

PTE/17/20

Development Management Committee
5 April 2017

County Matter: Waste

North Devon District: Waste Transfer Station including a waste transfer hall, single storey weighbridge office and welfare facilities building, hardstanding including staff parking and external weighbridge, internal access road, new access from the existing highway, drainage, lighting and landscaping land to the west of Brynsworthy Environment Centre, Brynsworthy, Roundswell, Barnstaple.

Applicant: Devon County Council

Application No: 62614

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 is granted subject to the conditions set out in Appendix II 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 provision of a Waste Transfer Station (WTS) which will receive local authority collected waste from the North Devon and Torridge District Council areas.
- 1.2 It is considered that the main material considerations in the determination of this application are: an examination of the proposal against the policies of the development plan; the impacts of the development on the amenity of local residents; traffic and transportation impacts; and the visual impacts of the proposed development on the landscape.

2. The Proposal/Background

- 2.1 The application site is located approximately 1.5 km to the south west of Roundswell Business Park, which itself is located on the southern fringe of Barnstaple. Vehicular access to the site is via a new access from an unnamed minor road that joins onto the B3232 Barnstaple to Torrington road. From the roundabout junction at Roundswell to the application site there are 13 residential properties that front onto the highway. The application site is adjacent to the Brynsworthy Environment Centre which is operated by North Devon Council as a waste transfer station dealing with recyclable wastes and as office accommodation for the Council.
- 2.2 The application site is in an elevated position, sloping south to north and is currently in agricultural production, used in recent years for the grazing of livestock. The proposed development is within a large field with the eastern boundary adjacent to the Brynsworthy Environment Centre which takes the form of a tree lined hedge. The remainder of the field boundary consists of managed hedgerows which are maintained at a height of about 2 metres except for the occasional mature tree. However, other than the Brynsworthy Environment Centre shared boundary and the

roadside hedge, the planning application boundary does not coincide with any of the existing boundary hedgerows.

- 2.3 The proposed development comprises an area of about 1.6 hectares, which includes the built development and the proposed landscape screening around the site. The built development consists of a new concrete yard area; erection of a waste transfer hall; office; weighbridge; water tank (for fire suppression purposes); new access onto the highway and provision of visibility splays at the site entrance/exit. The area slopes gently south to north and the application proposes that the yard and building areas would be set at a reduced level to minimise the visual impact by using a cut and fill technique.
- 2.4 The waste transfer hall is a large building measuring 44m long and 38m wide and would be set towards the rear of the site. It would have a very shallow pitched roof with its height being 10m to eaves and 12m to ridge. The external materials of the building would be grey concrete base course walls, sawn larch timber vertical cladding, large metal roller door coloured slate grey and slate grey metal security doors. The roof of the building would be a slate grey metal roof with polycarbonate roof lights. A small single storey office/welfare building would be attached to the front elevation of the waste transfer hall and the external materials used in the construction of this building are slate grey coloured metal panels (walls and roof) and slate grey metal doors and windows.
- 2.5 In front of the building would be a large concrete yard area (about 50m by 50m) upon which would be a weighbridge and a car parking area for staff and visitors. Drainage of the site would be provided by a grass lined swale and infiltration trench which will discharge into attenuation tanks of sufficient capacity to cover a 1 in 100 year storm event.
- 2.6 Lighting of the site would be provided in the form of three bulkhead lights attached to the building and a single 6m column mounted LED to illuminate the car park and weighbridge.
- 2.7 A new access would be provided into the site which would be close to the Brynsworthy Environment Centre boundary (constructed of concrete) and the associated visibility splay would result in the loss of three existing trees.
- 2.8 Woodland planting is proposed within the application site around the building and yard area which would connect to, and reinforce, the existing tree belt on the eastern boundary of the site. The woodland planting would be a mix of native planting and incorporate fast growing species such as willow and alder. In addition, small groups of stock grown oak trees would be planted.
- 2.9 The proposed waste transfer station would deal with up to 45,000 tonnes of waste per annum. This would mainly consist of local authority collected residual waste arising from the North Devon and Torridge areas which would be delivered to the site by refuse collection vehicles and then taken away by large articulated lorries for processing and treatment elsewhere. Smaller quantities of litter picking waste, street sweeping waste and residual waste from recycling centres would also be dealt with at the site. The site would form one of a network of facilities operated for the treatment of local authority collected waste in Devon. Presently waste from the Torridge and North Devon Areas is disposed of at Deep Moor landfill site. The proposed hours of operation of the waste transfer station are 07.30 to 18.00 on Mondays to Fridays and 09.00 to 17.00 hours on a Saturday. In terms of site

operations all waste unloading (from delivery vehicles) and loading (into articulated lorries) would take place within the building.

