

Regulation Committee
Thursday 7 November 2019
10.00 am Council Chamber, Shire Hall,
Taunton



To: The Members of the Regulation Committee

Cllr J Parham (Chair), Cllr N Hewitt-Cooper (Vice-Chair), Cllr M Caswell, Cllr J Clarke, Cllr S Coles, Cllr M Keating, Cllr A Kendall and Cllr N Taylor

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk - 30 October 2019

For further information about the meeting, please contact Michael Bryant on 01823 359048 or mbryant@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda **including public speaking at the meeting.**

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers



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AGENDA

Item Regulation Committee - 10.00 am Thursday 7 November 2019

**** Public Guidance notes contained in agenda annexe ****

1 **Apologies for Absence**

2 **Declarations of Interest**

3 **Accuracy of the Minutes of the Meeting held on 3 October 2019**

The Committee will consider the accuracy of the attached minutes (To Follow).

4 **Public Question Time**

The Chair will allow members of the public to present a petition on any matter within the Committee's remit. Questions or statements about the matters on the agenda for this meeting will be taken at the time when the matter is considered and after the Case Officers have made their presentations. Each speaker will be allocated 3 minutes. The length of public question time will be no more than 30 minutes.

5 **Proposed Temporary Pyrolysis Plant for Demonstrating Portable Waste Management at Paper Mill Site, The Old Railway Yard, Haybridge Lane, Wells BA5 1AG (Pages 7 - 34)**

6 **Construction of Waste Transfer Station and Inert Waste/Aggregate Recycling Facility including Staff Welfare Unit on Land at Former Whiteball Landfill Site, Whiteball, Wellington TA21 0LT (Pages 35 - 52)**

7 **Proposed Variation of Planning Condition to Allow Increased Use of External Sports Facilities at Nerrols Primary School, Land off Nerrols Drive, Taunton TA2 8QE (Pages 53 - 70)**

8 **Any Other Business of Urgency**

The Chair may raise any items of urgent business.

Regulation Committee – Guidance notes

1. Inspection of Papers

Any person wishing to inspect Minutes, reports, or the background papers for any item on the agenda should contact Michael Bryant or Peter Stiles, Tel: (01823) 357628 or Email: mbryant@somerset.gov.uk or pstiles@somerset.gov.uk

2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

3. Notes of the Meeting

Details of the issues discussed and decisions taken at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions taken can be obtained from Michael Bryant or Peter Stiles, Tel: (01823) 357628 or Email: mbryant@somerset.gov.uk or pstiles@somerset.gov.uk

4. Public Question Time

At the Chair's invitation you may ask questions and/or make statements or comments about **any matter on the Committee's agenda**. You may also present a petition on any matter within the Committee's remit. **The length of public question time will be no more than 30 minutes in total.**

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about the matters on the agenda for this meeting will be taken at the time when that matter is considered.

The Chair will usually invite speakers in the following order and each speaker will have a maximum of 3 minutes:

1. Objectors to the application (including all public, parish council and District Council representatives)
2. Supporters of the application (including all public, parish council and District Council representatives)
3. Agent / Applicant

Where a large number of people are expected to attend the meeting, a representative should be nominated to present the views of a group. If there are a lot of speakers for one item than the public speaking time allocation would usually allow, then the Chair may select a balanced number of speakers reflecting those in support and those

objecting to the proposals before the Committee.

Following public question time, the Chair will then invite local County Councillors to address the Committee on matters that relate to their electoral division.

If you wish to speak either in respect of Public Question Time business or another agenda item you must inform Michael Bryant or Peter Stiles, the Committee Administrators **by 5.00pm three clear working days prior to the meeting**. When registering to speak, you will need to provide your name, whether you are making supporting comments or objections and if you are representing a group / organisation e.g. Parish Council. Requests to speak after this deadline will only be accepted at the discretion of the Chair.

You must direct your questions and comments through the Chair. You may not take direct part in the debate.

Comments made to the Committee should focus on setting out the key issues and we would respectfully request that the same points are not repeated.

The use of presentational aids (e.g. PowerPoint) by the applicant/agent or anyone else wishing to make representations to the Committee will not be permitted at the meeting.

An issue will not be deferred just because you cannot be present for the meeting.

The Chair will decide when public participation is to finish. The Chair also has discretion to vary the public speaking procedures.

Remember that the amount of time you speak will be restricted, normally to three minutes only.

5. Substitutions

Committee members are able to appoint substitutes from the list of trained members if they are unable to attend the meeting.

6. Hearing Aid Loop System

To assist hearing aid users, the Luttrell Room has an infra-red audio transmission system. This works in conjunction with a hearing aid in the T position, but we need to provide you with a small personal receiver. Please request one from the Committee Administrator and return it at the end of the meeting.

7. Late Papers

It is important that members and officers have an adequate opportunity to consider all submissions and documents relating to the matters to be considered at the meeting, and for these not to be tabled on the day of the meeting. Therefore any late papers that are to be submitted for the consideration of the Regulation Committee, following the publication of the agenda/reports, should be sent to the Strategic Commissioning Manager – Economy and Planning via planning@somerset.gov.uk in respect of Planning and Town and Village Green items, and to the Senior Rights of Way Officer (Andrew Saint) in respect of Rights of Way items, and should be received no less than 48 Hours before the meeting.

8. Recording of meetings

The Council supports the principles of openness and transparency, it allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishing to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chairman can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

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Somerset County Council

Regulation Committee –
Report by Paul Hickson
Strategic Commissioning Manager

Application Number: SCC/3619/2019

Date Registered: 13 May 2019

Parish: St Cuthbert Out

District: Mendip

Member Division: Mendip West

Local Member: Councillor Graham Noel

Case Officer: Stephen Boundy

Contact Details: stephen.boundy@devon.gov.uk (01392 383000)

Description of Application: Temporary use of land, the creation of a low level removable slab for stationing of a portable temporary structure and the stationing of containerised equipment, for the purposes of R&D trials demonstrating portable waste management technology with greater efficiencies during & post pyrolysis for a period of up to twelve months.

Grid Reference: Easting - 353034, Northing - 146478

Applicant: PyroCore Ltd

Location: The Paper Mill site, The Old Railway Yard, Haybridge Lane, Wells, BA5 1AG

1. Summary of Key Issues and Recommendation

1.1 The proposed development relates to provision of a temporary pyrolysis plant for demonstrating portable waste management technology. The main issues for Members to consider are:

- planning policy considerations;
- the potential impact of the development on air quality;
- the potential impact of the development on ecology/biodiversity;
- the potential impact of the development on landscape and visual amenity;
- the potential impact of the development on residential amenity; and
- traffic generation, access and the highway network.

1.2 It is recommended that planning permission be GRANTED subject to the conditions set out in section 9 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 Strategic Commissioning Manager – Economy & Planning.

2. Description of the Site

2.1 The site is located on a portion of the Paper Mill Site, Haybridge Lane, Wells. The proposed development is immediately south of the Paper Mill buildings, with a playing field located to the east, woodland to the west and an area with an extant planning permission for a ‘thermal waste treatment facility’ to the south. The River Axe is immediately adjacent to the site. The site is previously developed and, in the past, has been used in conjunction with activity at the Paper Mill. Currently, the site comprises of an area of hardstanding, upon which at least some of the structures/plant/machinery associated with the proposed development have already been positioned.

2.2 Access to the proposed development is obtained from the A371, via Haybridge Lane and the main entrance to the Paper Mill.

2.3 There are a number of designated areas within the vicinity of the proposed development including:

- Mendip Hills Area of Outstanding Natural Beauty (AONB) - Approximately 700 metres north;
- Mendip Woodlands AND North Somerset and Mendip Bats Special Areas of Conservation (SACs) - Approximately 1400 metres north;
- Wookey Station Geological Site of Special Scientific Interest (gSSSI) - Approximately 150 metres east;
- Wookey Hole AND Ebbor Gorge SSSIs - Approximately 1400 metres north; and

- Bishop's Palace Scheduled Monument - Approximately 1500 metres west.

2.4 The nearest residential properties to the site of the proposed development are approximately 200 metres to the north west and south east.

3. The Proposal

3.1 The proposal is for the temporary use of land for the creation of a low-level removable slab for stationing of a portable temporary structure and the stationing of containerised equipment, for the purposes of Research & Demonstration trials demonstrating portable waste management technology with greater efficiencies during and post pyrolysis for a period of up to twelve months.

3.2 The technology proposed in the application is designed to be portable for use in various scenarios including maritime operations, isolated communities, disaster relief and for specific waste streams such as plastics or textiles.

3.3 The site of the proposed development comprises 1149 square metres. Within this area is located the temporary processing building (enclosing the waste reception area, shredder, charging system, pyrolyser and ash management), the exhaust gas remediation baghouse container / boiler and heat recovery unit and stack, two containers for storage, a sales unit and an attenuation pond.

3.4 Over the 12 months period, up to a total of 50 tonnes of waste will be processed at the site with the system capable of processing 250kg per hour. It is envisaged that the site will operate approximately once a month, processing 4 tonnes of waste in a 16 hours period on each occasion. The by-product of this process is non-hazardous char. Approximately 5% of the weight of the input (2.5 tonnes per annum) of char will be produced and this will be disposed of at a suitably permitted waste management site.

3.5 The process of pyrolysis achieves the decomposition of waste at elevated temperatures in the absence of oxygen and, in contrast to the more common process of incineration, does not involve combustion of the waste materials. Pyrolysis produces a gas (syngas) that is burnt to produce the heat to maintain the pyrolysis process and to provide usable energy.

3.6 Three dedicated parking spaces are proposed, and adequate turning space has been provided for HGVs delivering the waste (in one-tonne bags) and removing the char by-product.

4 Background

4.1 The site of the proposed development is previously developed and forms part of the wider St Cuthbert's Mill site, with the Mill itself located immediately to the north. This site has a long history of industrial activity with the production of paper commencing in 1736. There is no known planning history associated with the site of the proposed development.

- 4.2 To the south of the site of the proposed development (north of the A371) is a site with an extant planning permission (application reference: 101679/014) for the 'Construction of a thermal waste treatment facility, associated infrastructure and landscaping'. This permission was granted in 2008 and, although the facility is not operational (or constructed), the permission was implemented by the undertaking of works to widen part of Titlands Lane to comply with the Section 106 agreement and also levelling of the site. This facility has permission for the treatment of 45,000 tonnes per annum of waste.

5. The Application

- 5.1 Plans and Documents submitted with the application:

- Application form and fee
- Planning Statement (7 May 2019)
- Preliminary Ecological Appraisal (4 July 2019)
- Stack Height Determination Report (12 July 2019)
- Drainage Calculations Email (Dated 22 August 2019)
- Micro Drainage Results for 30 and 100 Years Return Periods
- Location Plan (SI-ZZ-DR-A-5003 Revision P06)
- Proposed Site Plan (SI-ZZ-DR-A-5000 Revision P09)
- Proposed Building Plan (MB-00-DR-A-5000 Revision P06)
- Proposed Building Elevations 1 of 2 (MB-ZZ-DR-A-5001 Revision P04)
- Proposed Building Elevations 2 of 2 (MB-ZZ-DR-A-5002 Revision P02)
- Site Co-ordination Plan (SI-ZZ-DR-A-5006 Revision P01)
- Proposed Vehicle Tracking (SI-ZZ-DR-A-5001 Revision P07)

6. Environmental Impact Assessment (EIA)

- 6.1 The proposed development was screened under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

- 6.2 Upon review of the material supplied by the applicant, Somerset County Council considers that the proposed development is not EIA development. As such it will not require EIA to be undertaken to accompany any planning application for the development described. The main reasons for this recommendation are that:

- the proposed development is for a temporary (12 months), small scale (maximum throughput will be 250kg/hr with the total annual throughput limited to 50 tonnes)

development of an intermittent nature (operating for approximately 16 hours, once a month);

- the development is not listed in Schedule 1 of the EIA Regulations 2017;
- the development is listed in Schedule 2 of the EIA Regulations 2017 and meets the applicable criteria;
- the development is significantly below the indicative criteria and thresholds outlined in the Planning Practice Guidance for Schedule 2 Paragraph 11(b) (Other Projects – installations for the disposal of waste);
- the development is not located within, or partly within a ‘sensitive area’ as defined by Regulation 2 of the EIA Regulations 2017; and
- although the planning permission for the adjacent facility is extant, it is considered highly unlikely that this facility and the proposed development will be operational at the same time, particularly given the 12 months temporary duration associated with the proposed development. In any case, the 50 tonnes annual capacity of the proposed development would represent a negligible increase over the 45,000 tonnes annual capacity of the adjacent site.

6.3 Due to the reasons summarised above it is considered that, given the scale, nature and location of the proposed development, it is unlikely to give rise to significant environmental effects and therefore does not constitute EIA development.

7. Consultation Responses Received

External Consultees

7.1 Mendip District Council

No response received.

