

County Matter: Waste

South Hams District: Variation of condition 2 of planning permission reference 9/49/1393/01/CM relating to a proposed extension of operating hours at Suez – Challonsleigh Farm Transfer Station, Challonsleigh Farm, Smithhaleigh, Plympton

Applicant: Suez Recycling and Recovery UK

Application No: 0513/17/DCC

Date application received by Devon County Council: 9 February 2017

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 subject to 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 to vary a planning condition relating to an extension to the hours of operation for a waste transfer facility at Suez – Challonsleigh Farm Transfer Station, Challonsleigh Farm, Smithhaleigh, Plympton.
- 1.2 It is considered that the main material planning consideration in the determination of this application is the impact of the proposed additional hours of operation on residential properties, specifically noise during the extended operational hours and noise and vibration of HGV traffic during extended hours for delivery and export.

2. The Proposal/Background

- 2.1 The Suez – Challonsleigh Farm Transfer Station is located approximately 250 metres south east of the hamlet of Smithhaleigh and approximately 3 kilometres west of Ivybridge. There are two additional waste management facilities at Challonsleigh Farm and a further waste management facility is located approximately 0.75 kilometres to the east.
- 2.2 Vehicular access into the site is provided from the A38 westbound slip road via a roundabout junction located adjacent to the site entrance. Vehicles seeking to access the site from the A38 eastbound must turn off at the Lee Mill junction and re-join the westbound carriageway. Vehicles leaving the site are required to turn left at the roundabout junction and travel west along the C646 and re-join the westbound carriageway of the A38 at Ford Farm. Access to Lee Mill village (and then onto the eastbound carriageway of the A38) is available via New Park Road but this is subject to a 7.5 tonne weight restriction and therefore not available for use by heavy goods vehicles. HGVs leaving the application site wishing to travel east on the A38 must join the A38 west bound carriageway at Ford Farm and the continue travelling west to Deep Lane Junction before being able to turn back onto the A38 east bound carriageway.

- 2.3 Conditional planning permission for the waste facility was granted in 2002 (application reference 9/49/1393/01/CM) and allowed for a waste transfer building, parking, roadways, weighbridge and offices. Planning permission for an extension to the waste transfer building was subsequently granted in 2003 (application reference 49/2458/02/CM) and a further planning permission (reference 49/0038/04) was granted in 2004 for an additional concrete yard area used for the storage of skips.
- 2.4 The application is accompanied by a Planning Statement which provides details of the current waste operations at the site. This includes a limit of 24,999 tonnes of waste per annum (which is set by the Environmental Permit) and consists of general non-hazardous trade waste including: wood; hardcore; plasterboard; card; plastic; and green waste. This is from both industrial and commercial customers in the local area. Waste materials are delivered to the site by a variety of vehicles from large articulated HGVs to smaller 3.5 tonne trucks and commercial vans. The total vehicle movements associated with the site are approximately 40-50 (two-way) movements per day. The onsite operations mainly consist of the separation of recyclable material from non-recyclable material before it is exported off site for recycling, energy recovery or disposal of residual waste (where recycling or energy recovery is not possible).
- 2.5 The condition subject to this application (condition 2 of planning permission reference: 9/49/1393/01/CM) states:
- 'The hours of operation for this development shall be between 08.00 and 18.00 Mondays to Saturdays. There shall be no working on Sundays or Bank Holidays without the prior consent in writing of the Waste Planning Authority.'*
- 2.6 The applicant applied to vary the condition thus:
- 'The hours [of operation] for this development shall be between 0630 and 1930 hours Mondays to Saturday. There shall be no working on Sundays without the prior consent in writing of the Waste Planning Authority'.*
- Following consideration of the consultation responses the applicant now proposes the following:
- 'The hours of operation for this development shall be between 0700 and 1930 hours Mondays to Saturday. There shall be no working on Sundays without the prior consent in writing of the Waste Planning Authority'.*
- 2.7 The applicant states that the need for this change is to meet the evolving demands of the sites industrial and commercial customers in the region and that the proposed extension of operational hours will allow increased recycling rates and the employment of two additional staff members. The quantities of waste dealt with at the site and the associated vehicle movements would remain as present.

