

Somerset County Council

Regulation Committee – 2 March 2017

Report by Service Manager –

Planning Control, Enforcement & Compliance: Philip Higginbottom

Application Number: 2016/3103/CNT
Date Registered: 15 December 2016
Parish: St. Cuthbert Out
District: Mendip
Member Division: Mendip Hills
Local Member: Cllr Harvey Siggs
Case Officer: Bob Mills
Contact Details: rwills@somerset.gov.uk
tel: 01823 356019

Description of Application: **DEVELOPMENT OF A WASTE MANAGEMENT FACILITY AT GREEN ORE FARM INCLUDING THE ERECTION OF A STEEL FRAMED BUILDING, A WEIGHBRIDGE AND AN OFFICE / STAFF FACILITIES**

Grid Reference: 358443 - 358443

Applicant: R.M. Penny (Plant Hire & Demolition) Ltd

Location: Green Ore Farm, Roemead Road, Green Ore, Wells, BA5 3EP.

1. Summary of Key Issues and Recommendation(s)

1.1 The application seeks to relocate the waste management activities from Emborough to Green Ore Farm. The main issues to be taken into account are:

- Development in the countryside;**
- Visual impacts;**
- Transport impacts; and**
- Noise impacts.**

1.2 It is recommended that planning permission is GRANTED subject to a s106 agreement to rescind the previous waste permissions at the site and the conditions set out in section 8 of this report, and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager, Planning Control Enforcement & Compliance

2. Description of the Site

- 2.1 Green Ore is located about 5km (3 miles) northeast of Wells at an intersection of the A39 and B3135, and at the eastern end of the gently undulating main Mendip Hills limestone plateau. The field pattern is mainly defined by dry stone walls in various states of repair, sometimes supplemented by post and wire fencing. Tree coverage is limited, but increases eastward with more frequent hedgerows and hedgerow trees. The Mendip Hills Area of Outstanding Natural Beauty is generally located to the west of the A39, although an area of the AONB crosses to the east of the A39 and is bounded by Haydon Drove (between 1.67km and 0.62km southeast of the B3135), the B3139 and the northern edge of Wells.
- 2.2 Green Ore Farm is a collection of domestic and agricultural buildings on the south side of the B3135 approximately 900m southeast of the Green Ore crossroads. The AONB is approximately 800m south of the farm buildings on the other side of a ridge.
- 2.3 The nearest properties to the Green Ore farmhouse are the Mendip Nature Research Station and Blue Mountain Farm approximately 450m and 850m to the east, Wells Hill Bottom Farm is approximately 650m to the east-southeast, Haydon Hut Farm is approximately 750m to the south-southwest, Hillgrove Farm is approximately 950m to the west, and Little Paddock, the closest property at Green Ore, is approximately 750m northwest of the application site. The only local rural right of way that may provide a view of the site crosses fields on the opposite side of the B3135, and emerges onto the road about 225m to the north-northeast of the composting site.
- 2.4 Access to the farm is in the form of a short track from the B3135. To the east of the access is the site of a Neolithic long barrow and bowl barrow (destroyed between 1946 and 1954) that is a Scheduled Ancient Monument.
- 2.5 The farmhouse bungalow building is approximately 100m from the road, beyond which is a collection of farm buildings either side of the track. A planning application has been submitted to Mendip District Council by the previous owner to convert one of the farm buildings to the south of the farmhouse to residential use. On the west side of the track is a green waste composting site measuring approximately 120m x 95m (max.) on the outside of which is an approximately 3m high bund.
- 2.6 The applicant has acquired the area to the west of the track including the farmhouse and the fields to the north, west and south of the composting area.
- 2.7 The application site comprises the access track, an area alongside the former site office for parking, and the bunded area including the adjacent farm building and compost storage area.

3. Site History

- 3.1 The planning history at Green Ore Farm is outlined in the attached Appendix to this report.
- 3.2 Green waste composting was initially permitted at the site in 2005 (permission no. 085446/002), with a bund around the site to the north, west and south.
- 3.3 The use of an adjacent building was permitted for the sorting of paper, card and contrary materials from the green waste prior to composting in 2008 (permission no. 085446/005).
- 3.4 In February 2012 an increased volume of waste at the green waste composting site was sought. The application (no. 2012/0300) sought to process up to 10,000 tonnes per annum; however, the development was limited to 8,000 tonnes per annum
- 3.5 The green waste composting site was extended by permission no. 2014/0830/CNT in 2014. As a result the external bund was enlarged to enclose the permitted area. It was also proposed to increase the site throughput to 20,000 tonnes per annum. A compost screening building was also permitted within the site but it has not been erected.