7.2 St Cuthbert Out Parish Council

Recommendation: Approval with the proviso that this application (SCC/2019/3619) is referred to the Somerset County Council Regulatory Board. This is due to:

- Slender margin majority vote by Councillors on the Planning Committee.
- Wide-ranging concerns from residents:
 - close proximity to residential areas and the nature of prevailing winds
 - the robustness of emissions testing was questioned
 - waste disposal of by-products such as char
 - the possibly hazardous nature of the waste
 - traffic concerns

- possible existing contamination of the site
 - availability of alternative sites (as mentioned by Pyrocore: Yorkshire, Bristol & Bath Science Park)
 - the pre-emptive arrival of containers and the connecting of units with disregard for planning procedure
 - incorrect claims that the Paper Mill site has a history of pyrolysis
 - the nature of St Cuthbert's Mill as a listed building
 - uncertainty over status of previous pyrolysis plant applications at this site
 - the haste & timeframe of the application notice by Somerset County Council
- Given the holiday season, it was felt there was not full opportunity for many residents to make comments
 - RPS & Pyrocore have not been given the opportunity to present their case fully and facilitate measured discussion with residents

7.3 **Wookey Parish Council**

Wookey Parish Council recommends refusal for the following reasons:

- location;
- unsuitable local road infrastructure;
- no information has been provided concerning the objectives of the potential testing, environmental impact of such experiment work, safe system of work or oversight of such activities;
- lack of benefit to the local community;
- concerns regarding safety, including lack of monitoring, emergency protocols, potential emissions and pollution;
- impact on ecology and the environment;
- impact on the amenity of local residents; and
- proximity to local housing and a rugby pitch.

If the application were to be approved Wookey Parish Council would like to see a number of conditions imposed and a Section 106 agreement securing improvements to roads and installation of footpaths near the site access and egress.

7.4 **Environment Agency**

The Environment Agency has no objection to this proposal but the following informatives and recommendations should be included in the Decision Notice:

There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

The site must be drained on a separate system with all clean roof and surface water being kept separate from any foul drainage.

The applicant must ensure they comply with all waste legislation when moving and disposing of waste, including any waste removed from site must go to a suitable permitted waste facility.

This development may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, or else a waste exemption may apply. The applicant is advised to contact our National Permitting Team on 03708 596506 to discuss the issues likely to be raised.

7.5 Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

We note that the County Ecologist has been consulted on this proposal and we support his comments on protected species.

7.6 Somerset Wildlife Trust

We have noted the above-mentioned Planning Application. We also note that an Ecological Appraisal has been submitted. However, we are concerned that the Appraisal concentrates on the construction of the hard standing and access, there doesn't not appear to be any assessment of the possible impact of fumes and gases from the incinerator when it is in operation. We would request that this information is provided and, if it is not, we would submit a holding objection.

Internal Consultees

7.7 Lead Local Flood Authority

We would like to reiterate that the tankered scheme is only acceptable for the suggested up to 12 months period indicated. Any proposal to extend this would need a suitable surface water drainage scheme with viable point of connection for surface water drainage. We would suggest a condition applied to the application to secure the detail of the plans for the reinstatement site after the 12 months period has ended.

Therefore, subject to the above we can confirm that we are satisfied with the proposal, and suggest a further condition requiring submission of a sustainable surface water drainage scheme.

7.8 Highways Development Management

Standing Advice applies.

7.9 County Ecologist

RPS was commissioned by PyroCore Ltd to carry out a Preliminary Ecological Appraisal (PEA) in July 2019 for the proposed installation of the waste incineration facility at Haybridge. This comprised a desk study, Phase 1 habitat survey and an ecological scoping survey which assessed the potential of the site to support species of conservation concern or other species which could present a constraint to the development of the site. The results confirmed:

- The Phase 1 habitat survey identified that the site comprises of a concrete pad and clean crushed concrete.
- Beyond the site boundary, there are two areas of broadleaved woodland, one to the west of the site, the other to the south.
- Between the western woodland and site boundary runs a canalised section of the River Axe.
- To the east of the site runs species poor hedge surrounding an area of amenity grassland.
- The site itself was found to have minimal potential to support protected and notable species.
- Surrounding habitats, including the woodlands and linear hedgeline features are considered suitable habitat for breeding birds and bats

The site is within 1.4km of North Somerset and Mendip bats SAC and Wookey Hole SSSI, with SERC records showing several bats adjacent to the site, including GH within 7 metres and LH within 513 metres.

The application site lies within Band C of the Bat Consultation Zone for the North Somerset and Mendip Bats SAC which is designated for its horseshoe bat features. However, the proposed development is highly unlikely to have an effect on horseshoe bats and therefore I do not propose to carry out a Habitats Regulations Assessment for the application.

SCC recommendations

CEMP

Avoidance and/or mitigation of potential pollution and contamination events to features such as the nearby River Axe, surrounding hedgerows and woodland habitat

beyond would need to be incorporated into the plans. Therefore please attach the following condition to any planning permission granted:

- No development shall take place (including ground works, vegetation clearance, if required) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - Risk assessment of potentially damaging construction activities.
 - Identification of “biodiversity protection zones”.
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works, as appropriate.
 - Responsible persons and lines of communication.
 - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, as appropriate
 - Use of protective fences, exclusion barriers and warning signs.
 - The management plan will also specify the measures which will be put into place to ensure that all remaining solids resulting from operation of the pyrolytic process would be managed and disposed of at appropriate licensed facilities and would be handled in such a way to ensure that there was no risk of contamination of local receptors (in particular the River Axe).

The approved CEMP shall be adhered to and implemented throughout the construction and operation period (in relation to waste disposal) strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In order to comply with legislation relating to European protected species, and with Government and local policy.

Bats

No additional lighting at the site and no overnight operation of the facility will ensure that there are no additional disturbance or likely changes to existing bat commuting and foraging behaviour. Should any external lighting be required at the site please attach the following condition:

- Prior to occupation, a “lighting design for bats”, following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the River Axe and boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

7.10 **County Council Acoustics Specialist**

In summary - In my view it would seem likely that noise from the development would not exceed the daytime background noise expected to exist at dwellings. If this is the case noise would not equate to an adverse effect and would not be sufficient to object to the planning consent for development under the NPPF.

The temporary development would also appear to be only occasionally in operation however, it might seem possible for the situations of 16-hour operation to fall within periods when night-time sensitivities to noise existed. As the application provides no helpful information to verify my expectation for minimal noise impact it would therefore seem prudent to define an operational design limit for this development. I would therefore suggest a planning condition stipulate that the development be designed to not exceed a level of 35dB(A) at any dwelling. To provide further safeguard against the presence of unwanted distinct audible process alarms or other tonal noise characteristics I would recommend this design limit be specified in terms of a Rating Level, as defined within British Standard 4142.

While I would suggest it may not be possible to monitor this planning limit at any dwelling during the daytime, because typical background noise would render it difficult to measure, it may be possible to verify compliance by applying geometric correction to this design limit, from the closest dwelling at 220m to a point 10m from the development. Based on this simple geometric consideration it would imply compliance if noise at 10m from the plant did not exceed a level of 62dB(A).

Recommendation

I recommend the following planning condition:

The operation of processing plant within the site shall be designed to not exceed a rating level of 35dB at any dwelling. The Rating Level shall be the specific sound level arising from the processing plant plus any adjustment for the characteristic features of the sound, as defined by British Standard 4142.

7.11 **South West Heritage Trust**

There are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

7.12 **Scientific Officer**

The details submitted by the applicant with regard to air quality are of a suitable nature with regard to the emission of potential pollutants and calculation of the necessary stack height for adequate dispersion, and I currently have no issue with the assessment of that particular aspect of the proposed development.

What is not covered in the application, or only briefly referred to, are potential issues with dust emissions during the construction and operational phases of the development, and odour emissions. Both of these factors have the potential for adverse effects on the amenity of nearby residents, and I therefore cannot comment further on these aspects.

7.13 **Public Consultation**

The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter.

Resulting from this consultation, 51 letters of objection were received and 1 letter of support.

The material objections raised are detailed below:

- air quality/emissions concerns, including insufficient stack height;
- the proximity of nearby housing and a proposed school;
- safety concerns including: the 'research and development' nature of the proposed development, lack of safety and monitoring procedures and associated risk of accidents;
- risk of pollution/contamination and potential health impacts;
- the site access is inadequate, and the development will have an unacceptable impact on the local highway network, including on highways safety;
- impact on residential and visual amenity, including noise, light, odour and dust at unsociable hours;
- the proposed development should not be located in a rural area and should be co-located with other waste management facilities;

- the proposed development will undermine the waste hierarchy and the source of waste is unknown;
- temporary consent may lead to a future permanent consent;
- proximity to / impact on the Mendip Hills Area of Outstanding Natural Beauty;
- impact on local tourism and a general lack of community benefits;
- impact of the development on ecology/wildlife/biodiversity including proximity of and impact on nearby SSSI's and SAC's;
- unknown environmental effects / lack of submitted information meaning the 'Precautionary Principle' should be followed;
- lack of community consultation and time to respond to the consultation;
- relationship with the adjacent extant planning permission;
- preparation of the site and storage of plant/machinery etc. prior to obtaining planning permission;
- management of the by-products of the pyrolysis process;
- impact on heritage assets;
- contribution to climate change;
- the proposed development is contrary to policy; and
- lack of Environmental Impact Assessment.

The letter of support was on the basis of general support for the concept of turning waste into energy and was subject to implementation of robust emission control processes and road improvements.

8. Comments of the Service Manager – Planning Control, Enforcement & Compliance

8.1 The key issues for Members to consider are:

- planning policy considerations;
- the potential impact of the development on air quality;
- the potential impact of the development on ecology/biodiversity;
- the potential impact of the development on landscape and visual amenity;
- the potential impact of the development on residential amenity; and
- traffic generation, access and the highway network.

8.2 The Development Plan

8.2.1 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:

- Somerset Waste Core Strategy (Adopted 2013)

- Mendip Local Plan Part I: Strategy and Policies 2006-2029 (Adopted 2014)

8.3 Material Considerations

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

- the National Planning Policy Framework [NPPF], February 2019
- National Planning Policy for Waste (October 2014)
- Planning Practice Guidance [PPG]
- Mendip Local Plan Part II: Sites and Policies (Emerging)

8.4 Planning Policy Considerations

8.4.1 Policy WCS3 (other recovery) of the Somerset Waste Core Strategy states that planning permission will be granted for proposed waste management development that will maximise other recovery from waste, subject to the applicant demonstrating that the proposed development:

- a) will not treat waste that could viably be recycled or composted;
- b) will facilitate the recovery of energy from waste; and
- c) will, in particular, be in accordance with Development Management Policies 1-9.

8.4.2 In this case it is understood that although this is a 'research and development' facility, the applicant will seek to use representative waste that is not capable of meaningful recycling. It is considered that a planning condition is appropriate to ensure that this is the case and criterion 'a' of Policy WCS3 will therefore be met.

8.4.3 With regards to criterion 'b', when fully operational these plants can generate power; however, in this case as it is a demonstration project for a temporary period on an intermittent basis, there are no proposals to harness or export this energy. Due to the nature of the proposals, it is unlikely to be viable for the proposed development to facilitate the recovery of energy, although the development is self-sustaining once started and can produce either hot water or steam. Consequently, it is considered that the proposed development broadly accords with Policy WCS3 (other recovery) of the Somerset Waste Core Strategy. Further consideration is given to the accordance of the proposal with Development Management Policies 1-9 below.

8.4.4 Policy DM1 (basic location principles) of the Somerset Waste Core Strategy (2013) outlines the types of site where waste management development will normally be located. The site of the proposed development accords with this policy in being 'previously developed land' and 'land in existing general industrial use'. The site is sufficiently well connected to the A371 and will support the delivery of Policy WCS3 (above). Overall, the proposals are therefore in accordance with Policy DM1.

8.5 Air Quality

- 8.5.1 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 significant adverse impacts from (amongst other factors) dust and emissions to adjoining land uses and users and those in close proximity to the development.
- 8.5.2 There are few residential properties in close proximity to the proposed development with the closest being located over 200 metres to the south east and north west. It is, however, noted that there is housing currently under construction (and a planned school) approximately 300 metres east of the site, with the City of Wells beyond this.
- 8.5.3 It is considered that the details submitted by the applicant concerning air quality are of a suitable nature with regard to the emission of potential pollutants and calculation of the necessary stack height for adequate dispersion. Given this, and the temporary, small-scale and intermittent nature of the proposed development, it is concluded that the proposals will not generate a significant adverse impact from emissions to adjoining land uses and users and those in close proximity to the development, and are therefore in accordance with Policy DM3.
- 8.5.4 Whilst the applicant has not submitted a large amount of information with regards to the potential impacts of dust associated with construction and operation of the proposed development, in this case it is considered that, given the current use of the site and the proposed low levels of activity, it is unlikely that there will be a significant adverse impact arising in relation to dust. It is therefore considered appropriate to control this through a condition requiring the submission of a Construction Environmental Management Plan (CEMP) which will set out measures for the control of dust and be subject of approval by the County Council.