3. Consultation Responses

- 3.1 South Hams District Council (Planning): No objection.
- 3.2 South Hams District Council (Environmental Health): No objection subject to the proposed hours of operation being amended to 0700-1930 rather than the applicant's originally proposed 0630-1930.
- 3.3 Sparkwell Parish Council: Do not support an increase in working hours due to existing traffic for the site using New Park Road despite the 7.5 tonne weight restriction.

- 3.4 Environment Agency: No objection, but advise the applicant that they will also need to submit an application to vary their current permit (ref. EAWML 20021) which includes specific operating hours.

4. Advertisement/Representations

- 4.1 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. As a result of these procedures a total of 2 letters of objection were received.
- 4.2 One of the objections received was from a resident of Smithaleigh and the other from a resident of New Park Road. The objections are regarding the impact of the proposal on residential amenity (particularly noise and air quality); the impact of the proposal on the quality of life of nearby residents; the impacts of traffic on the safety of pedestrians; additional traffic through Smithaleigh early in the mornings and late in the evenings; and the potential loss of use of an adjacent field for equestrian events.
- 4.3 Copies of representations and consultation responses are available to view on the Council website under reference DCC/3950/2017 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3950/2017> .

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 planning consideration in the determination of this application is the impact of the proposed additional hours of operation on residential properties (specifically noise during the extended operational hours) and noise and vibration of HGV traffic during hours for delivery and export.

Residential Amenity – Site Operations

- 6.2 The waste processing facility is located approximately 250 metres south east of the nearest residential property (which is located in the hamlet of Smithaleigh). There are a small number of other residential properties located in Smithaleigh. There has been no history of noise complaints received by the Waste Planning Authority relating to this site. The operational processes taking place at the site are not proposed to change, so noise levels will remain as present albeit for a longer period of the day (and including Bank Holidays).
- 6.3 Operations at the site consist of the importation of waste for sorting within the waste transfer building, both by hand and by machine (e.g. loader shovel and swing shovel), before being exported off site (there is no processing of waste). This type of operation does not produce significant levels of noise. In addition to this, the

operations are screened from the residential properties at Smithleigh by the waste transfer building, a number of farm buildings and the existing vegetation surrounding the site, minimising any potential noise impacts. The topography of the site/surrounding area (sloping to the south) also acts to reduce noise impact. It should also be noted that background noise levels in this area are relatively high due to the proximity of the A38. It is therefore considered that the noise from operations taking place within the additional operational hours will not have an impact on any nearby residential properties. It is also noted that the site is subject to an Environmental Permit which controls the level of noise emanating from the site and under the provisions of the Permit the Environment Agency have appropriate enforcement powers in the event of noise levels being exceeded.

Residential Amenity – Traffic

- 6.4 Whilst the overall level of vehicle movements associated with the site will remain the same, the proposal will result in a small number of vehicle movements along the C646 past residential properties at Smithleigh during the proposed additional operational hours. The majority of residential properties in Smithleigh are set back from the road and the noise environment is dominated by A38 is located only 60 metres from the centre of Smithleigh. Consequently, the impact of site traffic during the additional operating hours on noise and vibration at residential properties is considered to be negligible.

Air Quality

- 6.5 This application does not seek to alter the amounts of waste accepted by the site, and therefore the number of HGV movements (and traffic movements more generally) will remain as existing. Consequently, there will be no deterioration of air quality as a result of this proposal.

Planning Policy Considerations

- 6.6 The application site is an established facility dealing with industrial and commercial waste from the local area. On site, this waste is separated in to recyclable and non-recyclable material before being exported off site. This proposal to increase the hours of operation will allow for additional flexibility in the operating of the facility and enable the operators to achieve higher rates of recycling. Consequently, the proposal is considered to be in accordance with Policy W5 (Reuse, Recycling and Materials Recovery) of the Devon Waste Plan.

