

Somerset County Council
Regulation Committee – 5th September 2019
Report by Service Manager – Paul Hickson
Strategic Commissioning Manager

Application Number: SCC/3637/2019
Date Registered: 27th June 2019
Parish: Norton Fitzwarren
District: Somerset West and Taunton
Member Division: Lydeard
Local Member: Cllr Mike Rigby
Case Officer: Barnaby Grubb
Contact Details: barnaby.grubb@devon.gov.uk (01392 383000)
Description of Application: Section 73 application to vary planning conditions 1 and 4 of planning permission 4/25/14/0017 to extend the permission from 31 December 2019 to 31 December 2024 and to extend the period for the implementation of the required restoration scheme from 31 December 2020 to 31 December 2025
Grid Reference: Easting - 318778, Northing - 125685
Applicant: Mr John Luffman
Location: Land adjacent to the Norton Fitzwarren turning head, off Allerford Road, Norton Fitzwarren, Taunton, TA4 1BH

1. Summary of Key Issues and Recommendation(s)

1.1 The key issues for members to consider are:

- need for the development;
- development in the countryside;
- landscape and visual impact;
- residential amenity including noise impacts;
- traffic and highway implications; and
- flood risk.

1.2 It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 8 of this report, with authority to undertake any minor non-material editing which may be necessary to the wording of those conditions being delegated to the Strategic Commissioning Manager.

2. Description of the Site and Planning History

2.1 The application site is approximately 130m south of the B3227, accessed from the Allerford road, and located adjacent to Allerford Pond and the West Somerset Railway (WSR) line. It extends to about 1.3ha and measures approximately 170m x 90m (maximum). Within the site there is a gentle downslope eastward towards the railway line, dropping 3-4m over its length. Hardcore has been laid over much of the site.

2.2 The branches off the main rail line historically headed in two different directions – westward to Barnstaple (opened in 1873) and north-westward to Watchet (1862) and then on to Minehead (1874). The branch lines closed in 1966 and 1971 respectively; however, the Minehead line was reopened as a private heritage railway in 1976 by the West Somerset Railway Association (WSRA).

2.3 Norton Bridge carries the B3227 over the WSR line, and a country road meets the B3227 to the west of the bridge and connects with Allerford and Hillfarrance to the southwest. Immediately to the south of the bridge, between the railway line and the Allerford road, is Allerford Pond, a former railway ballast pit with its surrounds now wooded and used for angling.

2.4 Apart from the railway infrastructure, surrounding land is predominantly in agricultural use. The village of Norton Fitzwarren lies to the north east, approximately 220 metres from the site at its closest point, with the closest dwelling outside the village being 140 metres to the north. Although itself almost exclusively within Flood Zone 1, the application site adjoins land within Flood Zone 3 that includes Allerford Pond and part of the rail line.

- 2.5 At the Regulation Committee meeting held on 1 March 2012, it was resolved to grant planning permission for a stone storage, crushing and screening operation at the current application site (ref. 4/25/12/0002). This temporary permission required the use of the land to end on or before 31 December 2014, restoration of the site on or before 31 December 2015 in accordance with an approved restoration scheme, and aftercare thereafter for a period of five years.
- 2.6 A subsequent application (4/25/14/0017) to vary conditions relating to the time limit and operating/working hours was considered by the Regulation Committee on 17 July 2014. The revised permission requires the use of the land to end on or before 31 December 2019, restoration of the site to be achieved on or before 31 December 2020 in accordance with an approved restoration scheme, and aftercare subsequently carried out for a period of five years. Operations are currently limited to the following times:
- (i) Stone delivery to the site, and crushing and screening operations, shall not take place except between 0800 and 1800 hours.
 - (ii) There shall be no more than 12 emergency stone deliveries to the site on Saturdays, Sundays and Bank / Public Holidays in any calendar year and no more than 1 emergency delivery per day. The Waste Planning Authority shall be notified in writing within 72 hours of when such a delivery has taken place.
 - (iii) There shall be no stone crushing and screening operations on Saturdays, Sundays and Bank / Public Holidays.
 - (iv) The loading and dispatch of processed stone from the site shall not take place except between 0730 and 1800 hours on Mondays to Saturdays.
- 2.7 On 28 May 2013 Taunton Deane Borough Council issued conditional approval for the retention of a large part of hard standing area associated with the stone crushing operations and creation of access tracks on land to the south and west of the crusher area under planning reference 25/13/0010. It is proposed to retain approximately 60% of the existing hard standing area once the stone recycling operations have ceased, for the following reasons:
- to provide a 'park and ride' facility serving the annual Steam Fayre and Rally;
 - to provide an area for unloading traction engines and other exhibits safely;
 - for shows during wet seasons, to exhibit heavy vehicles;
 - to assist traffic management; and
 - to reduce the risk of mud being deposited on the highway.