8.6 Impact of the development on ecology/biodiversity

- 8.6.1 The proposed development comprises a concrete pad and clean crushed concrete with minimal potential to support protected and/or notable species. Beyond the site boundary, there are two areas of broadleaved woodland, one to the west of the site, the other to the south. Between the western woodland and the site boundary runs a canalised section of the River Axe. To the east of the site is species poor hedgerow surrounding an area of amenity grassland. The surrounding habitats, including the woodlands and linear hedgerow features, are considered suitable for breeding birds and bats.
- 8.6.2 The site is approximately 1.4km south of North Somerset and Mendip and Mendip Woodlands Special Areas of Conservation (SACs) and Wookey Hole and Ebbor Gorge Sites of Special Scientific Interest (SSSIs).
- 8.6.3 Policy DP5 (Biodiversity and Ecological Networks) of the Mendip Local Plan Part I: Strategy and Policies 2006-2029 states that all development proposals must ensure

the protection, conservation and, where possible, enhancement of internationally, nationally or locally designated natural habitat areas and species.

- 8.6.4 It is considered that, due to the scale, temporary and intermittent nature of the proposed development, it will not have an unacceptable impact upon ecology and biodiversity, subject to the inclusion of conditions relating to: any lighting to be utilised at the site (ensuring that this does not have an unacceptable impact upon bats, in accordance with Policy DP6 (Bat Protection) of the Mendip Local Plan Part I: Strategy and Policies 2006-2029 (Adopted 2014); and the submission of a Construction Environmental Management Plan (CEMP) to avoid potential pollution and contamination events and ensure they do not affect nearby species and habitats.
- 8.6.5 The SCC Ecologist noted that, although the application site lies within Band C of the Bat Consultation Zone for the North Somerset and Mendip Bats SAC, which is designated for its horseshoe bat features, the proposed development is highly unlikely to have an effect on horseshoe bats and, therefore, a Habitats Regulations Assessment is not required.

8.7 Landscape and visual amenity

- 8.7.1 Paragraph 172 of the National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB), which have the highest status of protection in relation to these issues. Whilst the proposed development is not located within an AONB, the Mendip Hills AONB is located approximately 700 metres north of the proposed development. Despite this relatively close proximity, the existing paper mill is located between the proposed development and the AONB meaning views of the development to/from the AONB will be highly limited and in the context of an existing industrial development. It is therefore considered that the proposed development will not have an unacceptable impact upon the characteristics and special qualities of the AONB.
- 8.7.2 More generally, the site is well screened within the local landscape and any views of the proposed development will be in the context of an existing industrial site, particularly the large buildings/structures associated with the existing Paper Mill. Overall, it is considered that the proposed development will not have an unacceptable impact upon landscape and visual amenity and is therefore in accordance with Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy (2013) and Policy DP4 (Mendip's Landscapes) of the Mendip Local Plan Part I: Strategy and Policies 2006-2029.

8.8 Residential amenity

- 8.8.1 The nearest residential properties are located over 200 metres to the south east and north west. There is housing currently under construction (and a planned school) approximately 300 metres east of the site, with the City of Wells beyond this.
- 8.8.2 With regards to noise impact, it is not considered likely that noise from the proposed development would exceed the existing daytime background noise levels at existing

residential dwellings, and noise levels will be mitigated by the proposed enclosure of the plant. As the development is proposed to operate for 16-hour periods, there is the potential for operation at times where the noise environment is more sensitive (from late evening until early morning). It is therefore considered appropriate to impose a planning condition to ensure that the proposed development will not exceed a rating of 35dB at any dwelling. This will ensure that the operations are in accordance with Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy.

- 8.8.3 Given the distance to the nearest residential properties it is considered impacts from any lighting will be negligible, but a condition requiring approval of lighting details is proposed.
- 8.8.4 The potential impacts arising from odour can be controlled by the imposition of a planning condition ensuring that no putrescible waste is stored or processed at the site.
- 8.8.5 Overall, it is considered that the impact of the proposed development on residential amenity will be minor and certainly not significantly adverse with regards to Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy, consequently, the proposed development is in accordance with this policy.

8.9 Traffic generation, access and the highway network

- 8.9.1 Access to the proposed development is obtained from the A371, via Haybridge Lane and the main entrance to the Paper Mill. Somerset County Council Highways Development Management have advised that their standing advice document published in June 2017 applies in this instance.
- 8.9.2 Whilst it is acknowledged that a large number of objections were received from members of the public citing traffic/access concerns, it is considered that the actual volume of traffic generated by the proposed development is negligible and, as such, will not have a detrimental impact on the function of the local highways network.
- 8.9.3 It is noted that the proposal will utilise the existing main access to the Paper Mill which is considered suitable for the volume and nature of traffic generated by the proposed development. Consequently, it is considered that the proposed development is in accordance with Policy DM6 (Waste Transport) of the Somerset Waste Core Strategy.
- 8.9.4 The proposed site plan shows three dedicated parking spaces on site, and this is considered appropriate for the operational needs of the development in accordance with Policy DP10 (Parking Standards) of the Mendip Local Plan Part I: Strategy and Policies 2006-2029.

8.10 Other Matters

Flood risk

8.10.1 The proposed development is not considered to have an unacceptable impact on flood risk. The proposal is for a 12 months temporary development on a previously developed site and the proposed drainage strategy is appropriate for this period. A sustainable surface water drainage scheme should be required by condition to ensure that the proposed development will not have an unacceptable impact on the volumes, direction and rates of flow of surface water in accordance with policy DM7 (water resources) of the Somerset Waste Core Strategy. It is considered that water quality can be adequately controlled by the Construction Environment Management Plan required by a condition. Consequently, it is considered that the proposed development is in accordance with policy DM7 (Water resources) of the Somerset Waste Core Strategy.

Heritage

8.10.2 Whilst several representations state that the proposal will impact upon local heritage assets, the nearest designated heritage asset is located is over 550 metres north of the proposed development and, therefore, no designated heritage assets (or their settings) will be affected by the proposed development.

8.10.3 The proposed development will impact upon the Paper Mill which is a non-designated heritage asset. Paragraph 197 of the NPPF states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset". In this case, although the proposed development is located within the curtilage of the Paper Mill, the proposals will have no direct impact upon the buildings associated with the Paper Mill. Given that the proposals are for a 12 months temporary duration, with all structures and equipment to be removed at the end of this period, it is considered that that the proposal will result in only limited harm to the non-designated heritage asset for a short, temporary period.

Safety Concerns

8.10.4 Some local residents have raised safety concerns arising from the research nature of the proposal and the technology proposed. However, any waste management operation will need to comply with relevant safety and pollution control legislation, and the waste planning authority is entitled to assume that such legislation will be complied with.

Cumulative impacts and relationship with adjoining facility

8.10.5 Section 4.2 of this report outlines the status of the 'thermal waste treatment facility' adjoining the proposed development (to the south). Policy DM3 of the Somerset Waste Core Strategy requires that development will not generate unacceptable cumulative impacts. In this instance, although the planning permission for the adjacent facility is extant, it is considered highly unlikely that this facility and the proposed development will be operational at the same time, particularly given the 12

months temporary duration associated with the proposed development. In any case, the 50 tonnes annual capacity of the proposed development would represent a negligible increase over the 45,000 tonnes annual capacity of the adjacent site. Consequently, it is concluded that the proposed development would not generate unacceptable cumulative impacts in conjunction with this, or any other development, and is therefore in accordance with Policy DM3.

Tourism

- 8.10.6 Objections were received stating that the proposed development would have an unacceptable impact on tourism within the local area. Given that the proposals are for a small-scale, temporary development, operating on an intermittent basis, on a previously developed site, it is considered that this will not have an unacceptable impact on tourism within the local area.

Climate Change

- 8.10.7 Policy DM2 (sustainable construction and design) of the Somerset Waste Core Strategy states that “planning permission will be granted for waste management development subject to the applicant demonstrating a commitment to sustainable construction and design”. In this instance, given the nature of the proposed development, it is considered that there are few opportunities to demonstrate sustainable construction measures. Overall however, it should be noted that the proposed development will process non-recyclable waste that would otherwise have to be dealt with by disposal. Whilst in this instance the proposed development will not result in the recovery of energy (as explained in 8.4), it is considered that, as the proposal is for the research and development of energy recovery from waste technology, this demonstrates broad accordance with the principles of Policy DM2.

Temporary Consent

- 8.10.8 Concern has been raised regarding the potential for the temporary consent to be renewed or become permanent. It should be noted that planning practice guidance states that it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently.

8.11 Concluding Comments

- 8.11.1 The proposed development is of a very small scale and for a temporary period of 12 months to allow for research and demonstration activities associated with its potential uses. It is considered that no significant adverse impacts will occur on the local community and environment, notwithstanding the substantial number of objections received, subject to inclusion of appropriate conditions limiting the duration and scale of the development and controlling matters such as emissions of noise and dust and lighting.

9. Recommendation

- 9.1 It is recommended that planning permission be GRANTED subject to 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 Strategic Commissioning Manager – Economy & Planning.

TEMPORARY PERMISSION

1. The development permitted shall cease by 7th November 2020 and all associated structures, plant and equipment shall be wholly removed and the site restored to its previous condition by 7th December 2020.

REASON: The development is only required for a temporary period and shall be restored in accordance with the requirements of Policy DM4 (site restoration and aftercare) of the Somerset Waste Core Strategy (2013).

STRICT ACCORDANCE WITH PLANS

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered/titled: SI-ZZ-DR-A-5003 Revision P06 (Location Plan); MB-00-DR-A-5000 Revision P06 (Proposed Building Plan); MB-ZZ-DR-A-5001 Revision P04 (Proposed building Elevations 1 of 2); MB-ZZ-DR-A-5002 Revision P02 (Proposed building Elevations 2 of 2); SI-ZZ-DR-A-5000 Revision P09 (Proposed Site Plan); SI-ZZ-DR-A-5006 Revision P01 (Site-Co-ordination Plan); SI-ZZ-DR-A-5001 Revision P07 (Proposed Vehicle Tracking); Planning Statement (ref:OXF11310 – 07 May 2019); Memo Report 'Proposed Temporary Pyrolysis Plant, Haybridge Lane, Wells – D1 Calculation' (dated: 12 July 2019); and Email from RPS regarding drainage (dated 22 August 2019).

unless varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

CONDITIONS (PRIOR TO OPERATION)

3. There shall be no operation of the development hereby permitted until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Waste Planning Authority. The CEMP shall include the following:
- Risk assessment of potentially damaging construction activities.
 - Measures relating to the control of dust during construction and operation.
 - Identification of "biodiversity protection zones".
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity features.

- The times during construction when specialist ecologists need to be present on site to oversee works, as appropriate.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works, or similarly competent person, as appropriate.
- Use of protective fences, exclusion barriers and warning signs.
- The management plan will also specify the measures which will be put into place to ensure that all remaining solids resulting from operation of the pyrolytic process would be managed and disposed of at appropriate licensed facilities and would be handled in such a way to ensure that there was no risk of contamination of local receptors (in particular the River Axe).

Thereafter the development shall be carried out in strict accordance with the approved details and any subsequent amendments shall be agreed in writing with the Waste Planning Authority.

REASON: To ensure that adequate measures are put in place to avoid or manage the risk of pollution during construction and operation of the proposed development, in accordance with policies DM3 (impacts on the environment and local communities) and DM7 (water resources) of the Somerset Waste Core Strategy (2013).

4. There shall be no operation of the development hereby permitted until a sustainable surface water drainage scheme for the maximum duration of 12 months, together with a programme of implementation and maintenance for this period has been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Information about the design storm period and intensity, means of access for maintenance, the methods employed to monitor, attenuation and remove surface water from the site and measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Details on the arrangements for the removal of surface water from the attenuation system. This should include a monitoring and maintenance schedule for the 12-month period to establish adequate capacity of the system.
- Calculations and plans to show that no flooding occurs in the 1 in 30-year storm event and any flooding in excess of the 100 years 24 hours storm event is controlled within the designed exceedance routes towards the River Axe.
- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Any works required on or off site to prevent flooding or pollution.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National

Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

CONDITIONS (OPERATIONAL)

5. No more than 50 tonnes of waste shall be delivered to, stored, or processed at the site.

The operator shall maintain monthly records of all waste entering the site and make them available to the Waste Planning Authority at any time upon request.

The records shall contain details of all deliveries including date, vehicle registration, type of vehicle, type of waste, tonnage of waste, source of waste.

REASON: To minimise the impact of the development on the local residents and the local highway network in accordance with policies DM3 (impacts on the environment and local communities) and DM6 (waste transport) of the Somerset Waste Core Strategy (2013).

6. No waste that could viably be recycled or composted shall be imported, stored or processed at the site.

REASON: To exclude wastes that are not acceptable at the site in accordance with Policy WCS3 (other recovery) of the Somerset Waste Core Strategy (2013).

7. No hazardous or putrescible waste shall be imported, stored or processed at the site.

REASON: To exclude wastes that are not acceptable at the site in accordance with Policy WCS3 (other recovery) of the Somerset Waste Core Strategy (2013).

