

**County Matter: Waste Disposal**  
**Mid Devon District: Removal of Condition 8 (Hours of Use) and variation of Condition 9 (Limit on Storage) of planning permission 14/00172/FULL for construction of slurry pit at Old Tellam's Yard, Cheriton Bishop, Exeter**  
**Applicant: BG Pearce Ltd**  
**Application No: 16/00639/DCC**  
**Date Application received by County Council: 20 April 2016**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that planning permission be granted in accordance with the conditions set out in Appendix II to this Report (with any subsequent changes to the conditions being agreed in consultation with the Chairman and Local Member).

## **1. Summary**

- 1.1 This Report relates to a planning application for the removal of Condition 8 (Hours of Use) and variation of Condition 9 (Limit on Storage) of planning permission 14/00172/FULL for construction of slurry/septic tank sludge pit at Old Tellam's Yard, Cheriton Bishop.
- 1.2. The main material considerations in the determination of this application are considered to be the impact on amenity of nearby residents and impact on the local road network in terms of highway safety and capacity.

## **2. The Proposal/Background**

- 2.1 Old Tellam's Yard is located approximately 20km West of Exeter, and 4 km to the North West of Cheriton Bishop. After leaving the A30, access to the site is via the minor rural road network. The setting of Tellam's Yard is within a rural location. The application site itself consists of a former pond contained by an earth embankment.
- 2.2 The total site area for Old Tellam's Yard is 2.8 hectares, and comprises of a number of industrial type buildings. In respect of waste uses at the site, there are two existing animal carcass incinerators that are housed within buildings at the site. In addition to this there is an extant planning permission (09/01764/DCC) for a new building and clinical waste incinerator which has not yet been constructed.
- 2.3 At the Development Management Committee on 15 July 2014 Members considered report PTE/14/53 relating to the installation of a storage pit for septic tank waste and resolved to grant conditional planning permission (minute \*64 refers). Report PTE/14/53 is attached as Appendix III to this Report. Since the determination of the application a non-material amendment application was approved relating to the method of storage of the septic tank sludge. The facility now utilises a fully enclosed liner to provide a closed system rather than the spreading of polymer clay beads on the surface which was originally approved.

- 2.4 The application seeks to remove Condition 8 which controls the hours of use of any operations associated with the slurry/septic tank sludge pit, and to vary Condition 9 to increase the total amount of waste to be stored in the pit from 1,500 tonnes per annum to 5,000 tonnes per annum.

Condition 8 of the planning permission states:

*Any operations associated with the proposed sludge pit shall only take place between 0800 and 1700 on Mondays to Fridays and, unless otherwise agreed in writing by the Waste Planning Authority, deliveries shall be limited to no more than 10 per year on Saturdays and Sundays between 0800 and 1500. There shall be no operations associated with the sludge pit on Public Holidays.*

In the supporting information submitted with the application the applicant considers that condition 8 on operations provided with condition 8 is unduly restrictive and by referring to 'any operations' attempts to control matters outside of planning control.

Condition 9 of the planning permission states:

*No more than 1,500 tonnes of septic tank waste shall be imported onto and processed at the site in any calendar year. The operator shall maintain records of waste importation and make these available for inspection by the Waste Planning Authority within 3 weeks of any request to do so.*

In the supporting information submitted with the application to vary the condition to allow for 5,000 tonnes of waste per annum the applicant considers that this would not result in a significant increase in traffic on the highway network and would assist the operator with the practical functioning of the storage and spreading of slurry.

### **3. Consultations**

- 3.1 Mid Devon District Council – No objections.
- 3.2 Mid Devon District Council Environmental Health – No objections.
- 3.3 Cheriton Bishop Parish Council – The application was considered at the Parish Council meeting on 9 May. Due to declarations of interest the council was inquorate for this item and therefore were unable to make any comment on this application.
- 3.4 Drewsteignton Parish Council – Object to the proposal on the grounds that it will impact further on the living conditions of local people. The route to the site, along Hask Lane, is unsuitable for large vehicles and the road is in a state of disrepair with many potholes and failing edges. Large vehicles create hazardous conditions for pedestrians and horse riders and unrestricted hours of delivery would be wholly unacceptable.
- 3.5 Dartmoor National Park Authority – Consulted on 25 April 2016, no response received.
- 3.6 Environment Agency – No objections.