3. The Proposal

- 3.1 The planning application relates to an existing temporary stone crushing and screening activity which it is proposed to extend the

current temporary planning permission for a further five years to the end of 2024, and also extend the period for the implementation of the required restoration scheme from 31 December 2020 to 31 December 2025.

3.2 The existing use at the site comprises the following operations:

- clean, inert spent rail ballast (tested by Network Rail) is brought to site by train and deposited alongside the track;
- the deposited ballast is moved away from the track by loading shovel to the preliminary screening area;
- the ballast is screened to remove any alien and oversized material, if present;
- screened ballast is crushed and screened again;
- crushed and secondary screened material is separated by particle size; and
- aggregates are distributed for use in the infrastructural works on the WSR or for sale off site.

3.3 The material deposited from the trains is also retested on site for particle size distribution and chemical composition to ensure that the material is inert and conforms to Class 1B aggregate standards. Some aggregate may be used without any crushing or secondary screening. Once the material has been processed it meets British Standards for highway and construction and is 100% recycled.

3.4 Within the site the spent ballast storage mound rises to over 6m in height. A slew operates on the mound to feed a series of crushing and screening plants aligned westward alongside which are piles of aggregate of various grades. On the northern edge of the site is a welfare cabin, and at the western edge is a mound of topsoil that had been removed from the site.

3.5 The site is operated by Luffman Plant under an Environmental Permit [ref. no. EB3031AH/A001] issued in March 2012, which provides for up to 75,000 tonnes of material to be processed per year and regulates noise and vibration.

4. The Application

4.1 Plans and documents submitted with the application:

- Application form and statutory declarations;
- “Planning Statement – Continuation of the Ballast Recycling Station (CRM.0122.001.PL.R.001B, Enzygo Environmental Consultants – June 2019);
- “Location Plan” (Aardvark EM, ref.no. 1219/2465a / V3, dated 11 Apr 2014, scale 1/2500@A4);

- “Layout Plan” (Aardvark EM, ref.no. 1219/2465b / V4, dated 11 Apr 2014, scale 1/500@A1) [to be updated]; and
- Environmental Management System report V5 dated Nov 2018.

5. Environmental Impact Assessment (EIA)

- 5.1 A screening assessment of the proposed development in the context of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (herein referred to as ‘the Regulations’) has been undertaken.
- 5.2 It has been concluded that the reprocessing of aggregates for reuse is a recovery operation that does not feature in either Schedule 1 or Schedule 2 of the Regulations and, therefore, the application development is not regarded as ‘EIA development’.

6. Consultation Responses Received

External Consultees

- 6.1 **Somerset West and Taunton Council:** No objection.
- 6.2 **Norton Fitzwarren Parish Council:**
- *‘SCC shall confirm that the validity of the current Restoration & Aftercare Plan covers both the existing and increased timescales (to 2025) and does not result in any long-term detriment to the visual amenity and landscape character of the area.*
 - *WSR should confirm working hours and that noise levels from the site, which are subject to an EA permit are not and will not be exceeded, given that there is the potential for a new housing development adjacent to the facility.’*
- 6.3 **Environment Agency:** No comments received.
- 6.4 **Network Rail:** No comments received.

Internal Consultees

- 6.5 **Transport Development:** No objection.
- 6.6 **Scientific Services (Noise):** In his report, the officer stated: “I raise no objection to the principle of this application for a further five years of continued ballast recycling with associated transport activities, subject to improved specification of process and noise mitigation.

I propose the operator be required to define more permanent noise containment of processing operations and I have also requested the EA provide detail of any further requirements they might have required

for noise control. I would recommend that revision is required of the site layout plan and that these matters are then referenced with modified wording to planning condition 2 prior to the issue of planning consent.

There would appear no information to establish the existing levels of site throughput or delivery scheduling and as such this would make assessment of escalation of site impacts difficult to establish.

The present status of housing development at Ford Farm remains unclear. In my view this development supports the objective to improve planning requirement for effective enclosure of the noise from processing.”