3. Consultation Responses

- 3.1 North Devon Council - Supportive of the scheme. North Devon Council comments that the site is within the countryside and needs to be considered against policy ENV1 of the adopted North Devon Plan which seeks to protect the countryside for its own sake. It notes that this policy allows for development in the countryside if a rural location is required or provides for economic and social benefits and protects the character of the countryside. It notes that its employment policies provide scope for new businesses to locate in the countryside, whilst preventing development that would harm the character and appearance of the countryside. The relationship between the proposal and the Council's waste unit on the neighbouring site is noted and North Devon Council considers that the development offers the opportunity to replace the existing landfill option and offers significant environmental benefits over landfill. It also notes that the proposal would result in an overall reduction of heavy lorry movements on the B3232 and a significant decrease in the miles travelled by its collection fleet and as a result of this the Council anticipates a significant reduction in public spending.

Whilst supportive of the scheme the Council advises the planning authority will need to satisfy itself that the benefits of the proposal outweighs the impacts of the development, particularly the landscape and visual impacts, design of the building, impacts on amenity and the additional impacts of the impact on the highway network of HGV's transferring the waste for treatment elsewhere.

North Devon Council makes comments on opportunities to reduce the impact of the building such as sensitive use of materials, digging the building into the site and minimisation of lighting. It notes that its landscape officer is content with the landscaping scheme but there may be an opportunity to provide planting over a larger area in order to integrate and connect with the surrounding field pattern. The Council also considers that the proposed Construction Management Plan could be stronger to ensure protection to residents during the construction period.

- 3.2 Fremington Parish Council – Resolved to approve subject to the only access point being from the main road to the site; the development being of a suitable design and the operations not having an adverse impact on the amenity of the neighbouring properties.
- 3.3 Tawstock Parish Council – Supportive of the proposal.
- 3.4 Natural England - No objection in relation to statutory nature conservation sites. In relation to protected species and biodiversity enhancements refer the authority to its Standing Advice.
- 3.5 Environment Agency - No objection. Recommend planning conditions relating to disposal of foul drainage and contaminated land remediation. The Agency also advises that the facility will require an Environmental Permit.
- 3.6 Ministry of Defence (Safeguarding) - No objection.

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 4 letters/emails objecting to the application have been received. One of the letters of objection comes from a planning consultant who is representing the occupiers of three properties close to the application site. The objections relate to the following:

- Application site is located in the open countryside and is contrary to local plan policy.
- There are alternative, more appropriate, sites which are allocated in the emerging local plan.
- The proposal is unsustainable from an environmental perspective.
- The increase in HGV traffic would lead to conditions of danger for pedestrians and cyclists.
- The development does nothing to assist more sustainable methods of transport to the area.
- There is no suitable public transport available for employees, given the hours of buses going past the site.
- There would be an adverse impact on properties close to the road in terms of noise and vibration due to the increase in HGV traffic.
- There would be a reduction on the saleability or rentability of properties.
- The proposal would result in increased staff parking outside of properties.
- Given the geometry, gradient and width of the B3232 the increased traffic would lead to conditions of increased danger.
- Future proposed developments will make existing problems on the B3232 and the A39 worse and this proposal will exacerbate the problem.
- Residents on the 'unnamed' road giving access to the site are already disturbed by the early start of the Brynsworthy Environment Centre and the new proposal would make this worse.
- The speeds of vehicles using the unnamed road are underestimated; there are occasions when vehicles have travelled in excess of 80mph.
- The development would set a precedent for future development.
- The impacts of the construction of the development are not fully considered in the application.
- The noise study is inadequate due to the fact that monitoring points are not close to affected properties; the methodology is not appropriate as it averages noise over a 12 hour period rather than looking at the peaks; and Saturday working should not be treated the same as weekday working.
- The applicant has not offered noise mitigation measures to affected residents.
- Given the site will be operated by a third party there are no guarantees that the site will be operated as set out in the application documents.
- Request that if permission granted hours be restricted to 0800 to 1700 and no working on Saturday days.
- Request a speed limit of 40mph limit be implemented for the unnamed road.