#### **4. Advert/Representations**

- 4.1 The application has been advertised in accordance with the statutory publicity requirements, and as a result of these procedures, 19 letters/emails of objection have been received.
- 4.2 Copies of representations are available to view on the Council website under reference DCC/3840/2016 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3863/2016>.
- 4.3 The issues raised in the letters of objection relate to:
- Inadequacy/unsuitability of the road network to cater for existing level of traffic and any additional traffic and type of vehicles being used.
  - Risk to other road users/road safety concerns.
  - Impacts on Public Rights of Way in the vicinity.
  - Poor condition of existing road network and potential increased deterioration due to additional traffic.
  - Impact of traffic on the nature of country life.
  - Unsuitable location for increased volume processing.
  - Impacts on tourism (Fingle Bridge, Castle Drogo, Two Moors Way).
  - Recent improvements to local road network have been insignificant and have not increased the capacity of the road.
  - Inappropriate development in an agricultural locality.
  - Loss of privacy with HGVs being high enough to view into bedrooms.
  - Noise and smell from lorries.
  - The odour impact of increased spreading on local fields.
  - Increase in scale of operations out of proportion with the rural setting.
  - Reduction in quality of life for the local community.
  - Disposal of materials not been carried out using injection methods.

The local member Councillor Way has provided the following comment:

*As the local member I cannot support the proposed removal of condition 8. This condition was put in place for good reason to protect the living conditions and quality of life of nearby residents and must continue to be enforced. I also cannot support the removal of condition 9. I do not agree that changes to the total annual tonnage of septic tank waste from 1,500 tonnes pa to 5,000 tonnes is a small matter. I believe this represents a significant change to the current operation and will cause a further negative, residual and cumulative impact on the local road network, now in a very poor condition.*

#### **5. Planning Policy Considerations**

- 5.1 In considering this application the County Council, as Waste Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan policies are summarised in Appendix I to this report and the most relevant are referred to in more detail in Section 6 below.

## **6. Comments/Issues**

- 6.1 It is considered that the main material considerations in the determination of this application are considered to be the impact on amenity of nearby residents and impact on the local road network in terms of highway safety and capacity.

### Highways and Transportation Issues

- 6.2 The planning permission for the storage facility currently restricts the importation to 1,500 tonnes per annum and assuming deliveries taking place in 10 tonne carrying capacity vehicles this results in 150 movements (300 two way trips) per annum. The proposed increase in the restriction to 5,000 tonnes would result in an increase in vehicle movements of up to 500 movements (1,000 two way trips).
- 6.3 The nature of the current operations involve the delivery and storage of slurry which is spread to land during appropriate periods (as governed by Agricultural Waste Regulations) and the applicant says that deliveries at the moment do not exceed 4 loads (8 two way trips) on any day. Due to the nature of the operations the proposed increase in the annual tonnage to the site will not result in more than the existing delivery of 4 loads per day, rather the deliveries will take place on a greater number of days.
- 6.4 It is also noted that recent road improvements have been carried out in the vicinity of Tellam's Yard. Taking the above into account it is considered that there is no highway objection in terms of vehicles travelling on the local road network.
- 6.5 Comments received concerning the condition of the highway network are noted but it is considered that the increase in traffic resulting from this application would not be significant, the vehicle sizes are legal for the road network, and the authority has the duty to maintain the carriageway to an appropriate standard.

### Impact on Amenity of nearby residents

- 6.6 The Agricultural Waste Regulations allow for a maximum of 1,250 tonnes of slurry stored at the site at any one time and this can only be spread when weather and ground conditions allow. There is no restriction on how many times the store can be emptied and re-filled and the increase to 5,000 tonnes would allow this to take place four times a year. It is understood that the slurry carried in enclosed trailers and is injected into the ground which minimises any odour impacts relating to the operations. In any case these operations are controlled by the permit rather than being under planning control.
- 6.7 There is potential for odour emanating from the site and from vehicles carrying slurry to the site. It is understood that delivery vehicles are enclosed tankers and the slurry pit is an enclosed system so there are unlikely to be odour emissions from either the delivery or storage of slurry. It is understood that Mid Devon's Environmental Health team have not received any complaints relating to the site in the last 2 years.
- 6.8 It is accepted that there is a potential impact from vehicles travelling close to residential properties in terms of noise and vibration. The current condition 8 seeks to control the times of all operations associated with the slurry pit and this relates to operations in addition to deliveries. The applicant points out that the spreading operation is controlled by Agricultural Waste Regulations and provides this as the reason for the justification for the removal of the condition.

6.9 Whilst this is accepted it is considered that there remains a need to control the timing of deliveries of sludge to the site in order to protect residential amenity. It is therefore recommended that in the event planning permission is granted a condition be imposed allowing for deliveries taking place between 0800 and 1800 hours Mondays to Fridays and 0800 and 1500 hours on Saturdays and Sundays.

## **7. Reasons for Recommendation/Alternatives Considered**

7.1 The Committee has the option of approving, deferring or refusing this planning application.

7.2 It is considered that the proposal is in accordance with the policies of the Waste Local Plan and taking all material considerations into account, it is recommended that conditional planning permission should be granted in accordance with the recommendation to this report. The conditions outlined in Appendix II to this report will ensure that any adverse impacts will be appropriately mitigated against and the requirements of the Agricultural Waste Licence will provide for adequate pollution control measures.