6.7 Following agreement of the applicant to a condition maintaining the height of stockpiles to provide a noise barrier, together with submission of an updated site plan and an Environmental Management System, the acoustics officer raises no objections subject to specification of this information in the planning permission.

6.9 **Scientific Services (Air Quality):** No comments received.

6.10 **Mineral and Waste Policy:** No comments received.

Public Consultation

6.9 Three representations have been received: one letter of support highlighting how the operation is an asset to local businesses using recycled aggregate; and two letters of objection from residents of Norton Fitzwarren highlighting the following issues:

- the documented issues with noise nuisance from the site, with noise having become intolerable as activity at the site has increased;
- the need for strict noise limits to be attached to any further permission;
- the unsuitability of the site for a commercial use on an industrial scale;
- the impact on the enjoyment of users of the playing fields and public footpath;
- the inappropriateness of the local road network and narrow lanes for the size and type of vehicles accessing the site, with a need to restrict the size and nature of vehicles; and
- the inadequate level of notification of local residents for this application.

7. Comments of the Strategic Commissioning Manager

7.1 The planning application relates to an existing stone crushing and screening site where it is proposed to extend the current temporary

planning permission for a further 5 years. The main issues to be taken into account are:

- the need for the development;
- development in the countryside;
- landscape and visual impact;
- residential amenity including noise impacts;
- traffic and highway implications; and
- flood risk.

The Development Plan

7.2 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan consists of the following documents, with their policies of relevance to this proposal being listed in Section 10 of this report:

- Taunton Deane Core Strategy (adopted September 2012); and
- Somerset Waste Core Strategy (adopted February 2013).

Material Considerations

7.3 Other material considerations to be given due weight in the determination of the application include the following:

- National Planning Policy for Waste (NPPW), October 2014;
- National Planning Policy Framework (NPPF) (February 2019); and
- Planning Practice Guidance (PPG).

Need for the Development

7.4 Policy WCS2 (recycling and reuse) of the Somerset Waste Core Strategy 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 1-9.’

7.5 Continuation of the existing ballast recycling operation will assist in maintaining recycling capacity in Somerset and reducing reliance on primary aggregates by supplying recycled aggregates to the Taunton area, and is required due to the applicant’s success in extending their arrangement with Network Rail.

Development in the Countryside

7.6 The site is in a rural location outside of Norton Fitzwarren, and the proposal needs to be considered against relevant policies regarding such locations. Policy DM2 (Development in the Countryside) of the Taunton Deane Core Strategy states that, outside settlement limits, various uses will be supported including those within Use Class B business use near a public road and adjacent to a rural centre within which there is no suitable alternative site. The policy also states, *inter alia*, that proposals must be compatible with the rural character of the area, and not harm the residential amenity of neighbouring properties, landscape and ecology of the local area or highway safety.

7.7 Policy DM1 (Basic Location Principles) of the Somerset Waste Core Strategy states that:

'Planning permission will be granted for waste management development at locations that are well connected to the strategic transport network, which adhere to the principles of sustainable development and which support delivery of strategic policies WCS 2-5.

Waste management development will normally be located on the following types of site...

- a) existing waste management sites, sites with planning permission for waste management facilities and sites allocated for waste-related uses;*
- b) land in existing general industrial use (B2 use class) or in existing storage and distribution use (B8 use class);...*
- d) previously developed land;...*
- f) current minerals workings (for aggregates recycling only).'*

7.8 Taunton Deane Core Strategy Policy CP8 (Environment) states that development outside of settlement boundaries will be permitted where it will (*inter alia*):

- be appropriate in terms of scale, siting and design;
- protect habitats and species;
- protect, conserve or enhance landscape character;
- not exacerbate flood risk; and
- provide for any necessary mitigation measures.

7.9 In this case, recycling is understood to have taken place at the site since 2006. The application site is located off a rural lane about 130m from the B3227, and close to Norton Fitzwarren which forms part of the 'Taunton and Associated Settlements' area identified in the Taunton Deane Local Plan, and where the county and strategic route network can be accessed. The development facilitates the reuse of spent ballast in accordance with Policy WCS2 of the Somerset Waste Core Strategy and, as the incoming waste materials are delivered by rail, the

availability of suitable sites for its recycling is necessarily limited to railside locations.