4. The Proposal

- 4.1 It is proposed to relocate R. M. Penny's waste management activities from Emborough, 4km to the south-west of the current site, to Green Ore Farm. A planning application is to be submitted to change the use of the site at Emborough for plant storage and HGV parking.
- 4.2 The farmhouse and composting area at Green Ore Farm is indicated as in the applicant's control. An area on the farm was developed by its previous owner as a waste composting facility, which is enclosed and screened by bunds. The application area benefits from having direct access onto the B3135, which is suitable for HGVs. The closest properties to the site are the Mendip Nature Research Station approximately 450m to the east and Haydon Hut Farm approximately 550m to the southeast.
- 4.3 The planning application seeks to develop the green waste composting area as a waste management facility for the reception, processing and storage of inert and restricted non-inert wastes. The proposal includes the provision of a weighbridge, weighbridge office and staff facilities, and a new steel-framed building that is 36m x 15m x 8m high.
- 4.4 If permitted, it is proposed that the composting operations will cease and the site cleared of waste.
- 4.5 It is proposed that up to 75,000 tonnes per annum of inert waste materials

are accepted at the site. This will include materials such as bricks, concrete, ceramics, stone, soils, minerals and road asphalt.

- 4.6 The inert materials will be brought to site in HGVs, via the weighbridge alongside the farm shed on the west side of the access track, and deposited in the yard. Bays adjacent to the weighbridge office will be available for the reception of smaller loads, such as builders' waste.
- 4.7 If required, the inert materials will be sorted either by hand or mechanically to separate the different waste types ready for recycling. Any non-inert wastes, such as metal or plastic, will be separated and placed in a sealed container for removal off site or storage within the non-inert waste building. Sealed containers such as skips or roll-on, roll-off bins will be stored within the yard when required.
- 4.8 Recycling will include the crushing and screening of the inert materials to produce recycled aggregates, soils and asphalt products. As a result, a crusher and a three-way split screener, or similar, will be operational within the yard. Other plant will include two loading shovels and two 360° slew type excavators.
- 4.9 The storage of materials within the yard will not exceed the height of the 3m high perimeter bunds.
- 4.10 Recycled products will be stored in the yard and transported off-site by HGV, via the weighbridge.
- 4.11 It is proposed to accept up to 10,000 tonnes per annum of non-inert wastes such as plasterboard, wood, metal, plastics, paper and cardboard. These materials will be imported to the site by HGVs, possibly in skips, and immediately deposited in the new non-inert waste building. It is not proposed to accept hazardous materials. Once unloaded, the non-inert materials will be sorted into the different waste types and either stored in bays within the building or in sealed containers in the building or yard. These materials will be stored, until a sufficient quantity has been 'bulked-up', before being removed from site by HGV, via the weighbridge.
- 4.12 The building will have an impermeable surface which drains to a sealed tank, the contents of which will be tankered off site as required.
- 4.13 Subject to the establishment of a market, it is proposed that plasterboard will be crushed and screened within the confines of the building, to produce gypsum. This recycled product will be stored within the building ready for sale directly into the market.
- 4.14 The non-inert operations will use the same plant as that used in the inert waste management area.
- 4.15 Ancillary facilities will include a weighbridge. It is also proposed to erect an office to provide a weighbridge office, site office and staff facilities. Sewage from the office will be held in a sealed tank and tankered off site as required.

- 4.16 Concrete sleeper storage bays, 2m in height, will be erected within the yard and weighbridge area. A wall, of similar construction, will separate the application site from the farm buildings to the east.
- 4.17 It is proposed to erect a building on the site permitted in 2014 for use as a maintenance shed and for storage. The consented building was to be erected on a north-south axis within the yard. The proposed building is repositioned on a roughly east-west axis to make better use of available space within the yard. The design of this building replicates the existing agricultural buildings being of a steel frame structure with box section cladding above concrete panel walls, fibre cement roof with two roller doors or similar. It is proposed to erect this building for use as a maintenance shed and for storage.
- 4.18 The current permitted working hours at Green Ore are 0700 hours to 2000 hours Monday to Saturday. It is proposed to adopt these hours but to allow HGVs to enter, load and leave the site from 0600 hours. It is proposed to not work on Sundays or Public / Bank Holidays.
- 4.19 The facility at Emborough currently employs 4 full time staff. It is envisaged that this will be increased to 5 full time staff with the relocation of the facility to Green Ore Farm.
- 4.20 **Application Documents:** The application comprises;
- Application form, etc.;
 - Documents:
 - Planning Application for a Waste Management Facility (Land & Mineral Management, dated 1 November 2016), including:
 - Planning Statement (Land & Mineral Management, dated 7 November 2016),
 - Appendices
 - (1) Planning Permission no. 2012/0300;
 - (2) Pre-consultation advice;
 - (3) Landscaping Scheme (Bracken Down, ND/v1, dated 22 December 2014);
 - (4) Environmental Noise Impact (Barnhawk Acoustics, Report no. 716/1);
 - (5) Transport Statement (IMA-16-148, dated November 2016);
 - Drawings:
 - Site Location Plan (Brunel Surveys Ltd, Plan no. 13440-20000-001, scale 1:20,000@A4, dated Nov. 2016);
 - As Existing/Topo (Brunel Surveys Ltd, Plan no. 17322-1000-001, scale 1:1000@A1, dated Nov. 2016);
 - Proposed Site Layout (Brunel Surveys Ltd, Plan no. 17322-1000-02, scale 1:1000@A3, dated Sept. 2016);
 - Proposed Elevations & Plan of New Building (Sekon, Plan no. SEK-13-KIN-PREAPP03 Rev A, scale 1:200@A3, dated July 2013).

