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Friday, 08 April 2011

Dear Mrs Penaluna

Planning application DCC/2975/2010 : New England Quarry. Consultation Response Received from CPRE.

I am writing to you in respect of the consultation response that you have received from the Campaign to Protect Rural England (CPRE) that you kindly copied to me.

There are a number of points within this letter upon which I would wish to make my own observations on behalf of Viridor. I deal with these below. I would also like this letter to be brought to the attention of Councillors Hart and Croad, as well as the Development Control Committee in the same way that CPRE have requested that their letter is treated.

I would note that CPRE are a pressure group devised to preserve the rural nature of England. I do not believe they have any statutory status, although they are a charitable body, and they have no corporate governance structure by which the observations of their members and regional groups can be controlled or ratified. It would appear that any member is able to respond to any consultation under the banner of the CPRE without hindrance. A brief study of the activities of the CPRE via the internet might lead one to conclude that they respond negatively in respect of any development in rural areas.

My specific comments are as follows (using their section headings):

1. Introduction

CPRE observe that "*The waste management companies, many of them international conglomerates...*". In contrast to this statement, I would note that Viridor is a UK-based business, operating solely in the UK, with a headquarters in Somerset. Within the south-western region, Viridor employs in excess of 500 people.

I am unclear what the reference to “*VIRIDOR, whose business plan for an incinerator just north of Exeter*” refers to. I presume this is the proposed development at Marsh Barton (on the southern side of Exeter) which Viridor have been working on with DCC since 2006. If that is the case, you will be aware that this facility has a planning permission and an Environmental Permit and that construction is expected to start in 2011. This facility has a capacity of 60,000 tonnes per annum only and serves a restricted area around Exeter. The non-appearance of this facility in any of the documents submitted in respect of the New England Quarry planning application is entirely to be expected as the Exeter facility will be at some distance from New England and will serve an entirely separate market.

I am also intrigued by the suggestion that “*Devon currently dumps much of its waste in Cornwall*” since this is not correct. Furthermore, the statement that “*Somerset is looking to move much of its residual waste to either Devon or Avon*” significantly over-stresses the actual position. Somerset County Council is looking at 4 options for the long-term disposal of residual waste, two of which are the disposal of such waste in (i) Devon and (ii) Avon.

2. The Present Situation

The CPRE point out that the SWDWP is backed up by PFI funding, although they incorrectly state that this funding is from the Environment Agency. It is not.

CPRE then go on to state a preference to technological choice in respect of the SWDWP procurement process which is surely not a relevant concern in respect of the consultation in respect of this planning application.

CPRE go on to discuss the possibility of the New England facility being utilised to treat commercial and industrial waste in the absence of MSW. They also mention the emerging proposal by Aerothermal at Lee Moor. Viridor’s planning application at New England Quarry is the only submitted application that relates to the treatment of waste in this part of Devon, both MVV’s and Aerothermal’s proposals being merely proposed applications at this time. Given that the cost of preparing and submitting an application is not insignificant (many hundreds of thousand of pounds), it is plain to see that applications would not be made without justification and need.

3. The Environmental Impact

The CPRE state that “*it is unclear what actually happens to the waste when it comes into the EfW plant*”. I believe that both the non-technical summary and the main application documents are quite clear in this regard. The Environmental Permit application is also even more thorough in the relevant descriptions. I can only conclude that CPRE have not read the application documentation. This conclusion is backed up by CPRE’s assertion that “*the use of the River Yealm for the circulation of turbine cooling water could itself present an environmental hazard*”. This assertion is factually incorrect and is so different to the actual proposals (air cooled condensers) as to suggest that the assertion has been made simply to support CPRE’s objection to this development.

4. The Current Requirement for another incinerator

I am confused by CPRE's references to the Defra study. I am unable to locate the quotations within the study and believe that they may be incorrectly referenced. However, I would also note that the following observations are relevant:

- 4.1 The Defra study contains an entire section on the South West Region (appendix N) with a specific section on the caveats and limitations to the study results. Importantly it acknowledges that the figures could be inaccurate for many reasons.
- 4.2 The study acknowledges that the total commercial and industrial waste arisings in Devon and Plymouth to be of the order of 625,000 tonnes per annum.
- 4.3 Although no planning application for the MVV facility at North Yard has yet been forthcoming, based on the information supplied by MVV in their EIA scoping report it is anticipated that the facility will have capacity to deal with c 50,000 tonnes of commercial and industrial waste only. There would, therefore, remain a significant demand for additional waste treatment capacity in Devon and Plymouth.

5. The Effect on the local economy

CPRE suggest that the facility will have a detrimental effect upon tourism, although my recollection of the verbal comments of the members of the CABE panel that reviewed the design is that they disagreed with this perception.

CPRE describes the increase in traffic as a result of this development as "*huge*". This seems to ignore the fact that the waste traffic is already on Devon's road network. In Lee Mill village there will be additional 150 vehicles per day on a highway already dealing with in excess of 8,000 vehicles per day. In that context the use of the word "*huge*" seems inappropriate.

CPRE incorrectly state that the recent revisions to the scheme "*make no mention of the earlier plans to improve the road network around Lee Mill*". This is incorrect, in the matter of the highway in Lee Mill, there is no significant difference in the scheme as modified to that as submitted in January 2010.

6. Public consultation

CPRE suggest that the issue of commercial confidentiality has clouded the matter of public consultation with regard to the planning application. This is not correct and no relevant planning matters have been described as commercially confidential by Viridor.

The matter of public consultation is designed to ensure that the public are aware of the company's proposals, thus giving them the opportunity to comment upon them to the applicant, the officers of the County Council and to elected Members. Viridor would contend that the level of public awareness of this scheme has been

more than sufficient to enable this to happen. In any case, the fact that there are “7 individual groups combining to oppose the planning application” lends weight to the assertion that the public consultation has been successful in raising awareness of the proposals

7. Conclusions

CPRE state that they “*have never been in favour of incineration as the best available technology for dealing with waste*”. Whilst CPRE’s members are clearly entitled to their opinion, Viridor would question the standing and expertise of CPRE, as a voluntary group whose sole stated aim is to protect rural England, to make such a technical and political judgement.

In the penultimate paragraph of this section, CPRE describe the facility as being “*designed to import huge quantities of commercial and industrial waste*” without either justifying this statement or explaining it. Viridor notes the observations made in 4 above and re-confirms that the proposed EfW facility’s capacity remains at 275,000 tonnes per annum as stated in the application.

I have taken the trouble to respond to the comments made by CPRE because they contain many inaccuracies which it might be contended would mislead the reader. I hope that my comments are considered in this context.

Yours sincerely



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