Dave Black  
Head of Planning, Transportation and Environment

## **Electoral Division: Crediton Rural**

### Local Government Act 1972: List of Background Papers

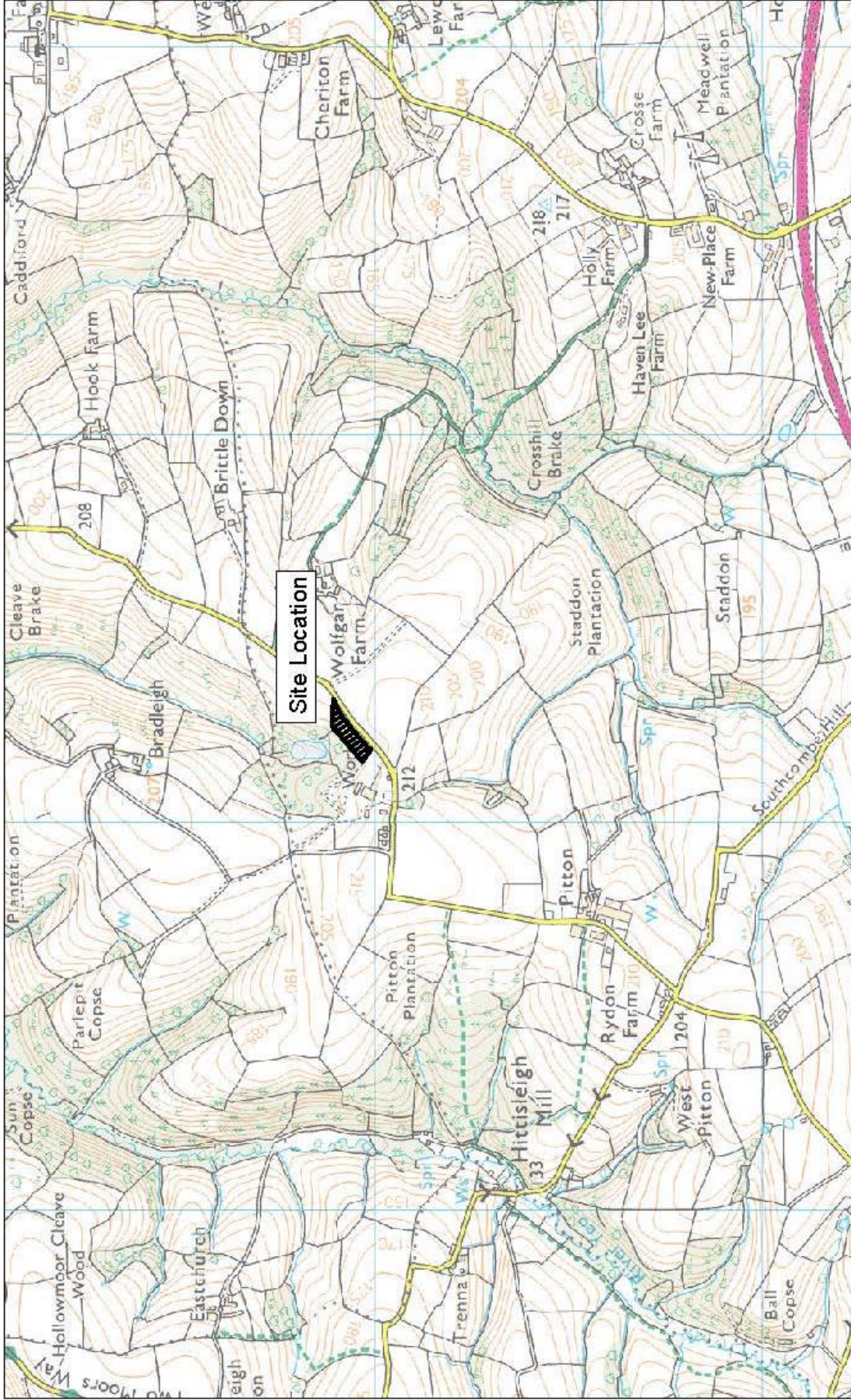
Contact for enquiries: B Grubb


Room No: AB2, Lucombe House

Tel No: (01392) 38300

Background Paper	Date	File Ref.
Casework File	April 2016	DCC/3863/2016

bg190516dma  
sc/cr/old tellams yard slurry pit cheriton bishop  
04 060616



Development Management Committee	date June 2016	scale 1:12,500
Head of Planning, Transportation and Environment	County Matter: Variation of Condition Mid Devon District: Removal of Condition 8 (Hours of Use) and variation of Condition 9 (Limit on Storage) of planning permission 14/00172/FULL for construction of slurry pit at Old Teliam's Yard, Cherriton Bishop, Exeter.	
	Application No: 16/00639/DCC	

**Relevant Planning Policy Considerations**

The Devon Waste Plan (2011-2031) (Adopted December 2014): Policies W17 (Transportation & Access) and W18 (Quality of Life).

Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007): Policies COR2 (Local Distinctiveness) and COR18 (Countryside).

Mid Devon Local Plan Part 3 (Adopted October 2013): Policies DM4 (Waste Management) and DM22 (Agricultural Development).

**Appendix II  
To PTE/16/32**

**Proposed Conditions**

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered A3-2010-15-02-1 REV D, A3-2010-15-02-2 REV D, A3-2010-15-02-3 REV B, and BGP/PLPN/001, unless varied by the conditions below.

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

**Conditions during operation**

3. The measures outlined by the Non Material Amendment application, dated 01/04/2015, to amend the method of odour management measures from polymer clay beads set out in condition 7 of consent DCC/3660/2014, to the installation of an impermeable liner and cover to the Slurry/septic tank sludge pit, shall be utilised at all times until such alternative measures for odour control are submitted to, and agreed in writing, by the Waste Planning Authority.

REASON: To protect the amenity of nearby residents with respect to odour management of the slurry/septic tank sludge pit in accordance with policy W18 (Quality of Life) of the Devon Waste Plan (2011-2031) (Adopted December 2014).

4. Unless in the case where emergency collections are required, deliveries of septic tank sludge shall only take place between 0800 and 1800 on Mondays to Fridays and between 0800 and 1500 on Saturdays and Sundays and no deliveries on Public Holidays.

REASON: To protect the amenity of nearby residents with respect to deliveries of septic tank sludge to the approved slurry/septic tank sludge pit in accordance with policy W17 (Transportation and Access) and W18 (Quality of Life) of the Devon Waste Plan (2011-2031) (Adopted December 2014).

5. No more than 5,000 tonnes of septic tank sludge shall be imported onto and processed at the site in any calendar year. The operator shall maintain records of waste importation and make these available for inspection by the Waste Planning Authority within 3 weeks of any request to do so.

REASON: To protect the amenity of nearby residents with respect to deliveries of septic tank sludge to the approved slurry/septic tank sludge pit in accordance with policy W18 (Quality of Life) of the Devon Waste Plan (2011-2031) (Adopted December 2014).

6. The Landscaping Scheme approved under condition 4 of permission 14/00172/FULL shall be maintained for a period of five years. Any tree, plant or grassed area, or any replacement of it, that is removed, uprooted, destroyed or dies within five years of the



date of planting or seeding shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the local landscape in accordance with policy WPC2, WPP11 and WPP24 of the Devon County Waste Local Plan (Adopted June 2006), W12 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013), and COR 2 and COR18 of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007).

7. The visibility splays provided pursuant to condition 6 of permission 14/00172/FULL shall be maintained at the site access to provide intervisibility between any points taken from a point 2.4m back along the centre line of the access and extending to a point on the near side carriageway edge 33m either side of the access with no obstruction greater than 0.90m above the carriageway edge.

REASON: To provide adequate visibility from and of emerging vehicles.

**County Matter: Waste Disposal**  
**Mid Devon District: Proposed Installation of a storage pit for septic tank waste at Old Tellam's Yard, Cheriton Bishop, Exeter**  
**Applicant: BG Pearce Ltd**  
**Application No: 14/00172/FULL**  
**Date Application received by County Council: 29 April 2014**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that planning permission be granted in accordance with the conditions set out in Appendix II to this Report.

## **1. Summary**

- 1.1 This is the Report relating to the determination of the planning application for a pit to store septic tank sludge at Old Tellams Yard, Cheriton Bishop.
- 1.2. The main material considerations in the determination of the application are considered to be; odour issues; the highways impacts; and ecological and landscape impacts.

## **2. The Proposal/Background**

- 2.1 Old Tellam's Yard is located approximately 20 km West of Exeter, and 4 km to the North West of Cheriton Bishop. After leaving the A30, access to the site is via the minor rural road network. The setting is within a rural location, although the application site itself consists of a former pond contained by an earth embankment. This site is bound by open grassland with some gorse bushes and brambles.
- 2.2 The total site area for Old Tellam's Yard is 2.8 hectares, and comprises of a number of industrial type buildings. In respect of waste uses at the site, there are two existing animal carcass incinerators that are housed within buildings at the site. In addition to this there is an extant planning permission (DCC/2953/2009) for a new building and clinical waste incinerator which has not yet been implemented.
- 2.3 The application seeks to provide a pit measuring 60m x 20m x 3m (2m deep) which would store treated septic tank waste which is collected by the applicant. Following storage the waste would be disposed of to the applicant's farmland using deep disc injector.
- 2.4 The quantity of material imported to the pit would be 1,300 tonnes per annum which would generate 6 to 8 two way traffic movements per week.