8. The operation of processing plant within the site shall be designed to not exceed a rating level of $L_{AR}35dB$ at any dwelling. The rating level shall be the specific sound level arising from the processing plant plus any adjustment for the characteristic features of the sound, as defined by British Standard 4142.

REASON: To ensure that the development will not have a significant adverse impact from noise on the amenity of adjoining land uses and users, in accordance with Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy (2013).

9. The development must be drained on a separate system with all clean roof and surface water being kept separate from any foul drainage.

There must be no discharge of foul or contaminated drainage from the development into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

REASON: To ensure that site drainage will not have an unacceptable impact on local water quality, in accordance with Policy DM7 (water resources) of the Somerset Waste Core Strategy (2013).

10. No external lighting shall be implemented in relation to the development hereby permitted until a "lighting design for bats", following Guidance Note 8 - bats and artificial lighting (ILP and BCT 2018), has been submitted to and approved in writing by the Waste Planning Authority.

The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Waste Planning Authority.

REASON: To ensure that the proposed development will not have an unacceptable impact on protected species, in accordance with Policy DM3 (impacts on the environment and local communities) of the Somerset Waste Core Strategy (2013) and Policy DP6 (bat protection) of the Mendip Local Plan Part I: Strategy and Policies 2006-2029 (Adopted 2014).

INFORMATIVES

The applicant must ensure they comply with all waste legislation when moving and disposing of waste, including any waste removed from site must go to a suitable permitted waste facility.

This development may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, or else a waste exemption may apply. The applicant is advised to contact the Environment Agency's National Permitting Team on 03708 596506 to discuss the issues likely to be raised.

Please quote the Agency's reference on any future correspondence regarding this matter.

10 Relevant Development Plan Policies

- 10.1 The following is a summary of the reasons for the County Council's decision to grant planning permission.
- 10.2 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:-

Somerset Waste Core Strategy (Adopted 2013)

The policies in the development plan particularly relevant to the proposed development are: -

- SD1: presumption in favour of sustainable development;
- WCS3: other recovery;
- DM1: basic location principles;
- DM2: sustainable construction and design;
- DM3: impacts on the environment and local communities;
- DM4: site restoration and aftercare;
- DM6: waste transport; and
- DM7: water resources.

Mendip Local Plan Part I: Strategy and Policies 2006-2029 (Adopted 2014)

The policies in the development plan particularly relevant to the proposed development are: -

- DP1: local identity and distinctiveness;
- DP3: heritage conservation;
- DP4: Mendip's landscapes;
- DP5: biodiversity and ecological networks;
- DP6: bat protection;
- DP7: design and amenity of new development;
- DP8: environmental protection;
- DP9: transport impact of new development;
- DP10: parking standards; and
- DP23: managing flood risk.

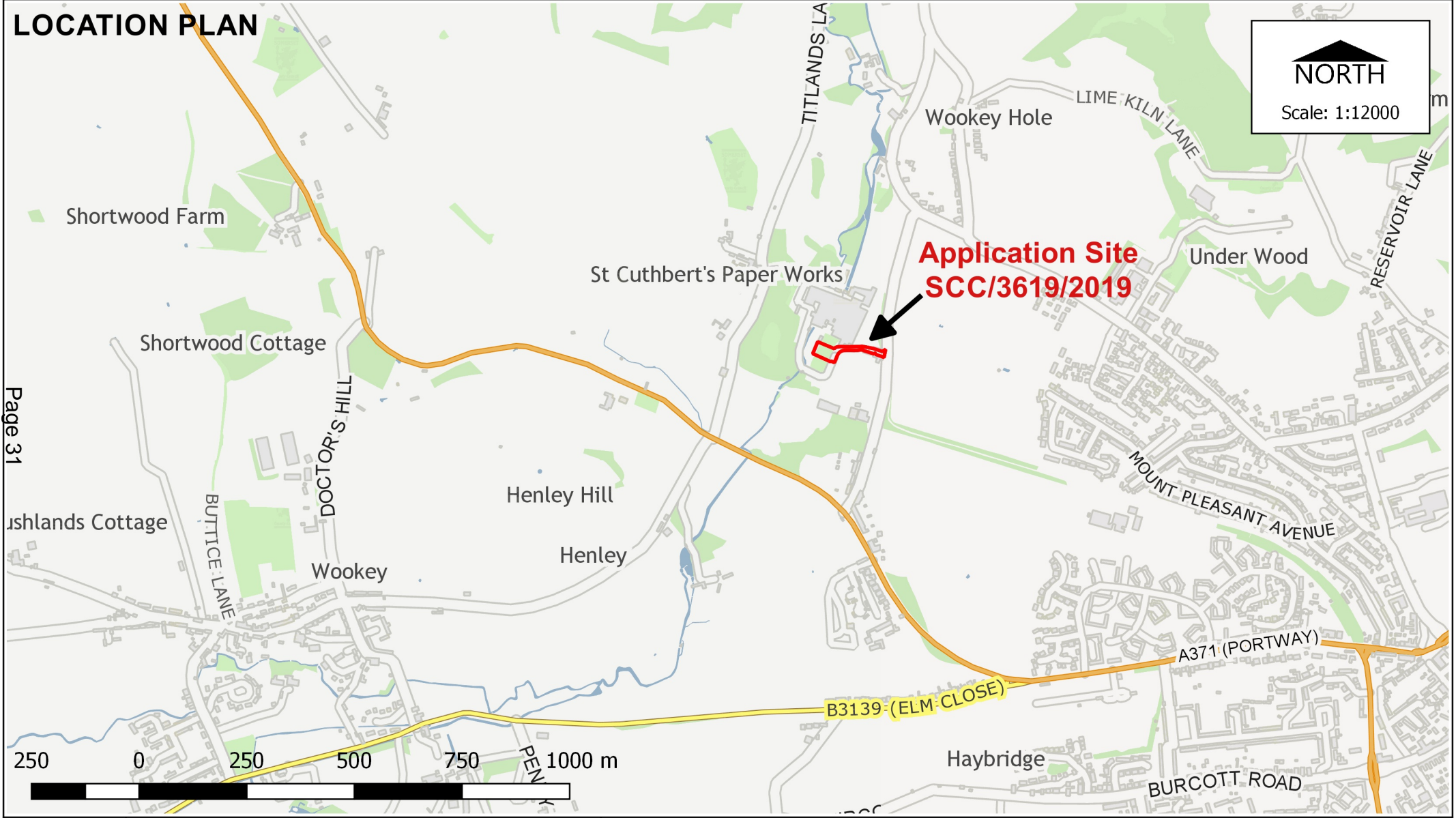
10.3 The County Planning Authority has also had regard to all other material considerations, in particular the National Planning Policy Framework, National Planning Policy for Waste, Planning Practice Guidance and Mendip Local Plan Part II: Sites and Policies (Emerging).

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

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, Waste Core Strategy, Minerals Local Plan 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.

LOCATION PLAN



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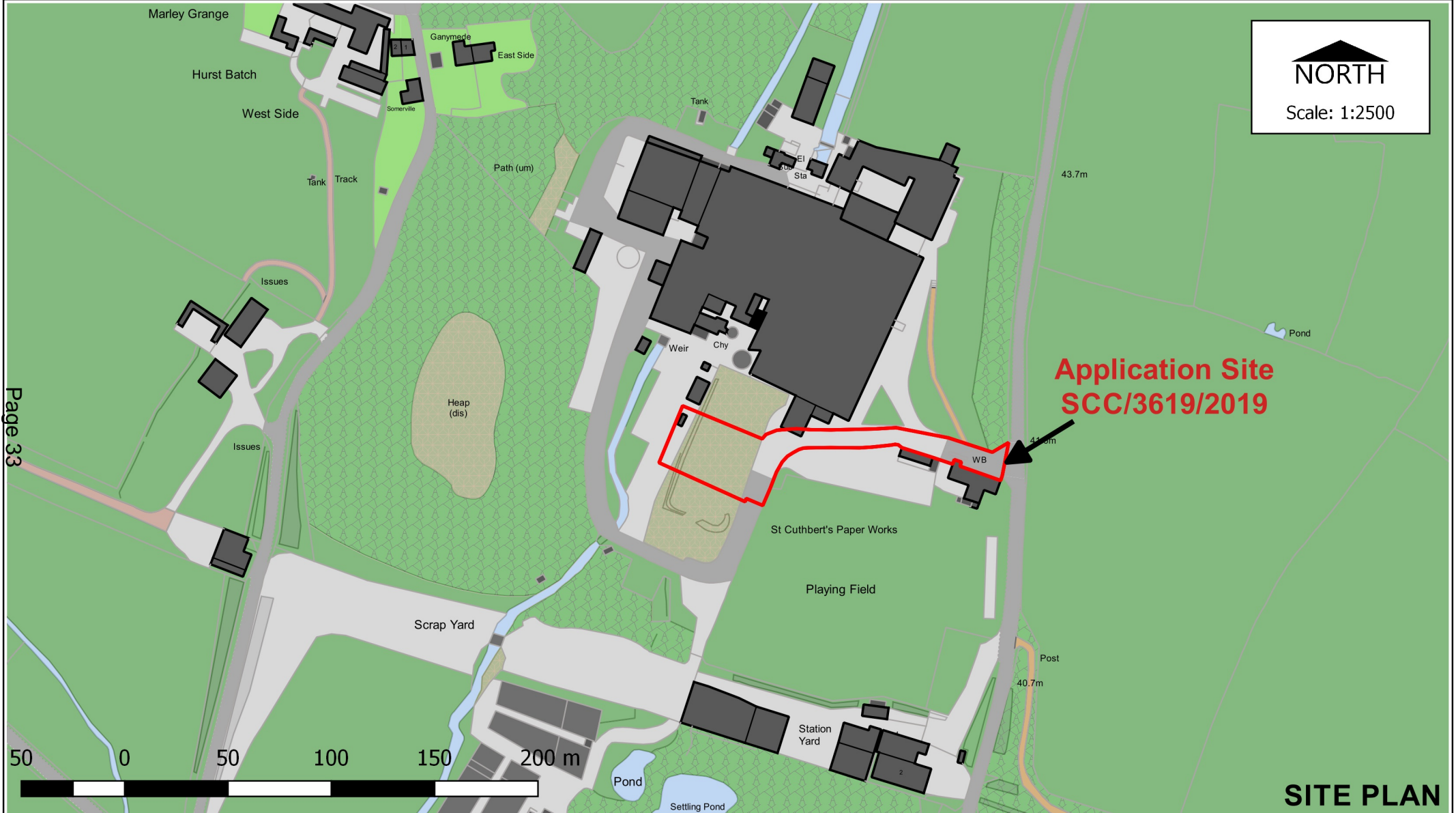
Paul Hickson
 Strategic Commissioning Manager
 Community & Environmental Services
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Dated:14/10/2019

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NORTH
 Scale: 1:2500

**Application Site
SCC/3619/2019**

SITE PLAN



Paul Hickson
 Strategic Commissioning Manager
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 County Hall, Taunton, TA1 4DY

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Somerset County Council
Regulation Committee – 7th November 2019
Report by Service Manager – Paul Hickson
Strategic Commissioning Manager

Application Number: SCC/3630/2019
Date Registered: 3rd June 2019
Parish: Sampford Arundel
District: Somerset West and Taunton
Member Division: Upper Tone
Local Member:
Case Officer: Barnaby Grubb
Contact: barnaby.grubb@devon.gov.uk (01392 383000)
Details:
Description of Application: Construction of a waste transfer station and inert waste/ aggregate recycling facility including a staff welfare unit.
Grid Reference: Easting – 309427, Northing - 118816
Applicant: Mr John Luffman
Location: Land at the former Whiteball Landfill Site, Whiteball, Wellington, TA21 0LT

1. Summary of Key Issues and Recommendation(s)

1.1 The key issues for members to consider are:

- the need for the development;
- ecological and landscape impacts;
- residential amenity including noise and dust impacts;
- traffic and highway implications; and
- mineral safeguarding.

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 located along an already established single access road leading to the Whiteball landfill site adjacent to the A38, approximately 4km south west of Wellington and 305m to the north east of the Greenham/Holcombe Rogus/Appley/Ashbrittle turning off the A38. The existing ground at the site comprises disturbed earth and stone and measures approximately 1.5 hectares. It is surrounded by well-established broadleaved trees and scrub.

2.2 Four residential properties are located between the application site and Whiteball landfill site on the northern side of the A38, with a number of other properties located on the southern side of the A38. Whiteball Quarry lies approximately 400m to the west of the site and Greenham Business Park approximately 600m to the north west. The surrounding land is predominantly in agricultural use, with the operational Whiteball mineral site, comprising processing plant, silt and water ponds and stocking areas, to the west.

2.3 The site on which this application will occupy was previously granted permission in 1973 by Somerset County Council, under planning reference 83089/B, for the extraction of sand and gravel, stockpiling of plant and access alterations. Records indicate that quarrying under this permission was suspended in 1999, with the site being recorded as being in its restoration phase in 2015. The site is within a Mineral Safeguarding Area for Building Stone as defined in the Somerset Minerals Plan.