4.2 Copies of representations and consultation responses are available to view on the Council website under reference DCC/3951/2017 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3951/2017> .

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 The main material planning considerations in the determination of the application are discussed below.

Provision of a new Waste Transfer Station in the context of the Devon Waste Plan

- 6.2 The proposal is for the reception of around 45,000 tonnes per annum of residual local authority-collected waste from North Devon and Torridge, and its bulking up for onward transportation for energy recovery at a location that is not defined but will be outside of the two districts. It is envisaged that this will enable the residual waste to be diverted from its present destination of disposal at Deep Moor landfill site.
- 6.3 The Devon Waste Plan, through Policy W6, seeks to divert waste that cannot be reused or recycled from landfill through provision of additional energy recovery capacity. Policy W6 proposes that this capacity is delivered at existing facilities, through implementation of existing planning permissions, and development of new capacity at one or more of five strategic locations.
- 6.4 One of these locations is Brynsworthy Environment Centre, directly adjoining the site of the proposed waste transfer station (WTS). The applicant's planning statement suggests that development of an energy recovery facility at Brynsworthy is not currently economically viable due to the small waste volumes available, and the proposed WTS is therefore a means of achieving diversion of waste from landfill by utilising recovery capacity outside the area. Development of the WTS does not preclude provision of energy recovery capacity at Brynsworthy or elsewhere in northern Devon in the longer term.
- 6.5 With an anticipated annual capacity of 45,000 tonnes, the proposed WTS amounts to a strategic facility for the purposes of Policy W3 of the Devon Waste Plan. Policy W3 requires that strategic facilities are located within or close to Exeter, Barnstaple and Newton Abbot, and it is considered that the site at Brynsworthy can be regarded as being close to Barnstaple and therefore consistent with the policy. Being the largest settlement within the two districts forming the catchment for the proposed facility, its location at Barnstaple minimises potential transportation distances.
- 6.6 Policy W3 also includes two other criteria that apply to all waste facilities, including favouring the use of previously-developed land or redundant buildings. While the application site is greenfield, the applicant has provided details of the alternative sites that were investigated, including previously-developed land, but concludes that these were unsuitable and/or unavailable.

- 6.7 The alternative site selection criteria used was – sites close to the sources of waste; good road access; suitable size; potential to screen facility; proximity to sensitive receptors; existing or allocated sites; no significant environmental constraints; and deliverability. In all 14 sites were examined in the application and the findings of the study are accepted and it is considered that this is an appropriate site in terms of Policy W3.
- 6.8 A second consideration in Policy W3 is co-location with other waste management facilities, which would be achieved with the proposed WTS which would adjoin North Devon Council's WTS for recyclable waste and its waste vehicle depot. Given the limited availability of alternative locations, it is considered that the green field nature of the application site is outweighed by the merits of co-location with the existing WTS that accommodates the vehicles that would serve the proposed facility.
- 6.9 One issue that has been raised by local residents relates to whether this proposal sets a precedent for further development in the area. In this case the proposal is for a specific need and the site selected after a search and consideration of alternative sites. In this case a condition would be imposed limiting the site to local authority collected waste from the North Devon and Torridge areas and as such would not create a precedent for future development. It is also noted that in this case North Devon Council has not raised an objection to the development.

Visual Impact of the Proposal

- 6.10 The application site is located in open countryside in the upper farmed and wooded valley slopes of the High Culm Ridges and is currently used for animal grazing. Whilst the site is not within a designated landscape protection area, far reaching panoramic views are obtained from the upper part of the site and the site can be viewed on the skyline from a number of places, including residents of Ashford and people using countryside rights of way. The greatest impacts would be during the early years, particularly when viewed from close range from the unnamed road that provides access to the site. However, from close range views the proposed new facility would be seen in the context of adjacent Brynsworthy Environment Centre. The building will be noticeable on the skyline from more distant views and the proposed planting is likely to take around 15 years to soften the visual impact of the building.
- 6.11 The proposal will result in the loss of some mature trees (including an oak tree) as a result of the provision of the site access. This would be mitigated by translocation of the existing hedge bank, with replanting if this is not possible.
- 6.12 Given the scale and mass of the building the application seeks to minimise the impact by making use of external materials typical of large agricultural buildings; minimizing external lighting; and provision of extensive landscape screening. The landscape proposals, including the proposed woodland planting mix, are considered to be well designed and appropriate to the site, the character of the area and the intended screening function. However, given the prevailing coastal winds and the exposed location of the planting means that the growth may be slower than that predicted. As the site is on sloping ground, the preparation of the site involves cut and fill and this reduces the visual impact of the development when viewed from the access road.