## **3. Consultations**

- 3.1 Mid Devon District Council – no objections.

- 3.2 Mid Devon District Council Environmental Health – no objections.
- 3.3 Cheriton Bishop Parish Council – raised concern about odours from the site.
- 3.4 Dartmoor National Park Authority – no objections.
- 3.5 Environment Agency – no objections but requested that the applicant discuss the proposal with their permitting team.

#### **4. Advert/Representations**

- 4.1 The application has been advertised in accordance with the statutory publicity requirements, and as a result of these procedures, 8 letters/emails of objection have been received with postcodes ranging between approximately 700 metres and 2 miles from the proposed site.
- 4.2 The issues raised in the letters of objection relate to:
- Odour and amenity.
  - The nature of the waste.
  - Additional traffic on unsuitable roads.
  - Inadequacy of road network to cater for existing level of traffic.
  - Concerns of the type of waste to be stored.
  - Is the capacity of the pit sufficient to cope with heavy rainfall?
  - The location and adequacy, in terms of the capacity, of farmland on which the sludge will be spread.
  - Removal of trees.
  - Safety concerns relating sludge/slurry pits and stores.

#### **5. Planning Policy Considerations**

- 5.1 In considering this application the County Council, as County Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan policies are summarised in Appendix I to this Report and the most relevant are referred to in more detail in Section 6 below.

#### **6. Comments/Issues**

- 6.1 It is considered that the main material planning considerations in the determination of the proposed development are the odour issues; the highways impacts; and ecological and landscape impacts.

##### Odour

- 6.2 It is considered that the main sources of odour will be from the delivery of the waste to the pit, the collection of the waste from the pit, prior to spreading, and the spreading operations themselves. Good practice of handling septic tank waste will ensure that there is not a significant odour problem and this can be secured by an appropriately worded planning condition requiring compliance with the submitted Odour Management Statement.

- 6.3 The method of spreading the material to land would be using a deep injection method, which applies the sludge at a depth of 120-300 mm in the soil using injector tines, which reduces the amount of odour emitted by up to 85% when compared with conventional splash plate spreaders.

#### Highways

- 6.4 The applicant currently operates a septic tank waste collection service which generates, on average, 3-4 10 tonne loads per week (6 to 8 two way movements), and does exceed 4 loads per day. The proposal would not generate any additional traffic and indeed, the provision of the additional storage may give rise to a reduction in movements as material can be stored for longer and spread at the appropriate time when weather conditions are preferable. The level of traffic is governed by the capacity of the pit and the spreading of material to the applicant's land. In order to ensure the traffic does not significantly increase as a result of this proposal a condition is recommended limiting the annual quantity of material stored at the site.
- 6.5 Currently the septic tank waste is stored in tanks in neighbouring fields and the access to the new pit would be via the existing access to the Tellams Yard industrial estate. This access is substandard in terms of visibility and it is therefore recommended that a condition be imposed requiring an improvement to the access visibility.

#### Landscape and Ecology Impacts

- 6.6 Concerns were raised as to proximity of the waste store to a well wooded hedgebank to the south and woodland to the north. Based on these concerns the applicant has agreed to keeping a 6 metre buffer/pathway between the footprint of the waste store and the nearby hedgerows and canopies of the nearest mature trees. The applicant has also agreed to include a wildlife pond to the north east of the application site and additional planting for visual and ecological mitigation can be secured by an appropriately worded condition.

#### Operational Concerns

- 6.7 The waste operations at the site are controlled by the Environmental Permit issued by the Environment Agency and advice in Paragraph 122 of the National Planning Policy Framework advises that, 'local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.' The Government's policy on the use of planning conditions in planning permissions is set out in the newly published Planning Practice Guidance and one of the key principles in the use of planning conditions is to enable development to proceed where it would otherwise have been necessary to refuse planning permission.
- 6.8 In order to carry out the operations a waste permit needs to be secured from the Environment Agency. The permit would allow for the applicant to store up to 1,250 tonnes of septic tank waste at any one time and for up to 12 months before spreading it to land. The permit requires that sewage sludge must be stored at the place where it is to be used in accordance with the Sludge (Use in Agriculture) Regulations 1989 which relate to the application of the sludge to land. In addition the Environment Agency recommends that agricultural benefit be demonstrated.

6.9 The applicant proposes to use a deep-disc injection method, which should both reduce surface runoff and odour, provided it is carried out during optimal soil and weather conditions. The storage of the waste allows for the spreading to take place during appropriate weather conditions.