4.21 **Screening Opinion:** The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, does not refer to the sorting of non-hazardous waste facilities in either Schedule 1 or Schedule 2. Therefore, the proposal is not EIA development.

5. Consultation Responses Received

5.1 **Mendip District Council:** NO OBJECTIONS, subject to the Waste Planning Authority being satisfied that the proposal would have no adverse impact on flood risk, local ecology, the landscape, the amenity of local residents including the adjacent proposed new dwelling, and highway safety.

5.2 **St Cuthbert Parish Council:** RECOMMEND REFUSAL.

- The environment effects of the development (near a Nature Reserve, noise and dust generation, water source protection zone, lead contaminated site);
- Landscape and visual impacts (near AONB, inappropriate site location, detrimental to local area, scale of operation);
- Impact on transport system (increased HGV movement and road miles, distance to collect materials);
- Operating issues (hours of operation);
- The Parish Planning Committee is concerned that the development could become a similar eyesore to the Bath Recycling Skips site at Odd Down, Bath.

5.3 **Environment Agency:** NO OBJECTION.

- The development will require an Environmental Permit.
- Processed materials will continue to be regulated as waste until the applicant meets the end of waste in accordance with Article 6 of Directive 2008/98/EC. The applicant can demonstrate that waste tests have been met by either:
 - (i) Meeting all the criteria set out in any relevant and applicable EU End of Waste regulations;
 - (ii) A case by case assessment taking into account the applicable Quality Protocol or Defined Industry Code of Practice. There is no quality protocol for recycled soils.
- The EA may require a sealed drainage system for all wastes stored outside the building.
- Crushed and screened plasterboard will only be considered a product if the applicant is able to demonstrate that it has met the standards set out in the recycled gypsum from waste plasterboard quality protocol and the rules for all quality protocols. If not then it will still be considered waste and all relevant waste controls apply.
- There is no mention of a sewage / foul water system for the staff facilities unless the proposal is for them to use the existing toilets / kitchen in the farmhouse. If new toilets / kitchen facilities are to be built then an adequate sewage system will need to be installed, either septic tank to soakaway or treatment plant. Depending on the volumes discharged, this may need a permit.

- Run off from the inert and non-inert waste storage areas is mentioned but there is no mention of vehicle wash down areas or refuelling areas (if these are to be included), both of which should be on hardstanding with interceptors. If fuel is to be stored on site then it will need to be in a suitable tank with adequate bunding.

5.4 **Southwest Heritage Trust:** There are limited or no archaeological implications to this proposal, and there are no objections on archaeological grounds.

- There is a probable post medieval stock pond in the location of the bund. The site is 200m from the Roman Road from Mendip to Old Sarum, now the B3135 and next to a barrow.
- However, there is nothing found of historic nature in the built environment in the surrounding area, so there is no concern regarding a negative impact on the built historic environment.

5.5 **Local Highway Authority:** The proposed development is for a new operation that proposes a waste management site that will deal with up to 85,000 tonnes a year (75,000 tonnes of inert material, 10,000 tonnes of non-inert metals and plasterboard etc.).

- There appear to be no PIA's (Personal Injury Accidents) within the last five years in the vicinity of the existing access, but there are a number located near the A39/B3135 junction.
- The site would operate 6 days a week (Monday to Saturday), with an average of 14 incoming loads per day, or 28 HGV movements per day, with occasional peaks of up to 60 HGV movements per day
- Generally, exported material will be loaded onto HGVs that have just imported material, but there will be occasions when HGVs arrive solely to export material.
- The number of builders' vehicles collecting material is not expected to alter significantly from the Emborough site, which peaks at about 10 loads a day (20 movements), but averages about 5 loads per day (10 movements) over a year.
- It would appear that the seasonal peak of 60 movements per day will be expected opposed to the 74 HGV movements that were anticipated and accepted for the extant permission on the site.
- The predicted traffic generation of the proposal will not have a severe impact on the local highway network and therefore is acceptable in highway terms.
- The areas allocated for parking and manoeuvring although not formally marked out appear to be adequate for the scale of the development.
- The site access has been altered in line with previous planning consent 2014/0830, such changes are appropriate for this development and no further changes are necessary.
- There are no highway objections to the proposal subject to the following condition being attached to any permissions granted:
"The areas allocated for parking and manoeuvring on the submitted plan, Proposed Site Layout drawing number 17322-1000-002, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted."

