

Development Management Briefing to Tavistock Town Council

11th July 2020

- 1.** Bovis Homes' site off Callington Road does not match the statements made to WDBC and is in breach of Planning Conditions in respect of 20+ parameters.
- 2.** The entire development of 750 houses was pre-registered with NHBC on 31st March 2014, just 6 days before the new Energy Efficiency (SAP) regulations came into force. Bovis may legitimately build the entire estate to SA-2009 energy standards and 2006 Building Regulations. Their assertion to WDBC that their fabric-first approach will more than make up for the 10% of energy required from renewable sources is meaningless. The DM&L Committee was misled.
- 3.** The A390 access roundabout has been built 300mm too high. Thus the drainage on the Western side, opposite the site entrance, doesn't work. Water runs across the carriageway. DCC Highways are aware. They have not adopted the area of the roundabout. It does not form part of the public highway.
- 4.** The approved on-site drainage and sewage schemes have not been implemented. The surface water does not have the specified attenuation tanks and the pipes do not leave the site at the stipulated positions. The scheme does not comply with the 30-year and 100-year flood calculations. Surface water joins the existing pipework at Deacons Green and runs straight into the canal. It carries the silt and any chemical contaminants directly into the waterway.
- 5.** Consent has been granted for two additional houses (2142/19/FUL) despite the fact that this area is where the sewage and surface water pipes now run. DM&L Committee was not informed of that prior to the meeting. That same patch of ground was marked to be protected by site fencing. But Bovis Homes needlessly felled trees because their contractor's drawings didn't match those submitted to WDBC DM&L Committee when Phase-1 approval was granted (26th Feb 2019).
- 6.** The Phase-1 site has soil tests showing arsenic levels above the West Devon threshold for contamination of 140mg/Kg. Bovis Homes have stripped the soil and are building on underlying rock for which chemical testing has not been undertaken. At the SW corner of Phase-1, those excavations have gone 5m below the original soil.
- 7.** [redacted]
- 8.** Contaminated soil has been used to form the grass verge beside the roundabout. The soil used to cover the designated children's play area is of unknown derivation because Bovis have not followed the directive from their Geo-technical Consultants to keep contaminated material separate. In any case the play area also does not have the minimum 600mm deep covering of clean material. The shallow soil is on top of stone crushings which were used as car-parking space.
- 9.** Dust is being blown from the site. It is not known if this is contaminated. Bovis Homes are not following their own documentation on Air Quality Management or the Site Environmental Management Plan. WDBC Enforcement have requested that they submit the logs which are required to show their compliance. This includes off-site dust sampling up to 100m from the site.
- 10.** The dust sampling equipment (Frisbee dust deposition gauge) and Nephelometer sampling has not been installed. The Site Action Levels cannot be triggered because the quantities of PM₁₀ and PM_{2.5} particulates are unknown. No off-site cleaning or mitigation protocols have been undertaken.

11. Material stockpiles on site are required to be fenced or covered to prevent wind-whipping. There is a pile of excavated waste rock/ore against the Western (Tavistock Parish) boundary over 3m high which is not fenced/covered or dampened. The stockpile is also positioned on an area of land which is designated to be fenced off due to the presence of a badger sett. This breaches the Badger Act, which protects a sett, whether occupied or not.

12. Insulation material has been strewn across the surrounding countryside. This ranges from 1mm wide polystyrene beads to entire sheets of material 2.4m long.

13. Bovis Phase-2 was granted Consent under Delegated Authority on 27th Sept 2019. The Planning Dept failed to notice that Bovis Homes had changed the numbering of the building phases since the granting of Outline Consent in 2015. Therefore they didn't realise that the specific Conditions stipulated for the higher levels of contamination within that area should be implemented. This is being investigated by WDBC Deputy Chief Exec.

14. The document on Detailed Qualitative Risk Assessment on Arsenic by Bovis' geotechnical consultants had not been disclosed to WDBC until after the periods of public consultation for both Phase-1 (2780/18/ARM) and Phase-2 (3345/18/ARM). It has not therefore been subjected to public scrutiny as required by the Planning Act.

15. Linden Homes was granted Outline Consent to build 250 houses off Plymouth Road on 18th June 2020 (3614/18/OPA). This followed pressure being placed on the two Ward Councillors not to call in the Application for discussion by the full DM&L Committee. The requirement for a rapid decision was due to delays in processing the Application since it was submitted in Nov 2018, such that the farming tenancy agreement was about to be renewed. This would undermine the S106 Agreement with the Council and the Developer.

However, the Councillors had been offered an Officer Report in which the actual text of the Planning Conditions had not yet been stipulated. Nor was any other Councillor afforded the opportunity to call in the Application.

16. The Linden Homes site also contains arsenic above the contamination threshold of 140mg/Kg. Moreover the geotechnical report shows the presence of four mineral lodes, at least one of which has been worked. The report identifies a high level of risk to human health.

The Decision Notice contains Planning Conditions which are almost identical to those used for the Bovis Homes site off Callington Road despite their obvious failure to require adequate testing and protection of workers, the public and the environment.

17. Geoffrey Cox MP is aware of some of these issues, although not intervening in any Planning matters. He has helpfully advised that it is permissible for an existing Planning Permission to be revoked. He quotes from a document in the Commons Library:

"[laws in the UK Nations] all allow councils to revoke or modify a planning consent 'to such an extent as they consider expedient' with regard to the Development Plan and other material considerations. The powers can only be used before the development.... is complete."

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