- 7.10 The site is not within or near any identified area designated for wildlife interest, although it is located on the edge of an area identified as of interest for bat species. However, the continued use of the site is not expected to impact on the species involved.
- 7.11 It is considered that the nature of the recycling operation warrants a location away from residential properties, with the specific source of the materials requiring a railside site. In these circumstances, the proposal is considered to be an appropriate form of development in the countryside and is consistent with relevant development plan policies.

Landscape and Visual Impact

- 7.12 The application site, with its mounds of unprocessed ballast and crushed and screened stone, can be viewed at a distance of over 550m from several properties at the southern end of Station Road, and also at distance (from about 200m to 350m) from footpaths crossing the fields to the south of the B3227 and the main railway line. It may also be glimpsed intermittently from the B3227 or on passing the site from the Allerford road. However, the site is usually viewed against a background of higher land and visual and landscape impacts are limited.
- 7.13 It is considered that the landscape and visual impact of the ongoing operations is not significant, and that the proposal is consistent with Policies CP8 and DM2 of the Taunton Deane Core Strategy and Policies DM1 and DM3 of the Somerset Waste Core Strategy.

Residential Amenity

- 7.14 Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy states that:

'Planning permission will be granted for waste management development subject to the applicant demonstrating that the proposed development will not generate:

- a) significant adverse impacts from noise, dust, vibration, odour, emissions, illumination, visual intrusion or traffic to adjoining land uses and users and those in close proximity to the development;*
- b) significant adverse impacts on a public right of way or visual amenity; and*
- c) unacceptable cumulative impacts.'*

- 7.15 Noise generated by activities at the application site is variable depending on the activities undertaken. No noise assessment has been submitted with this application, but noise measurements were

undertaken in respect of the original 2012 application (4/25/12/0002) and in response to the 2014 application (4/25/14/0017). It is reasonable to conclude that this application does not seek to amend permitted activities which would require an additional assessment to be undertaken.

7.16 The previous committee report for application 4/25/14/0017 stated that *'...properties alongside the B3227 are exposed to significant traffic noise. Whilst noise from the site, at Leq 50dB(A) at about 190m distance would be audible during lulls in the traffic, the likelihood of any resultant disturbance is low'*, and there is no reason conclude that this would have significantly changed.

7.17 The two objections have been received from residents living in Stembridge Way, approximately 300m from the rail line where the spent ballast is unloaded, and Station Road (560m). Crushing, screening and loading operations occur between 70m and 100m from the unloading point. Processing noise is not expected to exceed 41 dB(A) at that distance (subject to wind direction and speed), and some of the activities can also be expected to be acoustically screened by the delivery train or stockpiled materials. Although processing noise may marginally exceed background noise levels, the Council's acoustics officer does not expect noise from the site to be at a level to suggest complaint would normally be expected.

7.18 One objector has requested that strict noise limits be imposed in the event of a further permission being granted. However, Paragraph 183 of the NPPF states that:

'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'

7.19 In this case the Standard Rules Permit issued by the Environment Agency provides specific conditions for control of emissions including noise and vibration and, therefore, it is not necessary for such controls should to be duplicated under this permission. That being said, it has been viewed as appropriate to amend the wording of Condition 5: Plant Noise Mitigation, to recognise the acoustic officer's response, formalise current working practices and ensure that the 'spent ballast stockpile' is kept to a minimum height of 4 metres during screening and crushing campaigns/ operations to provide an effective noise barrier between active processing machinery and housing in Norton Fitzwarren.

- 7.20 Overall there would not appear to be any noise related justification for objecting to this proposal, which accords with Policy DM3.

Traffic and Highways Impact

- 7.21 Policy DM1 (basic location principles) of the Somerset Waste Core Strategy states that:

'Planning permission will be granted for waste management development at locations that are well connected to the strategic transport network, which adhere to the principles of sustainable development and which support delivery of strategic policies WCS 2-5.'

- 7.22 In addition, Policy DM6 (Waste Transport) indicates that:

'Planning permission will be granted for waste management development subject to the applicant demonstrating that:

- a) the proposed development will not have a detrimental impact on Somerset's local and strategic transport networks; or adequate and deliverable measures to mitigate such an impact are integrated within the proposal. A Transport Assessment and Travel Plan will be required for development that will generate significant transport movements;*
- b) suitable access to the development is deliverable; and*
- c) alternatives to road transport for waste have been adequately explored and will be pursued if they are demonstrated to be practicable and beneficial.*

In addition, for proposals located outside the zones in the key diagram, applicants will be required to demonstrate that the proposed development is well connected (via suitable transport routes) to the community or business(es) that the development is intended to serve.