Other Matters

- 6.7 Sparkwell Parish Council has objected to the application on the grounds of HGV traffic travelling along New Park Road in contravention to the 7.5 tonne weight restriction. However, this is a matter for police enforcement and as the application does not seek to increase the quantity of waste material dealt with at the site there is no objection on traffic and transportation grounds. Notwithstanding this, the consideration of this application is based on the existing levels of traffic and it is considered that it would be appropriate to impose a new condition limiting the waste processing of the site to 24,999 tonnes per annum which aligns with the Environmental Permit.

7. Reasons for Recommendation/Alternatives Options Considered

- 7.1 The site is an established facility for the sorting and transfer of commercial and industrial waste. The facility accords with Policy W5 of the Devon Waste Plan in achieving the segregation of reusable, recyclable or compostable materials prior to energy recovery or disposal of residual waste. The proposed increase of operating hours will allow the facility to operate more efficiently and flexibly in order to achieve higher rates of recycling prior to energy recovery or disposal of residual waste.
- 7.2 The majority of waste processing operations are undertaken inside the building and any operations outside are screened from residential properties by existing buildings, established vegetation and the topography of the area. Taking this into account the existing noise environment is unlikely to change as a result of the increase in operating hours and it is considered that there will be no additional impact on the amenity of the occupiers of nearby residential properties. The overall level of traffic entering/leaving the site is not set to change and the impact of vehicle movements during the additional operating hours will not be significant.
- 7.3 The Committee has the option of approving, deferring or refusing this planning application. In this case it is recommended that planning permission to vary condition 2 of the current permission is granted subject to the conditions set out in Appendix II to this report.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Bickleigh & Wembury