3. The Proposal

3.1 The planning application proposes the construction of a waste transfer station and inert waste/aggregate recycling facility, including a staff welfare unit. These activities would be independent of the inert landfill site to the north east, which is not currently operational, but the two sites share a common access.

3.2 The proposal will enable 'limited crushing and screening of waste' associated with the general construction activities carried out by the operator, the John Luffman Group (JLG) for the production of recycled soil, and aggregates for re-use as sub-base, capping, general fill, pipe bedding, drainage, concrete and asphalt. The applicant has advised that they hope processing of

materials will be on average one week per month but have suggested that this will more likely be one week every two to three months.

- 3.3 Materials imported onto the site will be stored in a separate stockpile prior to processing, and these will be subject to material acceptance criteria to ensure only appropriate materials are accepted onto the site, with any inappropriate materials being identified and removed from the site. Inert waste will then be taken from this stockpile and processed (i.e. crushed and screened) periodically to produce the final aggregate and topsoil products, with processing estimated as occurring once in an eight weeks' period. All finished products for external sale will then be transported either by JLG or external customer vehicles and sheeted if required, and it is estimated that 15 heavy goods vehicles will visit the site per day.

4. The Application

- 4.1 Plans and documents submitted with the application:

- Application form and statutory declarations;
- Planning Statement;
- Environmental Management System (June 2019);
- Factory Production Control Quality Manual (July 2019);
- Dust Management Policy V1 30.09.19;
- Preliminary Ecological Appraisal version 002 (December 2018);
- Supporting letter regarding lighting and ecology 15/10/2019 BPW/bpw/18-2266;
- Aerial Line of Sight View Survey (27th September 2019);
- Proposed Site Location Plan – 18-2266-001 REV C;
- Topographic Drawing - AS064/11.18/01/CE REV A;
- Existing Block Plan - 18-2266-002 REV B;
- Proposed Block Plan - 18-2266-003 REV D;
- Proposed Surface Finishes - 18-2266-004 REV B;
- Existing Site Sections - 18-2266-010;
- Proposed Site Sections - 18-2266-011 REV B;
- Northeast Elevation - 18-2266-021 REV A;
- Southeast Elevation - 18-2266-022 REV A;
- Southwest Elevation - 18-2266-023 REV A;
- Northwest Elevation - 18-2266-024 REV A;
- Ground Floor Plan - 18-2266-026 REV A;

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 ('the Regulations') has been undertaken.
- 5.2 It has been concluded that the processing of up to 50,000 tonnes of inert waste for reuse is a recovery operation that falls below the indicative criteria and thresholds for 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 objections raised.
- 6.2 **Sampford Arundel Parish Council:** No response received.
- 6.3 **Wellington Without Parish Council:** The Parish Council concluded that they considered it prudent to make no comment.
- 6.4 **Environment Agency:** Raises no objection to the proposal subject to a condition requiring a remediation strategy to be submitted to and approved in writing by the waste planning authority, in order to deal with the risks associated with potential contamination at the site.

Internal Consultees

- 6.5 **Transport Development:** The Highway Authority raises no objection to the proposal as submitted provided any permission granted is subject to a condition ensuring visibility to and from the site is maintained to an appropriate standard.
- 6.6 **Somerset Ecology Services:** Raise no objections subject to the addition of an informative note reminding the applicant of the legal protection afforded to badgers under the Protection of Badgers Act 1992 (as amended) and conditions relating to external lighting and the requirements for vegetation removal.
- 6.7 **South West Heritage Trust (Archaeology):** No objections on archaeological grounds.
- 6.8 **Scientific Services (Noise):** In my view the operational noise from the limited occurrences of materials processing would at worst be intrusive at Shippen Farm and may create an 'Observed Adverse Effect' at times when farm activity was minimal. At other times site noise would be sporadic and at low levels and as such I do not consider the overall noise impact of development sufficient to justify planning objection.

Based on my previous observations of noise from the nearby landfill site, it would appear likely that the perception of plant noise during processing could vary considerably at northern locations and would be expected to depend on the uncertain physical enclosure provided by processed site materials. In my view it would therefore be beneficial if the operator were to define features that provided a more permanent northern enclosure of processing operations and such a noise mitigation feature would appear a simple matter to achieve. It would appear more likely that the delivery and accumulation of materials between bouts of processing would naturally form a screening bund to the north-east of processing and thereby help to minimise noise towards Sunnypatch and other nearby bungalows and the operator might be encouraged to adopt this approach.

Based on the comments above I would recommend that the operator be required to review the site plan so as to provide a northern boundary bund to screen operations from Shippen Farm and detail noise mitigation measures. In my view section 6.5c of the Environmental Management System (Emissions monitoring and control – Noise & Vibration) provides sufficient

detail of reasonable measures to record and consider noise issues should they arise.

There is at present no detail provided to show intended operating hours however, I would suggest all processing activities be restricted to the weekday period of 08:00-17:00 during which it would appear A38 traffic noise would have greatest potential to mask site noise.

I recommend that prior to the processing of imported materials the operator be required to submit, and obtain planning authority agreement for, the following:

- a revised site working plan that details a permanent noise mitigation feature sufficient to screen Shippen Farm from crushing and screening activities of the development and,
- an operating statement detailing the measures to be adopted to minimise noise from processing operations and reversing vehicle alarms.

I recommend that the operation of crushing and screening plant be restricted to the weekday periods of 08:00-17:00 with no operation during Bank Holiday periods, and that all 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.

- 6.9 **Scientific Services (Air Quality):** There is a risk of dust emissions from this development, to the potential detriment of the health and also amenity of residents. However, these concerns are addressed by the submission by the applicant of a dust management scheme that addresses on-site processing and transportation activities.

Public Consultation

- 6.10 Six representations have been received: five letters of objection from local residents; and one letter raising concerns with regards to the proposal. They highlighted the following issues:
- health concerns and risks as a result of an increase in airborne dust particles and subsequent impacts on air quality;
 - requirements of the EU Framework Directive 2008/50/EC (Ambient Air Quality and Cleaner Air for Europe);
 - the impact of noise from vehicles and plant machinery during the day on local residents;
 - the increased traffic along A38 to proposed plant and increased risk of accidents due to the increased number of vehicles using the A38, and vehicles entering and leaving the site;
 - detrimental effects of the operations on wildlife; and
 - too near to residential housing.

7. **Comments of the Strategic Commissioning Manager**

- 7.1 The planning application relates to the construction of a waste transfer station and inert waste/ aggregate recycling facility, including a staff welfare unit, at the former Whiteball Landfill Site. The main issues to be taken into account are:

- the need for the development;
- the ecological impact;
- residential amenity including noise and dust impacts; and
- traffic and highway implications.

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 9 of this report:

- Taunton Deane Core Strategy (adopted September 2012);
- Somerset Waste Core Strategy (adopted February 2013); and
- Somerset Minerals Plan (adopted February 2015).

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 Policy SMP1 (Provision of recycled and secondary aggregates) of the Somerset Minerals Plan states that:

'The Mineral Planning Authority will support:

- a) the supply of recycled and secondary aggregates including (but not limited to) high quality recycled aggregates; and*
- b) the development of aggregate recycling facilities in appropriate locations.'*

7.6 Policy SMP8 (Site Reclamation) of the Somerset Minerals Plan states that:

'Mineral sites should be restored to high environmental standards as soon as practicable, where possible through phased restoration whilst other parts of the site are still being worked.'

The restoration, aftercare and after-use of former mineral working sites will be determined in relation to:

- a) the characteristics and land use of the site;*
- b) the surrounding environmental character and land use(s); and*
- c) any specific local requirements.*

Proposals for restoration and aftercare must demonstrate how they meet the criteria set out in policy DM7.'

- 7.7 In terms of appropriate after use for mineral sites, chapter 18 (Restoration and Aftercare) paragraph 18.15 specifically discusses quarry sites and notes that:

'other types of development that may be appropriate subject to consideration against policies in the Development Plan, including concrete batching plants and facilities for generating recycled aggregates.'

- 7.8 Having regard to these policies, it is considered that the proposed facility for the recycling of inert waste materials will assist in maintaining Somerset's capacity for production of recycled aggregates and is therefore acceptable in policy terms, subject to compliance with the relevant Development Management policies of the Somerset Waste Core Strategy, which are considered in the following discussion.

Ecological and Landscape Impacts

- 7.9 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. Should the application be approved, the inclusion of and compliance with conditions relating to the avoidance of external lighting and the requirements for vegetation removal will avoid potential ecological impacts. As a result, this proposal will not have a significant adverse impact on the integrity, character and/or setting of sites and features of local and regional importance as referred to in Policy DM3 of the Somerset Waste Core Strategy.
- 7.10 The site benefits from mature vegetation on its boundaries, including the A38 frontage, which will assist in screening the proposed facility from public viewpoints.

Residential Amenity

- 7.11 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.'*

- 7.12 As indicated by the Council's noise specialist, potential noise impacts from the development are not considered to be sufficient to substantiate a planning objection. However, the applicant has agreed to provide a bund to minimise the transmission of noise in the direction of the nearest dwelling to the north, and a condition is proposed to control noise from processing operations and reversing vehicles.
- 7.13 In the light of the concern of the Somerset Scientific Services officer over potential dust emissions, the applicant has submitted a dust management policy. A condition is proposed requiring compliance with this scheme, which includes measures covering vehicle movements, processing plant and management of stockpiles, together with a procedure in the event of dust generation being observed or generating complaints.
- 7.14 With the inclusion of these specific conditions and measures addressing the potential impacts of the proposal on noise and dust emissions, there would not appear to be any noise or dust related justification for objecting to this proposal, which accords with Policy DM3.

Traffic and Highways Impact

- 7.15 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.'

- 7.16 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.

- 7.17 The site is located on the A38 which provides access to the major road network around Wellington and Taunton, and the Local Highway Authority has no objections to the proposal. The proposal broadly accords with Policy DM6 of the Waste Core Strategy given that the proposal is not considered to generate significant traffic movements (being around 15 HGVs per day), will

not have a detrimental impact on Somerset's local and strategic transport networks and a suitable access to the site is already in place.

Mineral Safeguarding

- 7.18 The application site was formerly quarried for sand and gravel and lies within a Mineral Safeguarding Area for building stone. It is understood that the former quarry was worked out prior to being backfilled during its restoration stage. As it is unlikely that any economic mineral resource remains within the site, the proposal accords with Policy SMP9 (Safeguarding) of the Somerset Minerals Plan.

8. Conclusion and Recommendation

- 8.1 Whilst objections have been received from local residents, primarily on grounds of noise and dust impacts, it is considered that the implementation of planning controls will limit the likelihood of any significant adverse effect from noise and dust that may be generated by the operations.
- 8.2 It is recommended that permission be granted 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.

Time Limit (3 Years Implementation)

1. The development hereby permitted shall be commenced within three years of the date of this permission.

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

Completion of Development

2. The development hereby permitted shall be carried out in strict accordance with the approved plans:
- Proposed Site Location Plan – 18-2266-001 REV C;
 - Topographic Drawing - AS064/11.18/01/CE REV A;
 - Existing Block Plan - 18-2266-002 REV B;
 - Proposed Block Plan - 18-2266-003 REV D;
 - Proposed Surface Finishes - 18-2266-004 REV B;
 - Existing Site Sections - 18-2266-010;
 - Proposed Site Sections - 18-2266-011 REV B;
 - Northeast Elevation - 18-2266-021 REV A;
 - Southeast Elevation - 18-2266-022 REV A;
 - Southwest Elevation - 18-2266-023 REV A;
 - Northwest Elevation - 18-2266-024 REV A; and
 - Ground Floor Plan - 18-2266-026 REV A.

and with the following schemes:

- Application form and statutory declarations;
- Planning Statement;

- Environmental Management System (June 2019);
- Factory Production Control Quality Manual (July 2019);
- Dust Management Policy V1 30.09.19; and
- Preliminary Ecological Appraisal version 002 (December 2018).
- Supporting letter regarding lighting and ecology 15/10/2019 BPW/bpw/18-2266; and
- Aerial Line of Sight View Survey (27th September 2019).

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

Operating / Working Hours

3. The site shall only be operated between the hours of 08:00-17:00 Monday to Friday with no operation during weekends and Bank Holiday periods.

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

Waste Management

4. The maximum throughput of the facility shall not exceed 50,000 tonnes of inert waste materials per annum. The operator shall keep written records of throughputs and make such records available to the Waste Planning Authority within 14 days of the Authority making any such request.

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

Highways

5. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 170m either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

Ecology

6. Under no circumstances shall external lighting be installed at the application without the prior written consent of the Waste Planning Authority.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species.

7. Any vegetation within the whole waste deposition area should be initially hand-strimmed down to a height of 10cm above ground level. Additionally, any brash piles or cuttings should be removed from the site in phases; beginning from the centre of the site moving slowly outwards to give any protected species present within the vegetated areas time to disperse away from the clearance team and to avoid being isolated from ecological corridors

that will provide a means of escape. Clearance can occur at a maximum rate of 2ha per day, immediately followed by a 48-hour dispersal period which will occur during warm suitable weather (limited rain and wind, with temperatures of 10°C or above) to encourage any protected species that may be present in the vegetation to disperse to the surrounding habitats. After the 48 hours dispersal period, a further 2ha will then be cleared. This process will then be repeated until the site clearance is completed. This work may only be undertaken between April and October. Once cut vegetation on the site will be maintained at below 10cm for the duration of the development. Written notification of the operations will be submitted to the Waste Planning Authority prior to works commencing.

