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HCE Ref : HCE1205 – Validation Response

17 October 2025

Maggie M.K. Wong
National Regulation and Monitoring
Environmental Agency
Aqua House
20 Lionel St
Birmingham
B3 1AQ

Dear Maggie,

Re: Bovey Basin Ball Clay Workings – EPR/SP3427SW/A001

This letter sets out the response to the request for further formation following the validation of above permit application.

1. Clarify the area of waste deposit covered by this environmental permit application.

Reason: There is some confusion over the lateral extent being applied for in this permit with drawing no. 1205.105 indicating only part of the restoration is subject to this application. This is different to the restoration proposals and risk assessments.

The area of waste deposit covered by this application is shown on Drawing 1205.105. The areas of deposition shown in Drawing 1205.105 have been traced based on corresponding restoration plans.

2. Clarify the phase(s) within the Central Area to be covered by this permit application.

Reason: Section 1.3.1 of the Environmental Setting and Site Design Report states that 'this permit application primarily relates to the first phase of restoration (The Central Area Quarries)', while the Non-technical Summary states that 'this permit application primarily relates to the first two phases of restoration (The Central Area Quarries)'.

Section 1.3.1 in the ESSD has been updated.

3. Update the proposed permit boundary in the Site Location Plan, the Sensitive Receptors Plan, the Monitoring Point Plan, and the Site Infrastructure Plan.

Reason: The environmental permit boundary should only encompass the deposit for recovery and waste mining operations included in this application.

As per our email discussion, the permit boundary has been left unchanged. We have reiterated the key points from your email of 16 October 2025 below:

- The proposed waste storage area is included within the proposed permit boundary, even though this area may be located within the quarry area.
- With regard to areas of the quarry that fall within the surface water drainage network but do not involve any waste deposit, tipping, or storage activities under this permit application, these areas should not be included in the proposed permit boundary.
- It is acceptable to show the planning permission boundary in addition to the revised permit boundary within the same plans, but please ensure that the legends are clear and distinguishable.
- A note will be left for the future determining officer, who will request your confirmation and updated permit boundary during the duly making.

4. Clarify (i) the latest status of consolidating planning application for the Central Area (application reference DCC/4344/2023) since the approval of the Waste Management Plan in 2024. If consolidated planning permission for the Central Area has been granted since then, clarify (ii) any changes between the agreed planning permission and the planning application materials submitted with the Waste Recovery Plan in 2024.

Reason: In the Environment Agency letter titled 'Environmental Permitting – Recovery vs Disposal assessment of a waste recovery plan' (our ref: EPR/SP3427SW/P001, dated 20 August 2024), it states that 'A revised waste recovery plan must be submitted with any future application for an environmental permit. The plan must take into consideration the agreed planning permission from Devon County Council (DCC/4344/2023) provided as supporting information to this application.' We need to confirm whether the comment is still applicable to this environmental permit application.

The planning permission (application reference DCC/4344/2023) has been granted as discussed in Section 1.2 of the CSM, HRA and ESSD. There have been no changes between the agreed planning permission and the application materials submitted with the Waste Recovery Plan.

5. Provide the remaining volume of soil to be imported and deposited for the future restoration of Phase 3.

Reason: Table 4-1 of the Environmental Setting and Site Design Report only presents the breakdown of imported soil volume for the restoration of Phases 1 and 2. Given that Table 4-2 of the approved Waste Recovery Plan specifies the maximum volume of soil approved for import and deposition across the entire Central Area (which was a key consideration during previous RvD assessment), it is necessary to confirm that the total volume of imported soil for the Central Area remains within the approved estimate even though Phase 3 restoration is expected to be covered by a separate environmental permit variation.

The ESSD report (ref: HCE1205.ESSD.Rev3) has been revised to include the total volume expected for Phase 3 (See Table 4-1). The total volume for all phases is within the maximum volume specified within the WRP.

6. Provide a Dust and Emissions Management Plan (DEMP).

Reason: Please refer to the section titled 'Emissions management plan' of the guidance [Control and monitor emissions for your environmental permit - GOV.UK](#). The proposed scheme involves recovering waste at a deposit for recovery site, and there are sensitive receptors within 500 m of the site, as listed in the guidance. Please find attached a DEMP template for reference.

A DEMP produced by Wardell Armstrong has been provided. The DEMP has been written to discharge a planning condition relating to the proposed restoration and per our telephone discussion (15 October 2025) it is not intended to write a separate report, avoiding dual-regulation of risk from dust and emissions. The fee for EA review of the DEMP has been paid (see Questions 8 and 10 below).

7. Provide a site layout plan showing the locations of site entrance/exit, wheel wash facilities, stockpile areas (if applicable), other key site facilities and visual monitoring points (if applicable).

We have reviewed and updated the Site Infrastructure Plan. (e.g., location of wheel wash has been added). The updated version (**Drawing 1250.105 Rev A**) has been provided.

8. The charge for the assessment of a DEMP is not included in your baseline application charge. You will therefore need to make an additional payment of £1,241.

Payment was made on 13 October 2025 by Horizon Consulting Engineers.

9. The application requires an assessment under the Habitats Regulations. The charge for this assessment is not included in the baseline application charge. You will therefore need to make an additional payment of £779.

A Habitats Regulation Assessment was carried out by Devon Council in September 2023 as part of the planning application for the proposed development. This has now been provided. Payment was made on 13 October 2025 by Horizon Consulting Engineers for this additional assessment by the Environment Agency (plus the F1 Form updated, see Question 10 below)..

10. Revise Application Form Part F1 to reflect the additional assessment charges and the revised total charges.

Application Form F1 has been updated with the revised total charges.

11. Acknowledge in writing that the proposed waste deposit for recovery operation must not commence until the Technically Competent Manager (Mr Richard Giles) achieve his VRQ.

Reason: You have provided the email correspondence with CIWM demonstrating his enrolment in the VRQ410 and VRQ406 courses. In accordance with [WAMITAB Assessor and IQA Handbook](#), applicants for a new permit must achieve their full VRQ qualification prior to the start of permitted activities. Your written acknowledgement will be taken into account during future duty making.

It is acknowledged that the operation must not commence until Richard Giles (the nominated TCM) has achieved his VRQ, or until another person who holds a suitable qualification is identified in the event that Richard Giles is unable to complete his VRQ. Sibelco is aware of this requirement.

12. Update the Environmental Management System summary by including climate change in accordance with the guidance [Develop a management system: environmental permits - GOV.UK](#).

A new section has been added to the EMS to take into account climate change (Ref: HCE1205.EMS.Rev1 Summary)

Yours Sincerely,

Jamie Howourth
Senior Consultant

Horizon Consulting Engineers Limited