- 7.23 The site is close to the B3227 that provides access to the major road network around Taunton, and the Local Highway Authority has no objections to the proposal. Although the site is just outside the Taunton zone shown on the Waste Core Strategy Key Diagram, traffic impacts are reduced through the importation of materials by rail, and the proposal is considered to accord with Policy DM6.

Flood Risk

- 7.24 Policy DM7 (water resources) of the Somerset Waste Core Strategy states that:

'Planning permission for waste management development will be granted subject to the applicant demonstrating that:

- a) adequate provision has been made to protect ground, surface and coastal water quality; and*
- b) the proposed development will not have an unacceptable impact on the volumes, direction and rates of flow of ground and surface water; and*
- c) the proposed development will not exacerbate flood risk. Flood Risk Assessments will be required for waste management development in areas at risk of flood.'*

- 7.25 Although a consultation response has not been received from the Environment Agency, they indicated in response to the 2014 application that, although the site was partly within Flood Zone 3b (functional floodplain), it had no objection to the proposal, provided that it is regarded as “essential infrastructure” and the development is limited to a maximum period of 5 years.
- 7.26 Whilst it may be difficult to justify regarding the development as essential, there is a lack of suitable alternative sites available. Although a small part of the application site used for the unloading of materials from rail wagons is located within Flood Zone 3 associated with the River Tone and its tributaries, the site is on rising ground and at a higher elevation than the vast majority of the locally defined Flood Zone. The application site is therefore unlikely to be impacted on by flooding except in the most extreme circumstances, and the proposal is not expected to significantly increase the risk of flooding elsewhere in the area.

8. Conclusion and Recommendation

- 8.1 This operation commenced as a temporary use of land associated with the construction of a turning head for the West Somerset Railway (WSR) and supplies the need for stone at other WSR development sites, and for sale to other users thereby providing an income to the WSRA. Although the deliveries of spent ballast to the site are by rail, the collection and haulage of the processed material is by road.
- 8.2 The ongoing use of the site has some impact on the landscape, functional floodplain and local roads, and it can be considered that the stone processing site is not ideally located. However, no obvious alternative site is available, and the development and operation of the site for the processing of stone / ballast has been in place since around 2006 and appears to have had limited adverse impacts.
- 8.3 While objections have been received from two local residents, primarily on grounds of noise impacts, it is considered that the distance of the site from the edge of Norton Fitzwarren limits the likelihood of any significant adverse effect from noise that may be generated by the operations.

- 8.4 Given the previous planning permissions, it is recommended that permission be granted for a further five years subject to the imposition of the following conditions, with authority to undertake any minor non-material editing which may be necessary to the wording of those conditions being delegated to the Strategic Commissioning Manager.

1. Time Limit (Temporary Permission)

The use hereby permitted shall cease on or before 31 December 2024.

Reason: In the interests of the visual amenities and landscape character of this open countryside location and flood prevention.

2. Completion of Development

The development hereby permitted shall be carried out in strict accordance with the approved drawing no. [*insert revised drawing number*] (Layout Plan) and with any scheme, working programme or other details submitted to and approved in writing by the Waste Planning Authority in pursuance of any condition attached to this permission.

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

3. Operating / Working Hours

- (i) Stone delivery to the site and crushing and screening operations shall not take place except between 0800 and 1800 hours.
- (ii) There shall be no more than 12 emergency stone deliveries to the site on Saturdays, Sundays and Bank / Public Holidays in any calendar year and no more than 1 emergency delivery per day. The Waste Planning Authority shall be notified in writing within 72 hours of when such a delivery has taken place.
- (iii) There shall be no stone crushing and screening operations on Saturdays, Sundays and Bank / Public Holidays.
- (iv) The loading and dispatch of processed stone from the site shall not take place except between 0730 and 1800 hours on Mondays to Saturdays.

Reason: In the interests of the recreational amenities of land users in the locality and to protect the amenities of local residents.

4. Submission of a Restoration & Aftercare Scheme

Within 12 months of the date of this permission a restoration and aftercare scheme shall be submitted to the Waste Planning Authority

for approval in writing. The site restoration shall be fully implemented on or before 31 December 2025, or within 12 months of the permanent cessation of stone crushing and screening works on the site whichever is the sooner, fully in accordance with the approved restoration scheme, and thereafter for a period of five years the site shall be maintained in accordance with the approved details.