## **7. Reasons for Recommendation/Alternatives Considered**

7.1 The Committee has the option of approving, deferring or refusing this planning application.

7.2 The applicant currently operates a liquid waste disposal/septic tank emptying service and stores this waste in 9 underground tanks, with approximately 180 cubic metres or 177 tonnes capacity, prior to it being spread on his farmland for agricultural benefit. The provision of a sludge pit would provide for a more sustainable method of waste management in terms of pollution control and good agricultural practice. The conditions suggested in Appendix II to this report will ensure that any adverse impacts will be appropriately mitigated against and the requirements of the Waste Licence regime will provide for adequate pollution control measures.

7.3 Taking all material considerations into account it is recommended that conditional planning permission should be granted in accordance with the recommendation to this report.

Dave Black  
Head of Planning, Transportation and Environment

### **Electoral Division: Crediton Rural**

#### Local Government Act 1972: List of Background Papers

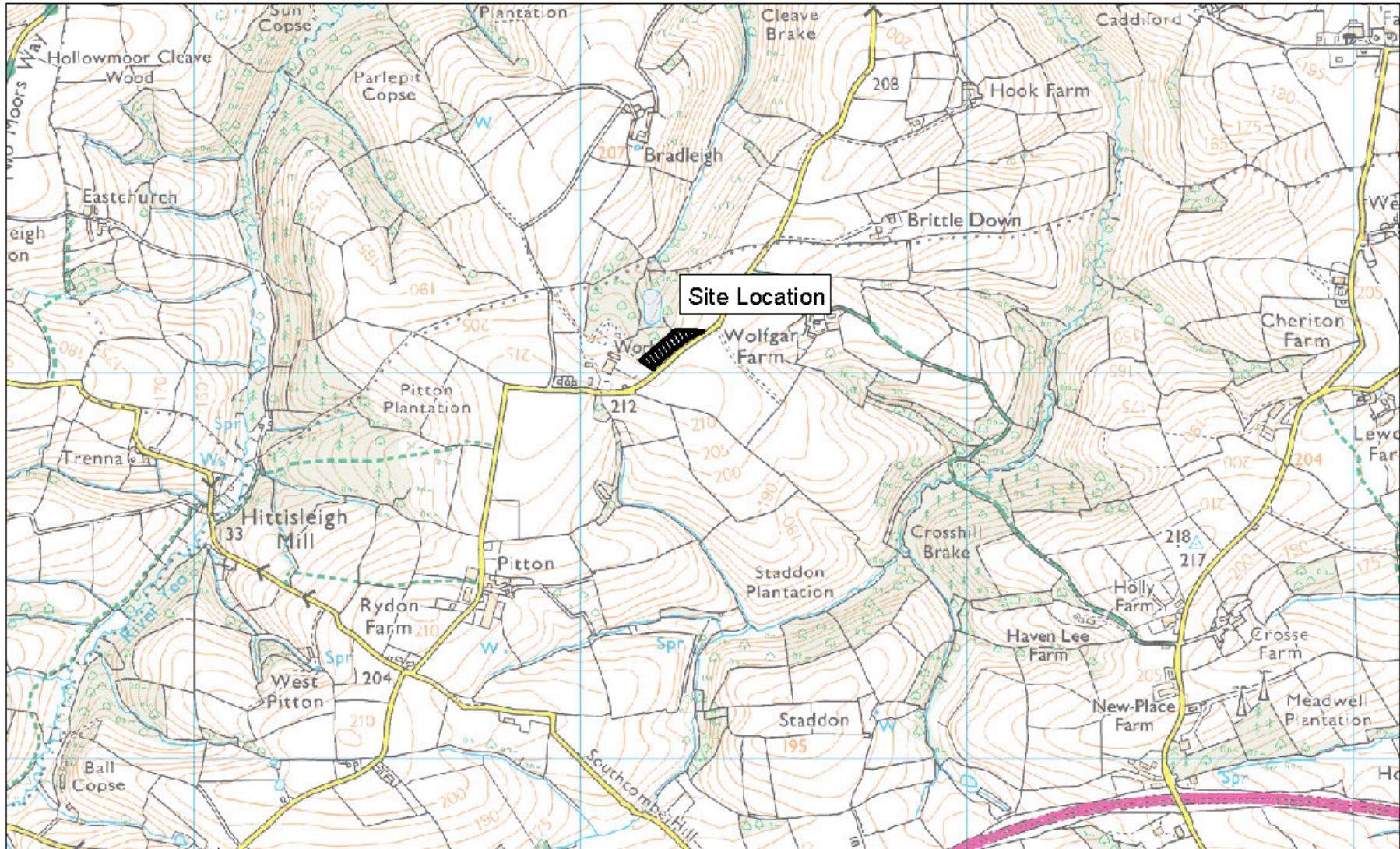
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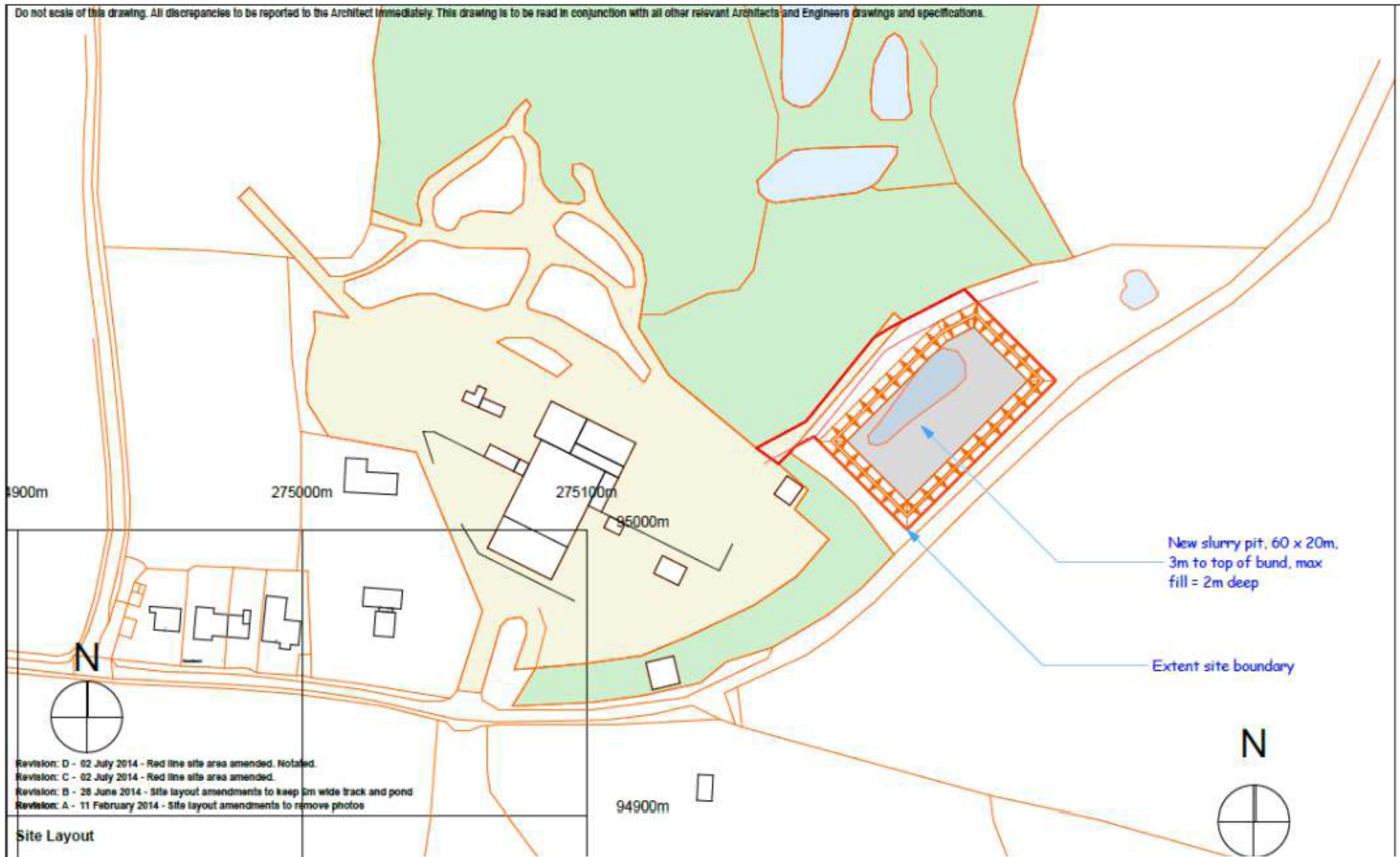
Background Paper	Date	File Ref.
Casework File	April 2014	DCC/3660/2014