5.6 Other Internal Consultees:

- Acoustics Advisor:** To adopt the existing site to use as a construction waste recycling operation would involve many similarities in activities.
- The application has been supported by an Environmental Noise Impact Statement.
 - The application would include the construction of a building previously permitted; however, the applicant proposes to realign the building. This aspect of the development is not significant to the noise impact arising from the site.
 - The application seeks to relocate the waste management operations from Penny's existing site at Emborough and proposes to process up to 75,000 tonnes per annum of inert waste materials and 10,000 tonnes of non-inert waste such as plasterboard, wood, metal, plastics, paper and cardboard.
 - The previous operations were limited to 20,000 tonnes of green waste importation.
 - The proposed operation represents a significant increase in the traffic requirement, both the difference in the material density and the process of back-hauling of material need to be considered.
 - Based on 20-tonne payloads, the Traffic Statement has predicted the importation of waste would equate to 4,250 loads per year, or 8,500 lorry movements. That equates to an average of 14 incoming loads per day, or 28 HGV movements per day.
 - Based on experience at Emborough, the operators expect occasional peaks of up to 60 HGV movements per day.
 - The current working hours at Green Ore Farm are 0700 to 2000 hours Monday to Saturday. It is proposed to adopt these hours, but to allow HGVs to enter, load and leave the site from 0600 hours. It is not proposed to work on Sundays or Public / Bank Holidays.
 - The Traffic Statement argues that both the average (2 movements per hour) and peak (60 movements per day) traffic expectations would be lower than those previously permitted for the green waste operation.
 - The applicant's consideration would appear reasonable and the introduction of additional movements between 0600 and 0700 hours would seem little justification for a planning objection based on any associated traffic noise impact.
 - The farmhouse would experience the most significant impacts from passing traffic and site noise. However, the building would be vacated by the previous owner. As the applicant (or staff) would occupy the farmhouse in the future it would appear unnecessary to consider any noise impact at this location.
 - Recycling operations will include the crushing and screening of inert materials and will produce recycled aggregates, soils and asphalt products. The details indicate plant to include a crusher and a three-way split screener, or similar, within the yard, with two loading shovels and two excavators supporting material movements and loading.
 - The application details indicate that storage of materials will not exceed the height of the surrounding bund. It is noted that the topographic survey does not indicate the finished bund height.
 - While this bund will reduce views of waste from the surrounding area it

could be possible for the plant involved, when located on the top of spoil, to be visible with minimal acoustic screening. Otherwise, the 3m high bund would provide visual and acoustic screening of the crusher, loading and transportation movements within the yard.

- The site has a number of surrounding residential properties, at 780m and 900m to the east, at 5m and 160m from the B3135. Property at Haydon lies 780m and 1170m to the south. Two residential locations to the west are located at 870m and at 10m and 180m from the A39.
- The noise assessment provided has demonstrated that the comparative sound power between the plant previously used for composting is 2dB greater than that proposed for recycling. Therefore if operation constraints were similar between the two types of waste operation there would appear to be little reason to raise a noise objection to this proposal.
- There is the likelihood that a loading slew could have a more elevated position. This difference would only result in a minor increase in predicted noise on the occasions when working height was level with the top of the enclosing bund.
- The noise assessment has measured noise at 3 locations (60m south of the B3135, Hillgrove farmhouse, and Upper Haydon Farm) and used these to interpret levels elsewhere. Measurements were over periods of 4.5 to 11 hours and logged 15-minute intervals and the period background averages used in the report are no more than 2dB greater than the lowest interval averages.
- The measurements at Hillgrove Farm were during south-westerly winds and this would increase background level when compared with the more usual easterly wind conditions that would be required to carry noise from the site. The measurements at Upper Haydon Farm were during south-easterly winds and this would increase the background level when compared with the more usual northerly wind conditions that would be required to carry noise from the site. However, accepting these points, it is agreed that the reasoning and conclusions that the expected noise impacts would be similar to or below existing background noise at residential locations.
- The consideration of noise under the NPPF now requires impacts of development to be assessed in terms of the effect it might reasonably be expected to have on residents, taking account of the acoustic environment and considering:
 - (i) Whether or not a significant adverse effect is occurring or likely to occur;
 - (ii) Whether or not an adverse effect is occurring or likely to occur;
 - (iii) Whether or not a good standard of amenity can be achieved.
- The traffic noise affecting most locations is likely to be sufficient to dominate the noise environment under weather conditions that would favour the propagation of noise from the application site.
- The predicted worst case continuous noise levels from the site would appear comparable to the estimated background noise levels at any residential location in private ownership. It would therefore seem reasonable to assume that noise from other sporadic activities would not exceed noise levels.

