

**HOLCOMBE ROGUS PARISH COUNCIL**  
**Clerk – Mrs Leslie Findlay**  
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MDDC Planning Services  
Development Management  
Phoenix House  
Phoenix Lane  
Tiverton  
Devon EX16 6PP

2<sup>nd</sup> March 2023

Dear Sir/Madam,

**APPLICATION 22/00907/FULL**  
**RETENTION OF DISUSED QUARRY FOR USE AS TWO FIRING**  
**RANGES AT Devon & Cornwall Constabulary Pondground Quarry**  
**Holcombe Rogus**

**These are the further comments of Holcombe Rogus Parish Council (the Council) following a Meeting of the Council held on Thursday 23<sup>rd</sup> February 2023**

The meeting considered a report dated 1st February 2023 prepared by Acoustic Consultants Ltd (ACL) on behalf of the Devon and Cornwall Police (Police Authority)

1. The author of the ACL Report states that the Report considers the impact of noise through measurement and comparison with guidance which the author believes is relevant. This being so, why have ACL not done this, given that they have measured and are clearly aware of the guidelines, if they believe its relevant?
2. The ACL report states that there have not been any substantiated noise complaints due to the operation of the Pondground Quarry. This is not correct. Ample evidence of unacceptable noise levels has been provided by the independent Acoustic reports of Parker Jones Acoustics dated 23<sup>rd</sup> June 2022, and 14<sup>th</sup> of June 2022 as supported by the report by LF Acoustics 22<sup>nd</sup> October 2022. The noise levels recorded were clearly at a level that have a substantial adverse impact on those living nearby and indeed further afield.

3. Moreover, the Police Authority acknowledged in December 2020 that there had been complaints about the unacceptable noise level and that there had been an increase in use

The Police Authority's email of 11th of December 2020 acknowledged;

a. The awareness of complaints

b. That the use of the quarry had been on the increase.

c. That the use will regrettably increase further through 2021.

d. That the new training calendar from April 2021 had not yet for being formulated, but is likely to be 'impactful'.

(See email from Sergeant Jon Bunt 11th December 2020)

4. As to the usage of Pondground Quarry, ACL state that usage has been variable with no obvious trend and peaking out at about 70 days in 2017. The Council is advised that this is incorrect. The Council understands that peak usage occurred in 2021, which was 59 days and not circa 70 days in 2017. In 2020 the usage Level was only 28 days and still gave rise to further complaints to the Police Authority.

5. The ACL report further states that there will be no adverse effect on the acoustic character of the area. This is an extraordinary claim to make given the clear and lucid independent acoustic reports submitted on behalf of the local community.

Clearly there is a significant observed adverse effect level of noise as referred to in the Noise Policy Statement of England and such impact should therefore be avoided.

6. If the ACL report is designed to support a claim that the planning application is simply seeking to regularise an existing historic use, this has no merit. The proposed usage of 70 day is, as the Council understands it, is considerably in excess of the amount of historic usage.

7. Firing ranges (of the kind previously in use at Pondground Quarry) should follow CIEH guidance. ACL on behalf of the Police Authority refuse to accept that it is relevant notwithstanding that the guidance has, we are advised, been adopted by the MOD and police and local authorities across the country as the appropriate guidance to follow for the type of use proposed for Pondground Quarry. This is no doubt because the Police Authority would not be able to meet those standards and would need to move operations elsewhere.

The answer is not to ignore the human cost and disregard the pain and suffering of those living nearby.

8. The ACL report suggests that there is a differing approach to noise measurement depending on whether the firing range is a new one or an existing one. There is no basis for such an approach. What matters is the intensification of use and the impact on those living nearby.

9. The ACL report says that MDDC are of the view that noise from historic or previous use of the firing range is not unacceptable. Given that MDDC does not, as the Council understands it, have any acoustic expertise in - house and has refused to obtain any independent acoustic advice, it is unclear how MDDC could have reached this view.

10. Based on what is said above, it is difficult not to form the view that MDDC have already made up their minds in respect of the Planning Application even before consideration by planning committee.

11. In our Council's opinion, there is nothing in the ACL report that justifies the grant of planning permission.

Furthermore and in conclusion, MDDC should be aware that our Council has been advised that it would be unlawful for MDDC to take any further action in considering this planning application on account of the apparent failure of MDDC to discharge its legal obligations to obtain independent reports on the impact of the proposed development on ecology, wildlife, the Canal Conservation Area and other land nearby. The Council is also advised that this may lead to an application to stay further consideration of the current Planning Application so as to enable MDDC to discharge its legal obligations.

Yours faithfully

*Leslie Findlay*

Cc  
Mr Richard Foord MP  
Mr Richard Marsh Director of Place MDDC  
MDDC Planning Committee