Access General Arrangement) appended to the TS differs from the equivalent drawing submitted with the planning application, with the former including alterations to road markings that are not included on the latter. Confirmation is required of which version of this drawing should be considered.

### **Use of A379 and Brenton Road Overbridge**

Appendix C of the TS provides the results of a traffic survey undertaken on the A379 in September 2020 at a time when the level of vehicle movements will have been suppressed by restrictions arising from the Covid pandemic. While further surveys were undertaken in May 2023 at the locations indicated in paragraph 3.2.18 of the TS, none of these took place on the A379. A new traffic survey should therefore be undertaken on the A379 at the location of the September 2020 survey or other location to be agreed with the County Council to enable proper consideration of current traffic levels.

TS 5.3.2 states that “the proposal does not represent an increase in vehicle movements on the A379 or the A38 Overbridge”, which is incorrect. While all inbound vehicles arriving at the proposed Brenton Road site access would use this overbridge, no inbound vehicle movements to Trood Lane use the bridge and neither do outbound vehicles heading southwards to join the A38 towards Torbay and Plymouth. The only movement generated by Trood Lane that has used the overbridge is from vehicles needing to travel eastwards on the A379 that were obliged to turn left on leaving Trood Lane prior to its recent closure.

While all vehicles travelling to or from the Trood Lane landfill site are obliged to use the A379 to enter or leave Trood Lane, it is misleading to imply that vehicles generated by the proposed site at Lower Brenton Farm would use the A379 to the same extent. Vehicles travelling to Trood Lane from the east would only use a short part of that part of the A379 between the Devon Hotel roundabout and the A38; in contrast, all inbound and outbound vehicles

generated by the proposed facility would be required to travel the full length of the A379 between the Brenton Road overbridge and the Devon Hotel roundabout (with the potential exception of vehicles with waste generated by developments along the A379 corridor).

Potential use of the Devon Hotel roundabout (described in the road safety audit for the previous planning application as “an accident/collision cluster site”) would also increase as a result of the proposed development as every inbound and outbound vehicle movement would pass through that junction (with the potential exception of vehicles with waste generated by developments along the A379 corridor). For the Trood Lane site, outbound vehicles travelling southwards towards the A38 avoid this roundabout.

TS 3.2.37 refers to a new roundabout on the A379 being constructed through the HIF programme, while 4.2.3 and 4.2.4 refer to the use of this new roundabout by vehicles travelling from the proposed site at Lower Brenton Farm. However, this roundabout is no longer included in the HIF programme and its construction will be the responsibility of the developers of the Peamore employment land with an unknown timescale.

### **Shillingford Lane Crossing**

Drawing 0519.205 shows the hedges on either side of the accesses being maintained at a height of 1.8m, which would be too high for all but HGVs and may lead to pedestrians and cyclists using Shillingford Lane being difficult to see. The visibility splay of 22m is also inadequate for the northbound 85<sup>th</sup> percentile speed of 23.3mph, and this should be increased to 30m (with any necessary adjustments made to other documents supporting the planning application).

The references to Phases 3 and 4 vehicles on drawing 0519.205 require correction to reflect the current, rather than previous, planning application.

### **Cumulative Impacts with Permitted/Allocated Sites**

Notwithstanding the ongoing changes along the A379 corridor associated with the South West Exeter development, TS 6.2.2 and 6.2.3 rely on the assertion that the proposed development maintains the levels of vehicle movements generated by the Trood Lane facility to claim that “no offsite mitigation works are considered necessary as there will be no perceivable change in HGV traffic attributable to the scheme above that of the current situation”. As indicated above, this assertion is incorrect, and greater detail needs to be provided on the cumulative impacts of the Lower Brenton Farm development in combination with permitted and allocated sites in the vicinity.

The extant planning permission for landfilling and the associated recycling facility at Trood Lane is effectively temporary as the approved landfill void has a finite capacity that has already been exceeded. This facility was most recently granted planning permission in 2005 prior to the allocation of the

South West Exeter development at a time when the nature of this part of the A379 was significantly different.

Given that design of the A379 improvements being implemented through the HIF programme is unlikely to have considered the additional traffic that would be generated through the Lower Brenton Farm development, more detailed assessment of cumulative impacts is required than is provided in the TS. In addition to the housing and employment proposals associated with the South West Exeter and Peamore developments, this assessment should consider the increase in annual throughput of the waste management facility at Kenbury Wood from 75,000 tonnes to 120,000 tonnes approved in March 2021 (DCC/4173/2020).

### **Enforcement of Proposed Vehicle Routeing**

TS 4.2.3 to 4.2.4 outline the routes by which vehicles generated by the proposed development will travel, but there is no indication in the TS or other documents of how compliance with these routes will be secured and use of alternative, less appropriate routes prevented, in particular:

- travel through Kennford by vehicles to avoid use of the Devon Hotel roundabout;
- use of the junction at the Frank Tucker garage or new junctions on the A379 to 'U-turn' to avoid use Devon Hotel roundabout; and
- travel to/from the A38 at the top of Haldon Hill via Clapham.

The alterations being undertaken to the A379 through the HIF programme are significantly changing the nature of that road with the introduction of new junctions and traffic signals that would increase the time taken to travel to and from the Devon Hotel roundabout, thereby increasing the likelihood that drivers may be tempted to make use of other options.

### **Buses, Cyclists and Horse Riders**

The account of bus routes in TS section 3.2 and Appendix A omits the 366 service that travels between Shillingford St George and Kennford and which passes the proposed site entrance.

TS 3.2.6 acknowledges the signposted cycle route that passes the junction of Brenton Road with the A379 slip road, while TS 3.2.32 to 3.2.33 note collision incidents in the vicinity involving cyclists. However, there is no consideration in the TS of the potential impact on the safety of cyclists from the increase in HGV movements on the Brenton Road overbridge and the A379 slip road that will arise from the proposed development. It should also be noted that the opening of the new Matford Brook Academy (originally planned for September 2023 but delayed to September 2024) may generate increased cyclist travel on this route.

TS 3.2.7 acknowledges potential use of Shillingford St George Bridleway 19 by cyclists, but it fails to address the potential safety impact on horses and their riders arising from the proposed development.

## **Collision Data**

TS 3.2.29 refers to records from the County Council for the period from 1 January 2015 to 31 December 2019, but no explanation is given as to why records from 1 January 2020 to the present have not been obtained.

TS 3.2.33 mentions online data from 1 January 2017 to 31 December 2021, but these are not appended to the TS, and it is unclear why subsequent data are not included.