Reason: In the interests of preventing harm to UK protected and priority species.

Noise

8. Prior to the processing of imported materials an operating statement detailing the measures to be adopted to minimise noise from processing operations and reversing vehicle alarms shall be submitted to and approved in writing by the Waste Planning Authority. This scheme shall be complied with for the duration of operation of the site.

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

Dust Control and Mitigation

9. The approved Dust Management Policy shall be fully complied with for the duration of operation of the site.

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

Contamination & Remediation Strategy

10. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the waste planning authority.

This strategy will include the following components:

- (a) a preliminary risk assessment which has identified:
 - (i) all previous uses;
 - (ii) potential contaminants associated with those uses; and
 - (iii) a conceptual model of the site indicating sources, pathways and receptors
 - (iv) potentially unacceptable risks arising from contamination at the site;
- (b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;

- (c) the results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
- (d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the written consent of the waste planning authority. The scheme shall be implemented as approved.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the waste planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the waste planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect controlled waters by managing any ongoing contamination issues and completing all necessary long-term remediation measures.

Informative Note: Waste Management

This proposal is located within 250m of an inert landfill site that is potentially producing landfill gas. This is also the location of old sandpits that were utilised for the overburden of the quarry materials. Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short-term health risks as well as odour nuisance. Although there is no evidence of the landfill gas leaving the landfill, it is recommended that monitoring of the gas is conducted.

The following publications provide further advice on the risks from landfill gas and ways of managing these:

- Waste Management Paper No 27.
- Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas'.
- Building Research Establishment guidance – BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001.
- Building Research Establishment guidance – BR 212 'Construction of new buildings on gas-contaminated land' 1991.
- CIRIA Guidance – C665 'Assessing risks posed by hazardous ground gases to buildings' 2007.

Informative Note: Badgers

The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

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 2013);
- Somerset Minerals Plan (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.

Somerset Minerals Plan

SMP1: Provision of recycled and secondary aggregates – the proposal will assist in maintaining supply of recycled aggregates.

SMP9: Safeguarding – The site no longer contains mineral resources of economic value.

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.

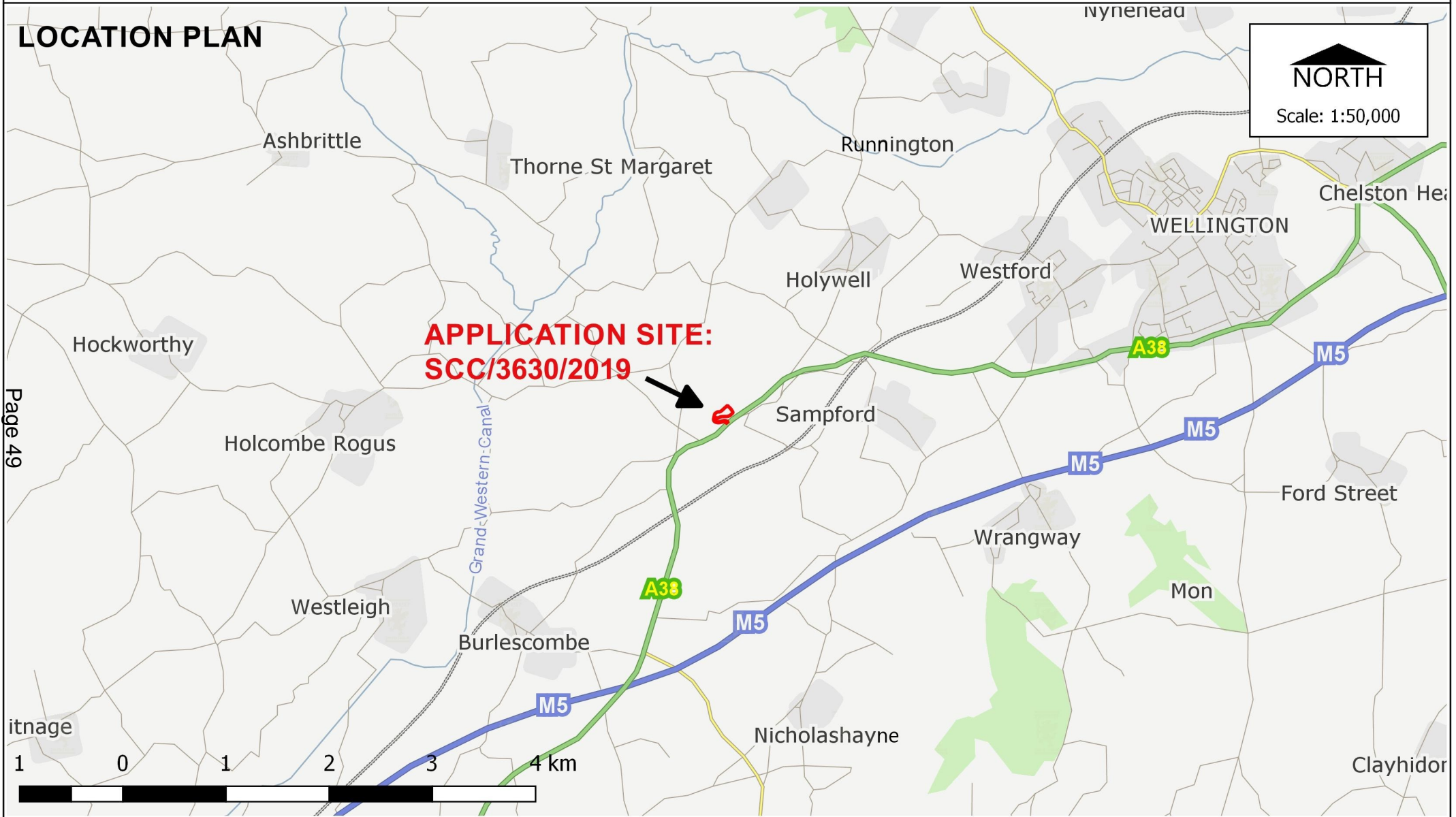
DM1 (General Requirements) – The application site is in a sustainable location. Traffic generation is not expected to lead to overloading of access roads, or raise unacceptable road safety problems. It is not considered that the proposal will cause unacceptable harm to the local landscape or nearby settlement and subject to compliance with planning conditions, it is not expected to create unacceptable pollution issues.

- 9.4 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

- 9.5 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.

LOCATION PLAN



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Paul Hickson

Strategic Commissioning Manager
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 County Hall, Taunton, TA1 4DY

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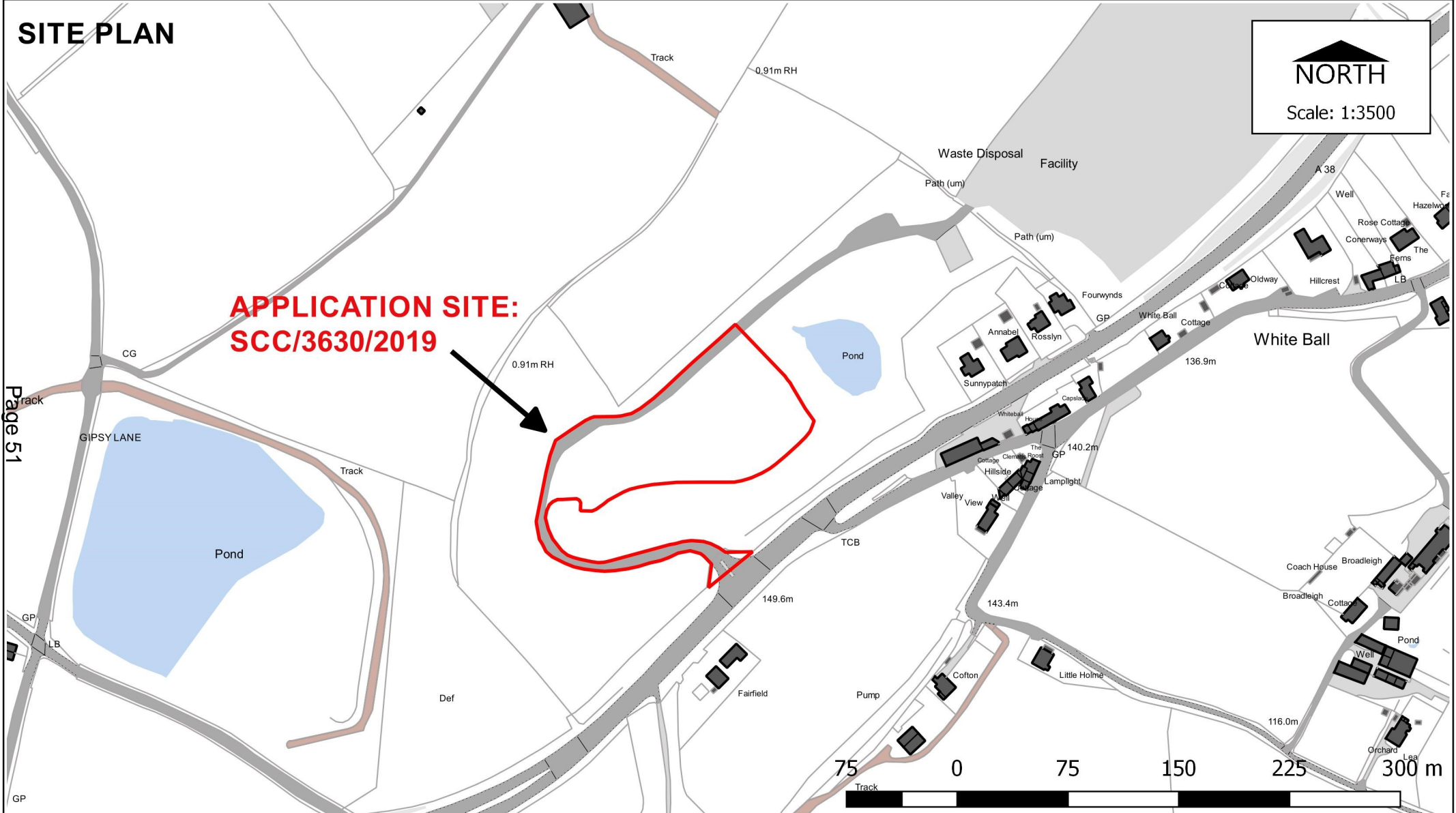
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SITE PLAN



APPLICATION SITE:
SCC/3630/2019



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Paul Hickson
Strategic Commissioning Manager
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Dated: 29/10/2019

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Somerset County Council

Regulation Committee –
Report by Paul Hickson
Strategic Commissioning Manager

Application Number: SCC/3652/2019

Date Registered: 28 August 2019

Parish: Cheddon Fitzpaine Parish Council

District: Somerset West and Taunton

Member Division: Taunton North

Local Member: Councillor Giuseppe Fraschini

Case Officer: Stephen Boundy

Contact Details: stephen.boundy@devon.gov.uk (01392 383000)

Description of Application: Variation of Condition 16 (Use of external sports facilities) of Planning Permission reference: 4/08/18/0004/OB to allow increased hours/days of use and use by community groups of the external sports facilities for a temporary period of 3 years.

Grid Reference: Easting - 324283, Northing - 126461

Applicant: Somerset County Council

Location: Land Off Nerrols Drive, Taunton, TA2 8QE

1. Summary of Key Issues and Recommendation

1.1 The proposed development relates to a variation of condition application to allow increased hours/days of use and use by community groups of the external sports facilities at Nerrols Primary School for a temporary period of three years. The main issues for Members to consider are: -

- **the need for the development;**
- **the impact of the proposal on residential amenity; and**
- **traffic generation, parking and the highway network.**

1.2 It is recommended that planning permission be GRANTED subject to the conditions set out in section 9 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 Strategic Commissioning Manager – Economy & Planning.

2. Description of the Site

2.1 Nerrols Primary School is located on a relatively flat parcel of land extending to 1.23 hectares on Taunton's north-east urban edge. The external 3G sports pitch is located in the north eastern corner of the site, immediately bordered by recently constructed residential development to the north and north east. To the east/south east an existing Public Right of Way (PRoW, reference T5/14), which is a single-track lane known as Nerrols Lane, separates the site from an existing local business (dealing in farm machinery) and associated dwelling known as Crosslands Yard. To the west of the sports facilities are the school buildings and to the south is an area of school land where, until recently, a large Oak tree protected by a Tree Preservation Order stood. This tree was removed, with consent from Somerset West and Taunton Council, on safety grounds following an independent inspection which identified significant decay around the base.

3. The Proposal

3.1 Condition 16 of planning permission reference 4/08/18/0004/OB relates to the use of external sports facilities and states "The external sports facilities at the development hereby permitted shall not be used except between the hours of 08:30h and 17:00h during weekday term-time periods only, and shall only be used by the school during those permitted hours".