bg190614dma  
sc/cr/old tellams yard slurry pit  
04 070714



	Head of Planning, Transportation and Environment	Development Management Committee	date July 2014	scale 1:12,500
		County Matter: Waste Disposal Mid Devon District: Proposed Installation of a slurry pit/lagoon for septic tank waste at Old Tellam's Yard, Cheriton Bishop, Exeter		Application No: 14/00172/FULL

Do not scale of this drawing. All discrepancies to be reported to the Architect immediately. This drawing is to be read in conjunction with all other relevant Architects and Engineers drawings and specifications.



Revision: D - 02 July 2014 - Red line site area amended. Notated.  
 Revision: C - 02 July 2014 - Red line site area amended.  
 Revision: B - 28 June 2014 - Site layout amendments to keep 5m wide track and pond  
 Revision: A - 11 February 2014 - Site layout amendments to remove photos

Site Layout



Head of Planning,  
 Transportation  
 and Environment

Development Management Committee

County Matter: Waste Disposal  
 Mid Devon District: Proposed Installation of a slurry pit/ lagoon for septic tank  
 waste at Old Tellam's Yard, Cheriton Bishop, Exeter

date  
 July 2014

scale  
 N.T.S.

Application No:  
 14/00172/FULL

**Relevant Planning Policy Considerations**

The Devon County Waste Local Plan (Adopted June 2006): Policies WPC1 (Sustainable Waste Management); WPC2 (Development Control Considerations); WPC3 (Integrated Waste Management Facilities); WPP4 (Consideration of Proposals At Sites Not Allocated In The Plan); WPP11 (Areas of Great Landscape Value); WPP16 (Agricultural Land); WPP17 (Water Resources Protection); WPP20 (Transportation of Waste); WPP21 (Road Transport); WPP22 (Health and Air Quality); and WPP24 (Site Design and Appearance); and WPP43 (Waste Water Treatment).

The Devon County Waste Local Plan: Pre-Submission Consultation (December 2013): Policies W01 (Presumption in Favour of Sustainable Development); W02 (Sustainable Waste Management); W12 (Landscape and Visual Impact); W14 (Sustainability and Quality Design); W17 (Transportation and Access); and W18 (Quality of Life).

Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007): Policies COR2 (Local Distinctiveness) and COR18 (Countryside).

Mid Devon Local Plan Part 3 (Adopted October 2013): Policies DM4 (Waste Management) and DM22 (Agricultural Development).



**Proposed Conditions**

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered A3-2010-15-02-1 REV B, A3-2010-15-02-2 REV B, A3-2010-15-02-2 (11-14-0172), A3-2010-15-02-3 REV B, and BGP/PLPN/001, unless varied by the conditions below.

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

**Conditions Pre-Commencement**

3. All trees, shrubs and other natural features not scheduled for removal during site works and building operations shall be safeguarded in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations.'

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period, in the interests of visual amenity and nature conservation in accordance with policy WPC2, WPP11 and WPP24 of the Devon County Waste Local Plan (Adopted June 2006), W12 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013), and COR 2 and COR18 of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007).

4. No development shall take place until a Landscaping Scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall incorporate details of species and species mix of native varieties of tree common to the area; hedgerows in the locale and the nearby woodland. This shall include oak, hazel, hawthorn, dog rose and rowan.

This scheme shall also include details of protection measures outlining – e.g. rabbit guards/replacement of dead and dying specimens etc.

The approved scheme shall be implemented in the first planting and seeding season after completion of development. The approved scheme shall be maintained for a period of five years. Any tree, plant or grassed area, or any replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting or seeding shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the local landscape in accordance with policy WPC2, WPP11 and WPP24 of the Devon County Waste Local Plan (Adopted June 2006), W12 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013), and COR 2 and COR18 of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007).

5. No waste shall be deposited into the pit until the mitigation measures and enhancements outlined in the ecological report (Section 5.2 and 6.0) have been

actioned and adoption of these measures confirmed in writing to the Waste Planning Authority in writing.

REASON: To minimise impacts on biodiversity and risk to protected species in accordance with policy WPC2 of the Devon County Waste Local Plan (Adopted June 2006), and COR 2 and COR18 of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007).

6. No development shall take place until details of visibility splays have been submitted to and approved in writing by the Waste Planning Authority. These splays shall then be provided, laid out and maintained for that purpose at the site access where the visibility splays provide intervisibility between any points taken from a point 2.4m back along the centre line of the access and extending to a point on the near side carriageway edge 33m either side of the access with no obstruction greater than 0.90m above the carriageway edge.

REASON: To provide adequate visibility from and of emerging vehicles.

7. The measures outlined in the Odour Management Statement, dated 25 June 2014, shall be complied with throughout the duration of the use.

REASON: To safeguard the amenity of nearby premises and the area generally in accordance with policy WPC2 of the Devon County Waste Local Plan (Adopted June 2006) and W18 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013).

#### **Conditions During Operation**

8. Any operations associated with the proposed sludge pit shall only take place between 0800 and 1700 on Mondays to Fridays and, unless otherwise agreed in writing by the Waste Planning Authority, deliveries shall be limited to no more than 10 per year on Saturdays and Sundays between 0800 and 1500. There shall be no operations associated with the sludge pit on Public Holidays.

REASON: To protect the living conditions of nearby residents in accordance with policy WPC2 of the Devon County Waste Local Plan (Adopted June 2006) and W18 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013).

9. No more than 1,500 tonnes of septic tank waste shall be imported onto and processed at the site in any calendar year. The operator shall maintain records of waste importation and make these available for inspection by the Waste Planning Authority within 3 weeks of any request to do so.

REASON: To protect the living conditions of nearby residents in accordance with policy WPC2 of the Devon County Waste Local Plan (Adopted June 2006) and W18 of the Devon County Waste Local Plan: Pre-Submission Consultation (December 2013).