Local Government Act 1972: List of Background Papers

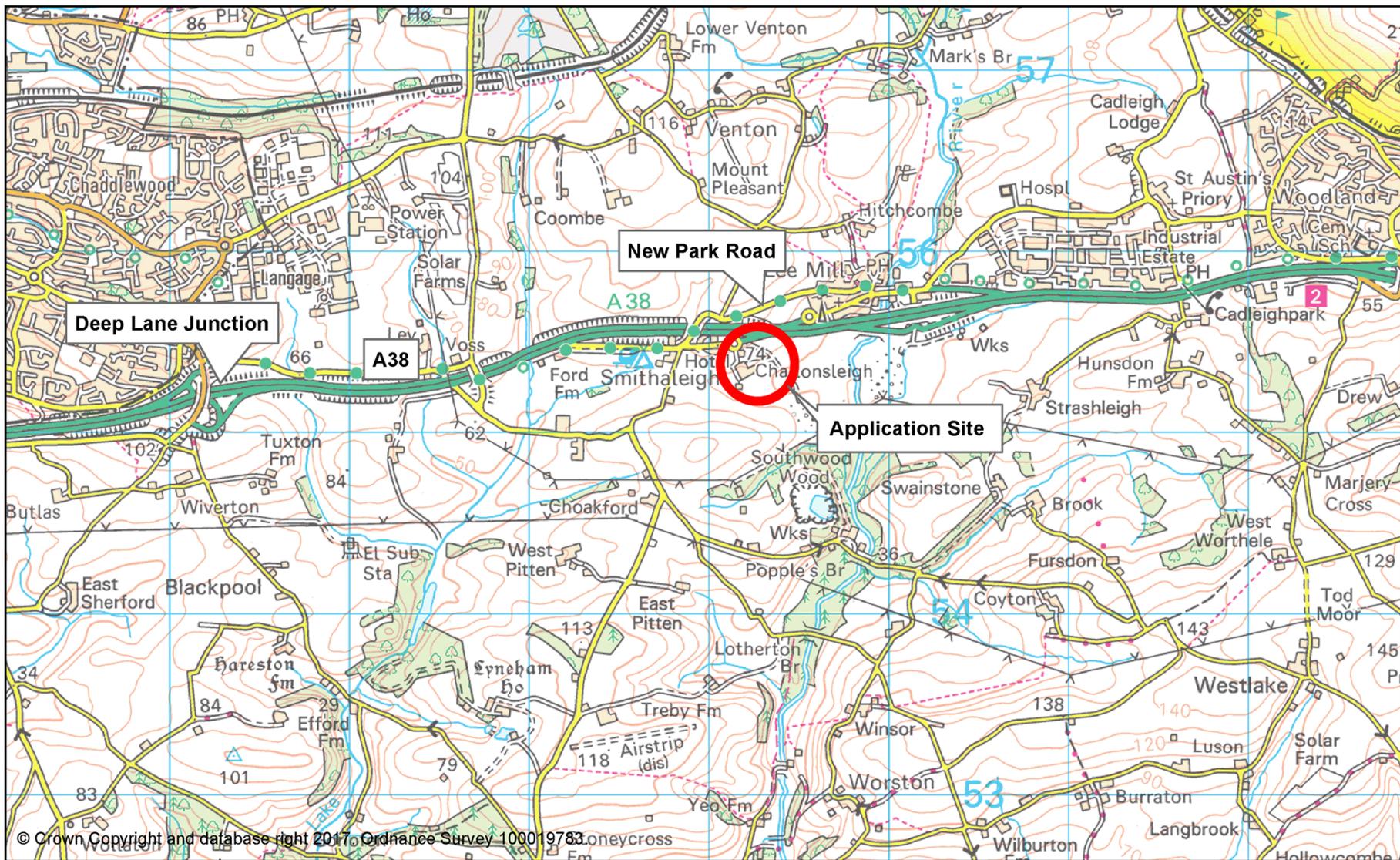
Contact for enquiries: Stephen Boundy

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Background Paper	Date	File Ref.
Casework File	Current	0513/17/DCC

sb100517dma
sc/cr/condition variation suez challonsleigh farm transfer station smithaleigh plympton
03 300517



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	Head of Planning, Transportation and Environment	Development Management Committee	<i>date</i> June 2017	<i>scale</i> 1:26,955
		County Matter: Waste South Hams District: Variation of condition 2 of planning permission reference 9/49/1393/01/CM relating to a proposed extension of operating hours	Application No: 0513/17/DCC	

**Appendix I
To PTE/17/30**

Planning Policy Considerations

National Planning Policy Framework (2012): NPPF National Planning Policy Framework (March 2012).

National Planning Policy for Waste (2014): NPPW7 Determining Planning Applications – Waste Development.

Devon Waste Plan (Adopted December 2014): Policies W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W5 (Reuse, Recycling and Materials Recovery); and W18 (Quality of Life).

South Hams Local Development Framework Development Policies Development Plan Document (2011): Policy DP3 (Residential Amenity); and DP15 (Development in the Countryside)

Planning Conditions

**Schedule of Conditions - South Hams District Council Application No. 0513/17/DCC
Devon County Council Ref. DCC/3950/2017**

1. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered: **827/01/D, 827/02D, 827/03A, LC6008** unless as varied by the conditions below.

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

2. The site shall operate only between the following hours:

From 07.00 to 19.30 Mondays to Saturdays

The site shall not operate on Sundays

REASON: To ensure that the impact of the development on the amenity of local residents is not unacceptable in accordance with policy W18 (Quality of Life) of the Devon Waste Plan 2011-2031.

3. No more than 24,999 tonnes of waste shall be delivered to the site in any calendar year.

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 ensure that the amount of waste processed at the site cannot be increased without an appropriate assessment of the impact of this on the amenity of local residents and on the local highway network in accordance with policies W17 (Transportation and Access) and W18 (Quality of Life) of the Devon Waste Plan 2011-2031.

4. No skips, vehicles, plant or equipment shall be stored on land outside the boundary of this permission.

REASON: To minimise the visual impact of the site in accordance with policy W12 (Landscape and Visual Impact) of the Devon Waste Plan 2011-2031.

5. All trees, hedges and shrubs identified on approved drawing LC6008 shall be retained and protected for the duration of waste operations at the site 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 for the duration of waste operations at the site, in the interests of visual amenity and in accordance with policies W11 (Biodiversity and Geodiversity), W12 (Landscape and Visual Impact) and W18 (Quality of Life) of the Devon Waste Plan 2011-2031.

6. No mud, dust, stones, water or other debris originating from the waste site shall be deposited on to the public highway.

REASON: In the interests of highway safety, to prevent mud, dust, stones, water or other debris being deposited on the highway in accordance with policy W17 (Transport and Access) of the Devon Waste Plan.