- As such, it is considered the noise impacts from this development can be classified under present planning guidance as 'noticeable and not intrusive' and as such would not require specific planning measures.
- In conclusion, it is considered there is little justification for the expected noise impacts of this development to substantiate noise objection. There would appear no planning need for a noise limiting condition. It is suggested that any minor increases in the processing plant would be unlikely to significantly worsen noise impact. However, in order to encourage the minimisation of noise impacts, it is suggested that operation of the site be in accordance with an agreed method statement that details plant and outlines the measures to be adopted to minimise the noise emissions from the site and a condition might be as follows:
"Prior to the commencement of mechanised processing activities at the site the operator shall obtain approval of a Site Operations Method Statement. This statement shall define typical good practice measures that will be adopted by the operator to reduce the noise from activities involving plant and machinery and confirm the intention to use white noise reversing alarms on all site based plant."

- 5.7 **Public Comments:** A resident of Emborough has commented on the proposed change of hours at Emborough Quarry (RM Penny's present site) where HGVs may be stored overnight. It is suggested that any application to change working hours is considered together with this application, not independently.
- A letter has also been received on behalf of the owners of the applicant's Emborough site, and is opposed to the change of activities at the site.

6. Comments of the Service Manager

- 6.1 The planning application relates to a change at the Green Ore Farm composting site to a waste facility dealing with inert and non-inert wastes. A new steel framed structure is also proposed, as is a weighbridge and office / staff facility.
- 6.2 **Development Plan:** Regard is to be had to the development plan for the purpose of this determination, which must be made in accordance with the plan unless material considerations indicate otherwise. Relevant policies may be found in the Mendip District Local Plan (adopted December 2014) and the Somerset Waste Core Strategy (adopted February 2013). Also taken into account are the National Planning Policy Framework (NPPF, March 2012) and the National Planning Policy for Waste (NPPW, October 2014).
- 6.3 **National Policy:** The NPPW states that Waste Planning Authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against criteria including:
- physical and environmental constraints on development, including existing and proposed neighbouring land uses, and having regard to the locational criteria;
 - the capacity of existing and potential transport infrastructure to support the

sustainable movement of waste, and products arising from resource recovery; and

- the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.

- 6.4 **Local Policy:** The Mendip District Local Plan (MDLP) Core Policy 1 (Mendip Spatial Strategy) indicates that development in the open countryside will be strictly controlled. Any proposed development outside the development limits will be strictly controlled and will only be permitted where it benefits economic activity or extends the range of facilities available to the local communities.
- 6.5 The Somerset Waste Core Strategy (SWCS) policy WC2 (Recycling and Reuse) states that planning permission will be granted for waste management development that will maximise reuse and/or recycling of waste subject to the applicant demonstrating that the proposed development will, in particular, be in accordance with Development Management Policies. In addition, applications for all types of development should demonstrate that viable opportunities to minimise construction and demolition waste disposal will be taken, making use of existing industry codes of practice and protocols, site waste management plans and relevant permits and exemptions issued by the Environment Agency.
- 6.6 SWCS policy DM1 (Basis Location Principles) states that waste management developments will be granted at locations connected to the strategic transport network, which adhere to the principles of sustainable development and which support the delivery of strategic policies. Waste management development will normally be located on sites including existing waste management sites.
- Policy DM2 (Sustainable Construction and Design) states that permission will be granted for waste management development subject to the applicant demonstrating a commitment to sustainable construction and design. Proposals will be considered favourably where measures are incorporated including:
- contribute positively to the character and quality of the area, taking into account landform, historic environment, layout, building orientation and materials, massing, height, density and landscaping; and
 - minimise waste production and maximise re-use or recycling of materials.
- Policy DM3 (Impacts on the Environment and Local Communities) indicates that planning permission will be granted for waste management development subject to the applicant demonstrating that the proposed development will not generate (amongst other things):
- significant adverse impacts from noise, visual intrusion or traffic to adjoining land uses and users and those in close proximity to the development;
 - significant adverse impacts on a public right of way or visual amenity; and
 - unacceptable cumulative impacts.

When determining a waste planning application, the level of protection afforded to an environmental or heritage asset will be proportional to its significance including, but not limited to, its statutory designation.