3.2 The proposal is to vary this condition to:

"The external sports facilities at the development hereby permitted shall not be used except between the hours of:

- Monday to Friday (all year excluding bank and public holidays) 08:00h to 21:00h

- Saturday 09:00h to 14:00h
- Sunday 10:00h to 14:00h

There shall be no use on public and bank holidays.

For a period of three years beginning with the date on which this permission was granted. Thereafter, the external sports facilities shall not be used except between the hours of 08:00h and 17:30 during weekday term-time periods only, and shall only be used by the school during those permitted hours, unless otherwise agreed in writing.”

4 Background

- 4.1 Nerrols Primary School gained planning permission in 2018 (planning permission reference 4/08/18/0004/OB). The school opened in September 2019 and is part of the Richard Huish Trust.

5. The Application

- 5.1 Documents submitted with the application:

- Application Form
- Covering Letter
- Location Plan
- Planning Statement
- Noise Management Plan

6. Environmental Impact Assessment (EIA)

- 6.1 This development does not fall within the scope of Schedules 1 and 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and an Environmental Statement is therefore not required.

7. Consultation Responses Received

External Consultees

7.1 Somerset West and Taunton Council

No objection subject to suitable conditions ensuring that there is no use of the external sports facilities on Public Holidays or Bank Holidays and that the County Planning Authority is satisfied that the Noise Management Plan can be adhered to during the three years period.

7.2 Cheddon Fitzpaine Parish Council

‘The Parish Council object for the following reasons:

1. Car parking: The Parish Council object to ‘any’ parking in the immediate vicinity (i.e. Summerleaze Crescent) which causes problems for local residents. If those using the sports pitch can park within the school’s grounds, there would be no objection from the Parish Council. In this respect, a specific condition is required to strictly control and limit the numbers of vehicles visiting the school site. The school was originally a 7-class school, but with a 14-class building, it is requested this aspect is particularly pertinent to be controlled in the early stages of development.
2. Noise: It is a given that nearby residents bought knowing the location of the school and therefore some noise would be part of the surroundings. However, it is understood that ‘community groups’ could be teenagers and adults; therefore, noise or sound in the immediate vicinity from adults would not have been anticipated and is an unexpected issue.

Points to note:

3. Promotion of sustainable transport: the use of walking, cycling or the No2/2A bus service is to be promoted to reduce traffic or parking problems.
4. Lighting: there is no outdoor lighting at present; therefore, the sports pitch can only be used in daylight hours in the first instance.
5. Community Groups: this could include teenagers and adults – e.g. men’s walking football.’

7.3 Sport England

Sport England supports the increased use of the school site for community sport.

Internal Consultees

7.4 County Council Acoustics Specialist

In determining the planning application for this school, it was recognised that inadequate land area existed to provide sufficient natural play space for the numbers of children to be accommodated at the school, and as such, an artificial pitch was therefore necessary to overcome this design constraint and meet the statutory provision. Although the risk of noise from the sports pitch was highlighted during initial school layout proposals it was indicated that the presence of a protected tree had dictated the location of the artificial pitch to be at the shared boundary with new residential development.

As such the pupil capacity requirements of design, and the spatial constraints of the development site removed any option to separate a source of noise from noise sensitive development. These design choices and site constraints now result in a situation where noise from sports pitch use is expected to be distinctive to a number of nearby residents and the applicant’s objectives to seek extended usage present an increased risk of conflict with typical residential expectations for amenity.

I have indicated in earlier reports that I have several concerns with the approach adopted in Sport England Design Guidance Note 2015 (Artificial Grass Pitch Acoustics – Planning Implications) to define what might be considered acceptable noise from a facility and this matter is complex. Clearly development context is a consideration to assessing noise impact, as recognised in BS4142 and it might be reasonable to expect that residents living near to a Primary School will have different expectations for amenity than those living near to major road or a sports centre. The expectation for residential amenity might also vary for reasons of time period, chosen activity, weather and day of the week and the noise arising from the facility might conflict with these to varying extents due to the particular sport activity, the vocal energy of participants and the verbal content that is audible. What would appear evident from noise predictions and previous consideration of this development is that the noise from sporting use will be distinctive to some residents, and while there may be expectations and some acceptability for this form of noise from typical school periods of use, I think there may be less tolerance to its presence during evening and weekend periods of non-school use.

The present planning consent accepted that the risks of residential disturbance from typical primary school use during the daytime would be likely to be insufficient to justify planning objection to the entire school development. However, in my view this does not infer that ‘the proximity of the proposed 3G pitch to the nearest residential property was acceptable’, as clearly this it is not ideal and would not have resulted if greater design freedom had existed. Condition 16 therefore placed a restriction on the type and hours of use with the intension of accommodating typical primary school activity as might be expected by residents moving to housing on the boundary of a primary school.

The applicant’s recent proposal for a temporary extension to operational hours might now be considered as a reasonable approach to testing the actual impact of the development when used for non-primary school uses and help to define a situation and regularity of use that might be acceptable to residents. The applicant has also provided a Noise Management Plan that identifies a Code of Conduct to be enforced by the Head Teacher to support extended use and this will help to address issues of unnecessary noise and unacceptable verbal content. As such the proposal provides opportunity for planning to access the effectiveness of the Noise Management Plan and better consider any future request to grant extended facility usage after three years.

While the applicant has provided a plan to minimise and address aspects of unreasonable noise from the facility I still have concerns that unavoidable aspects of noise from out-of-hours use of a school pitch could give rise to residential disturbance and that this risk could increase as the school pupil use increases as the school fills and when attempts are made to maximise out-of-school use to generate income from the pitch. As such I consider planning conditions would be necessary to ensure the capture of information helpful to establishing reasonable terms of usage if the grant of temporary use permitted. In my view this would then seem reasonable way forward

and would fulfil the planning role to ‘facilitate development where possible’ as it would provide an opportunity for the applicant to collect evidence to support any future proposals for extended sports pitch usage. In my view any temporary consent should therefore require the school to:

- Maintain, and provide to the planning authority on request, the full details of facility usage (date, time, activity) during the extended hours permitted by this consent;
- Provide a letter to the residents located within 50m of hired facilities detailing the terms of temporary extended usage, the existence of a Noise Management Plan and user Code of Conduct and the relevant contact details to notify should disturbance arise.
- Provide the planning authority with a full record of any Noise Management Plan entries at their request.

I am not certain if a three years temporary consent would be sufficient to establish both full school time usage and establish the levels of out-of-school usage intended to fund the facility and this point might be worth clarifying.

7.5 Highways Development Management

The Highway Authority considers that the proposal is likely to have only a negligible impact on highway safety and as such have no objections to the proposal.

7.6 Public Consultation

The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter. Resulting from this consultation, five letters of objection were received to the proposals. These objections raised the following issues:

- impact upon residential amenity;
- impact of the proposal and school more generally on the highways network and parking in the local area;
- potential damage to vehicles/property from users of the facilities;
- recent loss of the protected oak; and
- impact upon the health of adjacent residents.

8. Comments of the Strategic Commissioning Manager – Economy & Planning

8.1 The key issues for Members to consider are:

- the need for the development;
- the impact of the proposal on residential amenity; and

- traffic generation, parking and the highway network.

8.2 The Development Plan

8.2.1 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 Borough Council Core Strategy (2012)
- Taunton Deane Borough Council Site Allocations and Development Management Plan (2016)

8.3 Material Considerations

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

- the National Planning Policy Framework [NPPF] - February 2019
- Planning Practice Guidance [PPG]

8.4 The need for the development

8.4.1 The need for the extension of hours of use for the external sports facilities is to allow greater use of the sports facilities by the school outside of the school day for before and after school clubs, and the hosting of local competitions. Additionally, the removal of the restriction on community use will generate what the applicant considers to be an 'essential' income supply for the school. This can be focussed towards the ongoing maintenance of the 3G sports pitch, including funds towards the future replacement of the pitch when it reaches the end of its useable life. It should be noted that paragraph 94 of the NPPF (2019) states that Local Planning Authorities should "give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications".

8.5 The impact of the proposal on residential amenity

8.5.1 Policy DM1 (General Requirements) of the Taunton Deane Borough Council Core Strategy (2012) states that 'potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment'.

8.5.2 In this instance it is considered that the main impact on residential amenity arising from the proposal is from noise associated with the proposed longer hours of use and community use.

- 8.5.3 This impact on residential amenity is for a temporary three years period and the extended use of the facility will naturally be limited to some extent to daylight hours due to the absence of floodlighting, which is not proposed by this application.
- 8.5.4 At the end of this three years period the permitted hours of use will revert to that which was previously permitted, and community use will no longer be allowed. Planning Practice Guidance states that circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area. There is no presumption that a temporary grant of planning permission will then be granted permanently. It should also be noted that it will rarely be justifiable to grant a second temporary permission.
- 8.5.5 Whilst the proposed increased use will undoubtedly affect the noise environment within the local vicinity, this is in the context of an existing school, for a temporary period. The school is proposed to implement a noise management plan which includes a comprehensive complaints procedure. In addition to this, it is considered necessary to condition that a letter shall be provided to the residents located within 50m of hired facilities detailing the terms of temporary extended usage, the existence of a Noise Management Plan and user Code of Conduct and the relevant contact details to notify should disturbance arise. Records shall also be kept of the details of community usage (dates, times and activities) and provided to the County Planning Authority upon request along with details of any complaints received.
- 8.5.5 With the above in mind, it is considered that overall the proposed increase in usage of the external sports facilities will not have an unacceptable impact on residential amenity and is therefore in accordance with Policy DM1 (General Requirements) of the Taunton Deane Borough Council Core Strategy (2012).

8.6 Traffic generation, parking and the highway network

- 8.6.1 The aspect of this proposal that will generate additional traffic and have an impact on parking is the proposed community use. However, community use of the external sports facilities will occur outside of the usual school hours and as such will not cause any additional impact on any existing parking issues caused by the use of the wider school site. The school car park provides 33 standard spaces, two accessible spaces and two motorcycle parking spaces. There is also cycle parking adjacent to the pitch.
- 8.6.2 Overall, given the level of existing parking available on site, the proximity of the site to the community that will use it, and the level of community use the facility is likely to attract, it is considered that the proposal will not have an unacceptable impact upon traffic generation, parking and the highways network. The proposals are therefore in accordance with Policies A1 (Parking Requirements) and A2 (Travel Planning) of the Taunton Deane Borough Council Site Allocations and Development Management Plan (2016).

8.7 Conclusions

8.7.1 In conclusion, it is considered that the need for the proposed extension of hours of use and community use of the external sports facilities outweighs the temporary impacts on the residential amenity of adjoining residents, which can be sufficiently reduced and controlled by the Noise Management Plan. Overall it is considered that the proposed development is in accordance with both local and national planning policy and should therefore be granted subject to conditions.

9. Recommendation

9.1 It is recommended that planning permission be GRANTED subject to 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 Strategic Commissioning Manager – Economy & Planning.

1. The development hereby permitted shall be commenced within three years of the date of this permission.

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

2. The development hereby permitted shall be carried out in strict accordance with the approved plans:

- Location Plan reference 151271-STL-00-00-DR-L-ZZZZ-09010 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Existing Site Plan reference 151271-STL-00-00-DR-L-ZZZZ-09020 Revision P20 prepared by Stride Treglown dated 11.1.18;
- GA plan – GF reference PL150 Revision 5 prepared by Hunter South Architects dated 11.12.17;
- GA plan – FF reference PL151 Revision 4 prepared by Hunter South Architects dated 11.12.17;
- GA Roof Plan reference PL152 Revision 2 prepared by Hunter South Architects dated 11.12.17;
- GA Elevations reference PL155 Revision 3 prepared by Hunter South Architects dated 11.12.17;
- Site Sections – sheet 1 of 2 reference 151271-STL-00-00-DR-L-ZZZZ-09601 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Site Sections – sheet 2 of 2 reference 151271-STL-00-00-DR-L-ZZZZ-09602 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Landscape General Arrangement reference 151271-STL-00-00-DR-L-ZZZZ09001 Revision P23 prepared by Stride Treglown dated 8.3.18;