(Note: Be advised that if you submit a Restoration and Aftercare Scheme which in the opinion of the planning authority cannot reasonably be approved, or if the planning authority fail to determine the application for approval of the site restoration scheme within 8 weeks of receiving the scheme [under Article 27 of the Town and Country Planning (Development Management Procedure) (England) Order 2015] or such longer period as may have been agreed in writing with the planning authority, then you may lodge an appeal within the prescribed time limit against that refusal or non-determination. In the absence of lodging such an appeal in those circumstances, you will be in breach of condition).

Reason: In the interests of the visual amenity and landscape character of the area.

5. Plant Noise Mitigation

- (i) The applicant shall maintain the height of the 'spent ballast stockpile', marked on drawing no. [*insert revised drawing number*], to a minimum height of 4 metres during screening and crushing campaigns/ operations to provide an effective noise barrier between active processing machinery and housing in Norton Fitzwarren;
- (ii) Plant used on the site shall be operated so as to minimise noise and shall be fitted with silencers complying with, and maintained to, the manufacturer's specifications; and
- (iii) In the event that it is considered that the use of reversing alarms is necessary on the site only broadband devices shall be used.

Reason: In the interests of the recreational amenities of land users in the locality and the amenities of local residents.

6. Dust Control and Mitigation

Mobile crusher, screening and other plant shall be operated so as to minimise the generation of airborne dust and grit beyond the site boundary.

Reason: To minimise off-site dust impacts and to protect the amenities of local residents.

9. Relevant Development Plan Policies

9.1 The following is a summary of the reasons for the County Council's decision to grant planning permission.

9.2 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 the:

- Somerset Waste Core Strategy (adopted February 2015);
- Taunton Deane Local Plan (adopted 2004); and
- Taunton Deane Core Strategy (adopted September 2012).

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

Somerset Waste Core Strategy

SD1: Presumption in favour of sustainable development – The proposal accords with the Core Strategy's policies and other material considerations do not warrant approval being withheld.

WCS2 (Recycling and Reuse) – The development will assist in maximising the reuse and/or recycling of waste.

DM1 (Basic Location Principles) – The application site is reasonably well connected to the strategic transport network and may provide for sustainable development. The proposal relates to an existing waste management site.

DM3: Impacts on the environment and local communities – Subject to the inclusion of appropriate conditions to limit noise and dust impacts, the proposed facility will have no significant adverse effects on the local community or environment.

DM6: Waste transport – The local highway network is capable of accommodating the predicted traffic movements, and use is made of the rail network for incoming materials.

DM7 (Water Resources) - The proposed temporary development is not expected to exacerbate flood risk.

Taunton Deane Local Plan

M1 (Transport, etc. Requirements of New Development) – The application site is located off a country lane of limited standard and visibility at the junction with the B3227 is restricted. Whilst the use of the lane and junction by heavy and slow-moving vehicles would not

normally be regarded as desirable, the highway safety record since operations commenced is good and the Highway Authority has not objected to the temporary use proposed.

Taunton Deane Core Strategy

CP8 (Environment) – The proposed temporary use of the application site is considered appropriate in terms of scale, siting and design, and is not expected to have significant adverse impacts on protected habitats and species or the local landscape character. Local flood risk is not expected to be exacerbated and the potential impact is considered acceptable for the permitted period.

DM1 (General Requirements) – The application site is in a sustainable location. Traffic generation is not expected to lead to overloading of access roads, or raise unacceptable road safety problems. Whilst the development is located in the open countryside it does not cause unacceptable harm to the local landscape or nearby settlement, Subject to compliance with planning conditions, it is not expected to create unacceptable pollution issues.

DM2 (Development in the Countryside) – The operation is located alongside a public road and adjacent to the Taunton and Associated Settlements area within which there is no suitable alternative site. The temporary development proposal is acceptable with regards the rural character of the area, and is not expected to harm the residential amenity of neighbouring properties, the landscape and ecology of the local area, or adversely impact on highway safety.

- 9.3 The County Council has also had regard to all other material considerations, in particular the National Planning Policy Framework, the National Planning Policy for Waste and Planning Practice Guidance.

Statement of Compliance with Article 35 of the Town and Country Development Management Procedure Order 2015

- 9.4 In dealing with this planning application the County 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, National Planning Policy for Waste, Waste Core Strategy and Local Plan policies, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reasons for approval. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.