- 6.7 **Development in the Countryside:** MDLP policy DP22 (Reuse and Conversion of Rural Buildings) states that the reuse or conversion of a building in the countryside will be supported where (amongst other things):
- the proposed use would not prejudice the use of adjacent land and premises.
 - the design of the building, and associated development required to facilitate its reuse, respects its surroundings and does not harm the wider landscape character of the area or have an adverse impact on the transport network.
 - the building is of permanent and substantially sound construction and is proposed for re-use and adaption in a manner which would not require major or complete reconstruction.
- 6.8 In this case, the existing on-site building (which is currently used in respect of the composting operations) would be used for non-inert operations, (i.e., the sorting into the different waste types, storage in bays or sealed containers until sufficient quantity has been bulked up before being removed from the site by an HGV via the weighbridge). Its use would ensure the wider landscape is not harmed and comply with MDLP policy DP22.
- 6.9 The design of the proposed site building would be similar to the existing farm buildings, although there is no detail as to its colour, and the drawing layout is contradictory.
- 6.10 It was previously acknowledged that locating the composting development in an agricultural area can support rural economic diversity and contribute to the local and national economy. The location of the proposed waste facility development in the countryside is generally regarded as an acceptable approach in line with MDLP Core Policy 1 and SWCS policy DM1, subject to the potential impacts of the proposed development on the environment and amenities of the area and the highway being capable of accommodating the additional traffic movements generated.
- 6.11 **Visual Impact:** It has been stated that the storage of materials within the yard will not exceed the height of the 3m high perimeter bunds. Views from the east would be screened by farm buildings and a proposed wall separating the application site from the farm buildings. A planning condition attached to an earlier permission required a landscaping scheme to be submitted, with a 5-year landscape protection and maintenance period. The scheme was approved in July 2015.
- 6.12 At a recent site visit it was evident that the landscaping of the bund previously conditioned and approved has not been undertaken. The Council's Enforcement and Compliance Team have been notified and are pursuing its regularisation. The landscaping of the bund would be

appropriate in the event of planning permission being granted. It is therefore considered that the proposed development would have limited visual impact.

- 6.13 **Traffic Impact:** MDLP policy DP9 (Transport Impact of New Development) states that development proposals will (amongst other things) be supported where they:
- a) make safe and satisfactory provision for access and parking; and
 - b) avoid causing traffic or environmental problems within the wider transport network.
- 6.14 SWCS policy DM6 (Waste Transport) states that planning permission will be granted for waste management development subject to the applicant demonstrating that (amongst other things):
- the proposed development will not have a detrimental impact on Somerset's local and strategic transport networks; and
 - suitable access to the development is deliverable.
- 6.15 In this case, the access from the B3135 is of reasonable standard being adequately wide and relatively straight and connects with the A39 strategic route. The access arrangements and highway visibility for vehicles leaving the site are acceptable.
- 6.16 The proposed development would increase the number of HGVs using the B3135 locally. However, this is not expected to significantly impact on the transport network.
- 6.17 The Highway Authority has indicated that it is not opposed to the proposed development. The proposal is therefore regarded as compliant with SWCS policy DM6.
- 6.18 **Noise Impact:** Recycling operations would include the crushing and screening of inert materials and would produce recycled aggregates, soils and asphalt products. The submitted details indicate plant to include a crusher and a three-way split screener, or similar, within the existing yard, with two loading shovels and two excavators supporting material movements and loading.
- 6.19 The predicted worst case continuous noise from the site would appear comparable to the estimated background noise levels at any current residential location. It would therefore seem reasonable to assume that noise from other activities at the site would not exceed these noise levels. The Noise Assessment provided has demonstrated that the plant used for composting is 2dB greater than that proposed for recycling. Therefore, there would appear to be little reason to raise a noise objection to this proposal.
- 6.20 It would be sensible to require the loading slew to remain on the site yard area rather than in any elevated position which would raise noise levels from the site.
- 6.21 The proposed development is therefore considered to accord with SWCS policy DM3.

- 6.22 **Other Considerations: Ecology** – The proposed development site is contained within a farm yard area and screened from the surrounding area. The closest area of ecological interest is approximately 170m to the south beyond the B3139 Bath Road. No significant impact on local ecology is anticipated.
- 6.23 **Heritage** – There are a number of archaeological sites (including Ancient Monuments) in the local area, including a (now non-existent) barrow at the entrance to the farm. There were a number of small quarries in the area, and a stock pond was once where the northern edge of the bund is now located. However, there are no heritage sites at the proposed development site. There are no archaeological implications to the proposal.
- 6.24 **Drainage** – The application site is within Flood Zone 1 (i.e., land assessed as having a less than 1 in 1,000 annual probability of flooding). The development proposal site is wholly located within previously developed land and will therefore not result in an increased flood risk.
- 6.25 The inert waste and weighbridge / office areas will drain to a soakaway via an existing interceptor. The non-inert waste area within the building will have an impermeable surface which will drain to a sealed tank.
- 6.26 Storage of non-inert wastes outside of the site building will be confined to sealed containers. However, the submissions do not provide details of the precise drainage arrangement which should be subject to planning condition.
- 6.27 **Existing Permissions** – The proposed development has the potential to be compromised in the event of the existing permissions for green waste composting being re-introduced onto the site. It is therefore recommended that the existing green waste composting and sorting permissions are rescinded.