- Planting Plan reference 151271-STL-00-00-DR-L-ZZZZ-09140 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Boundary Treatment Plan reference 151271-STL-00-00-DR-L-ZZZZ-09180 Revision P23 prepared by Stride Treglown dated 8.3.18;
- NER-HYD-00-XX-DR-C-7500-P2 Site Plan;
- NER-HYD-00-XX-DR-C-7501-P2 Drainage Layout;
- NER-HYD-00-XX-DR-C-7510-P2 Drainage Details;
- NER-HYD-00-XX-DR-C-7511-P1 Drainage Details;
- NER-HYD-00-XX-DR-C-7520-P1_ External Works;
- NER-HYD-00-XX-DR-C-7530-P1_ External Details;
- NER-HYD-00-XX-DR-C-7540-P1_ Swept Path Analysis;
- NER-HYD-00-XX-DR-C-7550-P1_ Signing and Lining;
- 08410-HYD-XX-XX-DR-D-0001 Revision P05;
- 08410-HYD-XX-XX-DR-D-0002 Revision P04;
- 08410-HYD-XX-XX-DR-D-0001 Rev P05;
- NER-HYD-00-XX-DR-C-7001 Rev C11;
- NER-HYD-00-XX-DR-C-7200 Rev C10;
- NER-HYD-00-XX-SK-C-8010 Rev C2;
- NER-HYD-00-XX-DR-C-7300_C1 - External Details;
- NER-HYD-00-XX-DR-C-7200_C2 - External Works at Land off Nerrols Drive;
- 4418E-SDS-X0-EX-DR-E-7080-2501 Revision C04;
- 151271_C01_190524_ Cover Letter;
- NER-HYD-00-ZZ-RP-C-0003 Revision P2;
- A-02.00 Rev: 2 (Proposed Site Plan – Landscape General Arrangement);
- 916-01C (Landscape Proposals);
- A-02.05 Rev: A (External WC and Bin Store);

and specifications:

- Planning, Design and Access Statement reference 151271_R_171205_PDAS Revision P1 prepared by Stride Treglown dated March 2018;

- Transport Assessment reference 065668 Revision V00 prepared by Curtins dated 5.1.18;
- Site Waste Management Plan reference GP-FM-EM-260 Revision A prepared by Wilmott Dixon dated 17.12.17;
- Environmental Noise Report reference 6708/PP/pw Revision B prepared by Acoustic Consultants Ltd dated 4 January 2018;
- Arboricultural Impact Assessment and Arboricultural Method Statement reference NerrolsFm_AIA_AMS_29122017_SRv2 prepared by Assured Trees dated 29.12.17;
- Utility Statement reference C-07416-C prepared by Hydrock dated 6.10.17;
- Construction & Environmental Management Plan Rev.01, prepared by Wilmott Dixon dated 09/04/18;
- Preliminary Ecological Appraisal Update Survey reference 003STTR100 prepared by Abricon dated 5.1.18;
- Flood Risk Assessment reference C-07437-C prepared by Hydrock dated 11.1.18;
- Geotechnical Statement reference C13872/008 prepared by Hydrock dated 22.9.17;
- Planning application form prepared by Stride Treglown dated 11.1.18;
- Nerrols Primary School and Nursery Travel Plan dated 17.5.19;
- Nerrols Primary School and Nursery Noise Management Plan Community Use 3G Artificial Grass Pitch (AGP);

and with any scheme, working programme or other details submitted to and approved in writing by the County Planning Authority in pursuance of any condition attached to this permission.

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

3. Within a month prior to the commencement of the development hereby permitted, a public highway surface condition survey shall be undertaken of the public highway 50m in either direction of any permanent and temporary construction vehicular access, the details and results of which shall be submitted to the County Planning Authority prior to the commencement of the development hereby permitted for approval. Within 1 month of the date of completion of the construction phase of the development hereby permitted, a public highway surface condition re-survey of the same piece of public highway shall be undertaken, the details, results and any proposed repair works including timings shall be submitted to and approved in writing

by the County Planning Authority before the development hereby permitted is first brought into use

Reason: To ensure that highway safety and operation is not compromised.

4. The three proposed pedestrian accesses onto Nerrols Drive and Nerrols Farm Lane shall incorporate pedestrian visibility splays on both sides to the rear of the existing footway / carriageway edge based on dimensions of 2.0 metres x 2.0 metres, with no obstruction above 300mm. Such splays shall be fully implemented before the accesses and the development hereby permitted are first brought into use and shall thereafter be maintained for the duration of the development hereby permitted.

Reason: To ensure the safety of pedestrians accessing the development hereby permitted.

5. No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the County Planning Authority.

Reason: in the interests of nesting wild birds.

6. For a period of three years beginning with the date on which this permission was granted, the external sports facilities at the development hereby permitted shall not be used except between the hours of:
 - Monday to Friday (all year excluding bank and public holidays) 08:00h to 21:00h;
 - Saturday 09:00h to 14:00h; and
 - Sunday 10:00h to 14:00h.
 - There shall be no use on public and bank holidays.

Thereafter, the external sports facilities shall not be used except between the hours of 08:00h and 17:30 during weekday term-time periods only, and shall only be used by the school during those permitted hours, unless otherwise agreed in writing.

Reason: To limit the noise impacts on residential amenity.

7. Within three months of the date of this permission, a letter shall be provided to the residents located within 50m of hired facilities detailing the terms of temporary extended usage, the existence of a Noise Management Plan and user Code of Conduct and the relevant contact details to notify should disturbance arise. Full details of any complaints subsequently received shall be provided to the County Planning Authority upon request.

Full details of community use of the external sports facilities shall be recorded (date, time and activity) and provided to the County Planning Authority upon request.

Reason: To limit the noise impacts on residential amenity.

INFORMATIVES

The Football Foundation / Somerset FA would welcome an opportunity to meet with the school to align some usage.

10 Relevant Development Plan Policies

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

10.2 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:-

- Taunton Deane Borough Council Core Strategy (2012)
- Taunton Deane Borough Council Site Allocations and Development Management Plan (2016)

The policies in the development plan particularly relevant to the proposed development are:

- DM1 (General Requirements)
- A1 (Parking Requirements)
- A2 (Travel Planning)

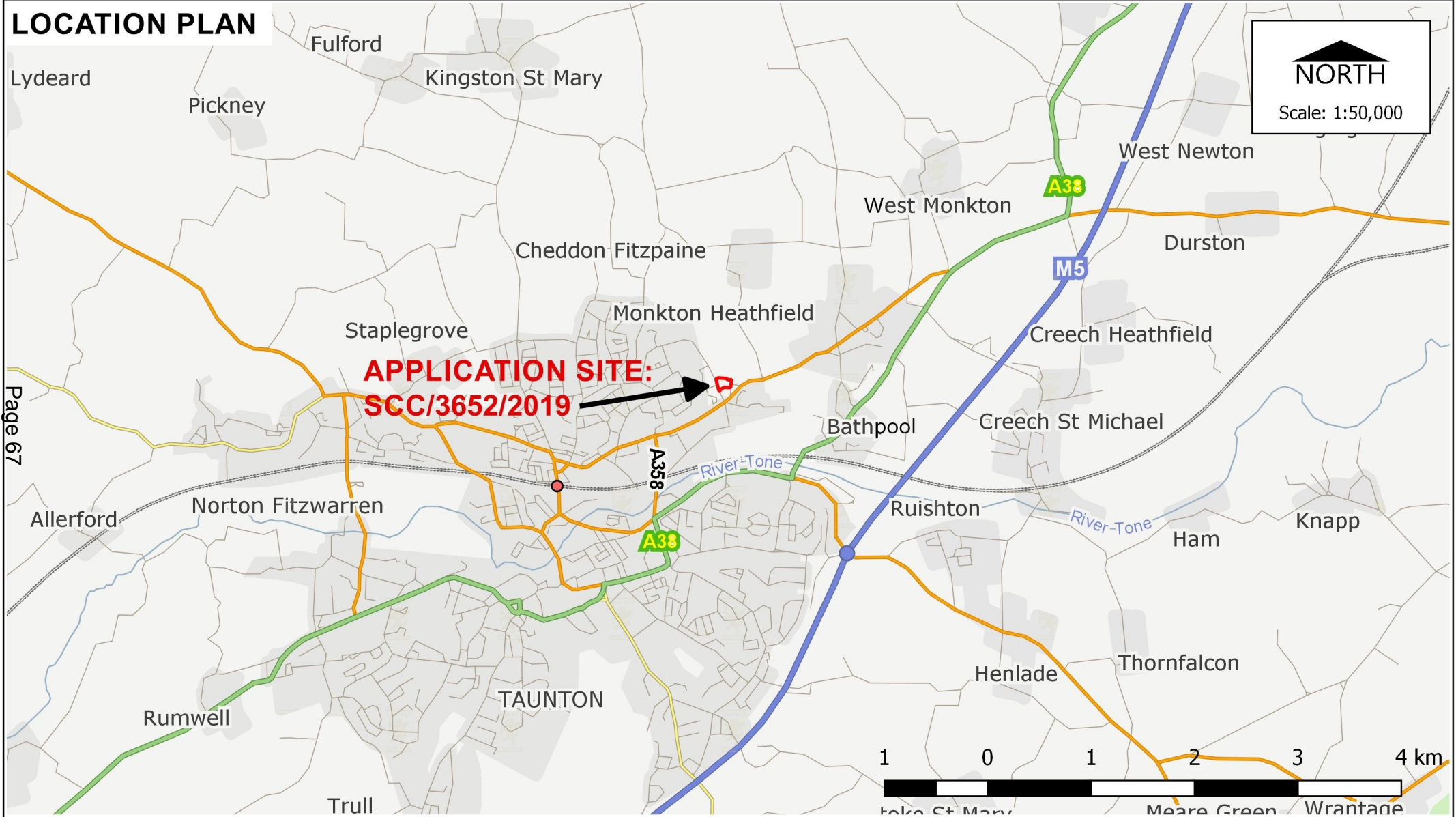
10.3 The County Planning Authority has also had regard to all other material considerations.

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

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, Minerals Local Plan 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.

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LOCATION PLAN



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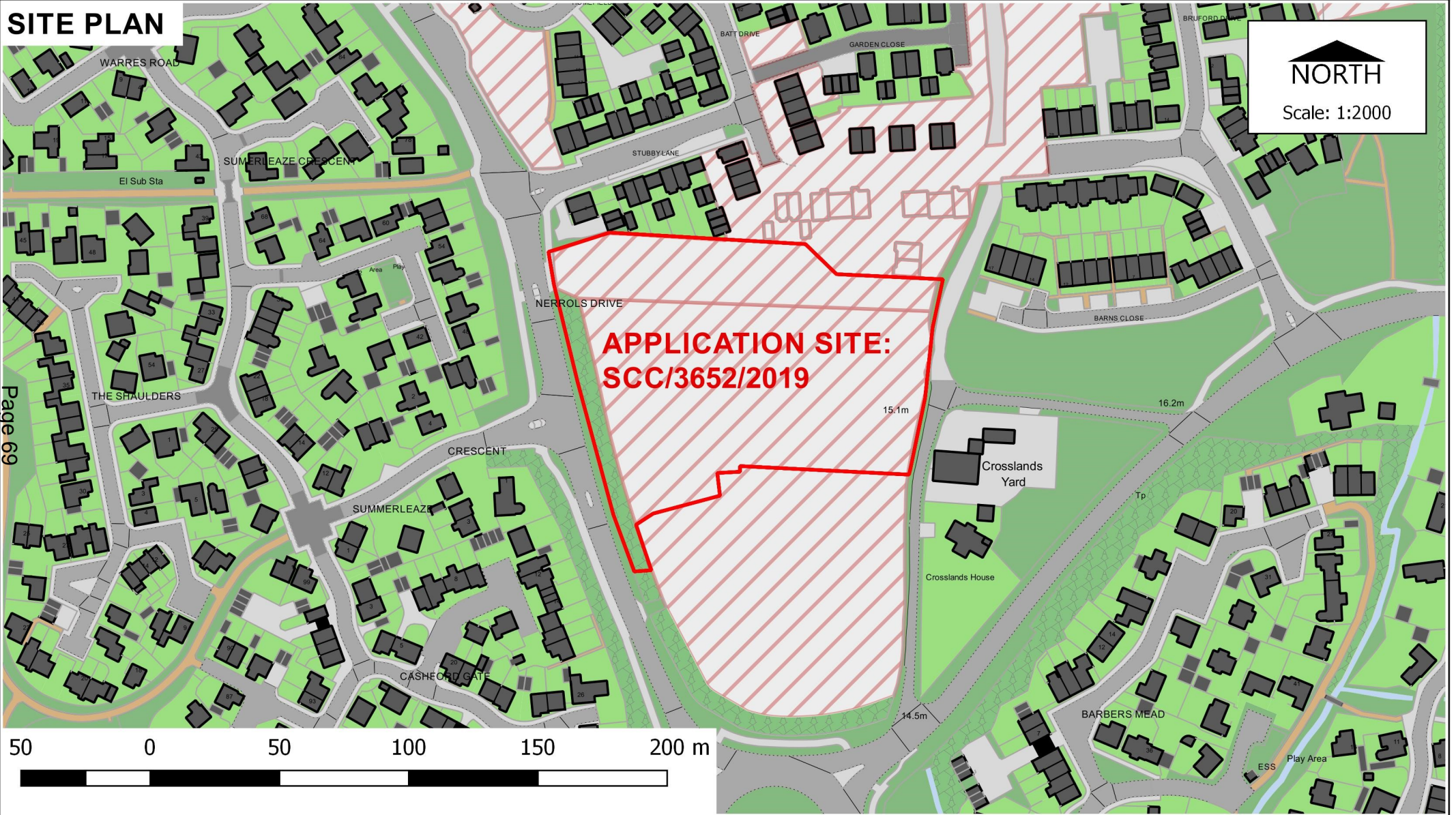
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SITE PLAN



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