7. Conclusion

- 7.1 The planning application relates to a change at the Green Ore Farm composting site to a waste facility dealing with inert and non-inert wastes. A new steel framed structure is also proposed, as is a weighbridge and office / staff facility.
- 7.2 The existing building on the site would be used for the sorting of waste into the different waste types, storage in bays or sealed containers until sufficient quantity has been bulked up before being removed from the site by an HGV via the weighbridge.
- 7.3 The predicted worst case continuous noise from the site would appear comparable to the estimated background noise levels at any surrounding residential location in private ownership and it would therefore seem reasonable to assume that noise from other sporadic activities would not exceed these noise levels.

- 7.4 The location of the proposed waste facility development in the countryside is generally regarded as acceptable, subject to the potential impacts of the proposed development on the environment and amenities of the area and the highway being capable of accommodating the additional traffic movements generated.
- 7.5 The storage of materials within the yard would not exceed the height of the 3m high perimeter bunds. Views from the east are screened by farm buildings and a proposed wall, separating the application site from the farm buildings. It is considered that the proposed development would have limited or no visual impact.
- 7.6 The access from the B3135 is of reasonable standard being adequately wide and relatively straight. The access arrangements and highway visibility for vehicles leaving the site are acceptable. The proposed development would increase the number of HGVs using the B3135 locally. However, this is not expected to significantly impact on the transport network, and is considered acceptable.
- 7.7 The application site is within Flood Zone 1 (i.e., land assessed as having a less than 1 in 1,000 annual probability of flooding). The development proposal site is wholly located within previously developed land and would therefore not result in an increased flood risk, and is therefore considered acceptable.
- 7.8 No ecological or heritage impacts are anticipated.
- 7.9 The proposed development has the potential to be compromised in the event of the existing permissions for green waste composting being re-introduced onto the site. To prevent an unacceptable coalescence of impacts due to the current and previous developments potentially operating simultaneously it is therefore recommended that the existing green waste composting and sorting permissions are rescinded.
- 7.10 There are no other material considerations and my recommendation is that the decision should be made in accordance with the development plan, and I recommend that planning permission is granted.

8. Recommendation

- 8.1 **It is recommended that planning permission be GRANTED subject to the completion of a Section 106 Agreement relating to rescinding of the current waste related planning permissions at the site and the imposition of the following conditions and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager, Planning Control Enforcement & Compliance:**

1. Time Limit

The development hereby permitted shall be commenced with 3 years of the date of this permission.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Completion of Development

The development hereby permitted shall be carried out in strict accordance with the approved plans and specifications [as listed below] and with any scheme, working programme or other details submitted for the approval of the Waste Planning Authority in pursuance of any condition attached to this permission.

• Documents:

- Planning Application for a Waste Management Facility (Land & Mineral Management, dated 1 November 2016), including:
- Planning Statement (Land & Mineral Management, dated 7 November 2016),
- Appendices
 - (1) Planning Permission no. 2012/0300;
 - (2) Pre-consultation advice;
 - (3) Landscaping Scheme (Bracken Down, ND/v1, dated 22 December 2014);
 - (4) Environmental Noise Impact (Barnhawk Acoustics, Report no. 716/1);
 - (5) Transport Statement (IMA-16-148, dated November 2016);

• Drawings:

- Site Location Plan (Brunel Surveys Ltd, Plan no. 13440-20000-001, scale 1:20,000@A4, dated Nov. 2016);
- As Existing/Topo (Brunel Surveys Ltd, Plan no. 17322-1000-001, scale 1:1000@A1, dated Nov. 2016);
- Proposed Site Layout (Brunel Surveys Ltd, Plan no. 17322-1000-02, scale 1:1000@A3, dated Sept. 2016);
- Proposed Elevations & Plan of New Building (Sekon, Plan no. SEK-13-KIN-PREAPP03 Rev A, scale 1:200@A3, dated July 2013).

Reason: To enable the Waste Planning Authority to deal promptly with any development not in accordance with the approved plans.

3. Working Hours

- (i) No operations or uses authorised or required by this permission shall be carried out on the site except between the following times:-
 - 0700 hours and 2000 hours Mondays to Saturdays
- (ii) Vehicle loading and despatch may be undertaken from 0600 hours.
- (iii) There shall be no working on Sundays, and Bank or Public Holidays.

Reason: To minimise disturbance to neighbours and the surrounding area.

4. Site Parking

The areas allocated for parking and manoeuvring on the submitted plan

(Proposed Site Layout, drawing number 17322-1000-002) shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To enable efficient site management.

5. Vehicle cleaning

No commercial vehicles shall enter the public highway unless their wheels and chassis are cleaned to ensure that no mud, dust or debris is carried from the site and deposited on the public highway.

Reason: In the interests of highway safety and to prevent mud and dust being deposited on the public highway.

6. Noise Mitigation

- (i) Before the commencement of mechanised processing activities associated with the development hereby permitted at the site a Site Operations Method Statement shall be submitted to and approved in writing by the Waste Planning Authority. This statement shall define measures that will be adopted by the operator to reduce the noise from activities involving plant and machinery on the site. The development hereby permitted shall be undertaken in accordance with the approved Site Operations Method Statement for the duration of the development hereby permitted.
- (ii) On site plant shall use white noise reversing alarms.

Reason: To minimise the potential for noise impacts on the surrounding area.

7. Landscaping

- (i) Before the development hereby permitted is commenced a landscape planting scheme, which shall include as a minimum, screen planting by native woodland species to the northwest and northeast of the development site bund, shall be submitted to and approved in writing by the Waste Planning Authority.
- (ii) The approved landscape planting scheme shall be carried out within the first planting season following approval.
- (iii) For a period of five years following the implementation of the planting scheme, the trees/shrubs shall be protected and maintained, and any trees/shrubs which die, or become seriously damaged or diseased shall be replaced as soon as practicable (and no later than the following planting season) with others of similar size and species, unless the Waste Planning Authority gives written approval to any variation.

Reason: In the interest of the visual amenities of the area.

8. Drainage

Prior to the development hereby permitted commencing a detailed Drainage Report shall be submitted to and approved by the Waste Planning Authority.

Reason: To minimise the risk of pollution of the water environment in the interests of wildlife conservation, public safety and the amenities of the surrounding area.

Relevant Development Plan Policies

1. The following is a summary of the reasons for the County Council's decision to grant planning permission.
2. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:

- Mendip District Local Plan, adopted in December 2014; and
- Somerset Waste Core Strategy, adopted in February 2013.

The policies in those Plans particularly relevant to the proposed development are:

Mendip District Local Plan –

Policy Core Policy 1 (Mendip Spatial Strategy) – The proposed development will be strictly controlled and benefit economic activity.

Policy DP22 (Reuse and Conversion of Rural Buildings) - The proposed development would not prejudice the use of adjacent land and premises.

Somerset Waste Core Strategy -

Policy WCS2 (Recycling and Reuse) – The proposed development site was previously used for green waste composting. The proposed development is largely limited to the same site area.

Policy DM3 (Impacts on the Environment and Local Communities) – No significant impacts as a result of noise, visual intrusion or traffic are anticipated.

3. The County Council has also had regard to all other material considerations.
4. **Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012.**

In dealing with this planning application the Waste Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application advice service for minor and major applications, and applicants are encouraged to take up this service. This proposal has been assessed against the National Planning Policy Framework and Local Plan policies, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reason for approval or reason(s) for refusal. The Planning Authority has sought solutions to problems arising by considering the representations received, and liaising with consultees and the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

Background Papers

Planning Application file no. 2016/3103

Mendip District Local Plan (2014)

Somerset Waste Core Strategy (2013)

National Planning Policy Framework (2012)

National Planning Policy for Waste (2014)

DM# 789955

PLANNING HISTORY
GREEN ORE FARM, Roemead Road, Green Ore

Application no.	Description	Outcome
085446/001AG (Sept. 1998)	Construction of hardstanding area for livestock	No Objection
085446/002 (Sept. 2005)	Composting of green waste	Permitted
085446/003 (March 2008)	Erection of agricultural grain store	Permitted
085446/004 (March 2008)	Erection of agricultural building	Permitted* (Not implemented)
085446/005 (June 2008)	Change of use of existing agricultural building for the sorting of paper, card and contrary materials from green waste prior to composting on an adjacent authorised site	Permitted
2009/1280 (Aug. 2009)	Retention of two mobile homes for use as dwellings	Withdrawn
2012/0300 (Feb. 2012)	Variation of condition 6 of planning permission 085446/002 relating to the volume of waste material on site at any time.	Permitted
2012/0348 (Feb. 2012)	Enlargement of existing vehicle access	Permitted
2012/0349 (Feb. 2012)	Erection of an agricultural building to be used for the storage of agricultural equipment and machinery.	Prior Approval Not Required
2013/0712 (April 2013)	The demolition of existing livestock buildings and replacement with a steel portal framed livestock building.	Permitted
2013/2307/FUL (Nov. 2013)	The erection of two 18.29m x 12.19m steel portal frame buildings to be used for calf rearing.	Permitted
2014/0830/CNT (May 2014)	Extension of composting facility, including enlargement of screen bund and erection of processing building.	Permitted
2016/2426/FUL (Oct. 2016)	Change of use, extension and conversion of agricultural building to dwelling house	To be determined
2016/3103/CNT (Dec. 2016)	Development of waste management facility at the Green Ore Farm Waste Composting Site including a weighbridge and office/staff facilities.	To be determined

*Site overlaps with the previous application site