- 6.13 In terms of landscape policy considerations this proposal needs to be considered against ENV1 (Development in the Countryside) of the adopted North Devon Plan and policy W12 (Landscape and Visual Impact) of the Devon Waste Plan. In terms of Policy ENV1 Members attention is drawn to the consultation response from North Devon Council who considers that the proposal is consistent with Policy ENV1 on the grounds that the development will provide economic and social benefits and, in its view, the planting scheme provides for appropriate landscaping. Similarly Waste Plan policy W12 seeks to minimise the impact of developments in areas of open countryside and requires appropriate design and landscaping to avoid harm to the landscape.
- 6.14 It is accepted that in the short term the waste transfer station building will be visible and is likely to have detrimental visual impact. However, the mitigation proposed in terms of the design of the building will reduce visual harm, and in the short term the planting would help break up the outlines of the building and in the medium term the landscaping would screen the building from distant views.
- 6.15 In order to secure the necessary landscape mitigation it is considered that it would be appropriate to impose planning conditions relating to protection of existing landscaping; details of the method of the translocation of the hedge the entrance to the site; in locations to be agreed woodland planting to be completed in advance of construction; lighting in accordance with submitted details and provision of a Landscape and Ecology Management Plan to ensure ongoing site management.

Ecological Impacts

- 6.16 The built development will result in the loss of about 1.6 hectares of improved/marshy grassland comprising of common and widespread species which have limited ecological value. The provision of the new access will result in the loss of three mature trees and the removal of 7 metres of species-rich hedge. In terms of protected species there is low risk of harm to reptiles and badgers are not present at the site. Nine species of bats were recorded at the site and impact will be limited loss of foraging habitat.
- 6.17 In terms of mitigation measures the application proposes the fixing of bat boxes to create a variety of roosting opportunities; bird boxes; reptile hibernacula; the translocation of the hedgerow at the site entrance; new woodland planting consisting of native species; and the design of external lighting and a curfew on lighting times. In the event that planning permission is granted these mitigation measures would be secured by suitably worded conditions. The establishment and management of proposed new and retained habitats would be secured under the proposed Landscape and Ecology Management Plan which will also be required by planning condition.

Traffic and Transportation Impacts

- 6.18 The proposed Waste Transfer Station will deal with 45,000 tonnes of local authority collected waste, from North Devon and Torridge areas, which mainly involves the delivery to the site of waste in refuse collection vehicles (RCV) operated by the two Districts. Smaller quantities of non-recyclable waste will be delivered from civic amenity centres. The proposed hours are Monday to Friday 07.30 to 18.00 and 09.00 to 17.00 hours on Saturdays, with occasional deliveries on Bank Holidays (no more than 5 a day between 09.00 to 17.00 hours).

- 6.19 The RCVs used in the collection of North Devon's waste are housed at the Brynsworthy Environment Centre and would continue to operate out of this facility, with no change in the current number of traffic movements so far as this aspect is concerned. The additional traffic movements are RCVs associated with waste collected by Torrridge District Council and other waste movements and these are calculated as an additional 42 new vehicle movements (21 in and 21 out) of which 36 would be HGV (which includes RCVs, recycling centre rollonoff lorries and articulated lorries removing waste) movements.
- 6.20 The traffic route to the application site uses the B3232 and the unnamed road from the B3232 to the site entrance. For the unnamed road it is considered that the additional increase as a result of the proposal can be accommodated on this section of the highway network.
- 6.21 So far as the access to the site from the unnamed road is concerned its capacity to accommodate this growth in traffic is considered to be adequate at all times of the day.
- 6.22 Traffic speeds on this road have been measured and the average speed is 39mph and the 85th percentile is 46mph but a small number of vehicles were recorded as travelling in excess of 80mph. The speeds of traffic have given rise to concerns relating to the potential increase in accidents and a request that a speed limit of 40mph be imposed on the section of this road (which is subject to the national speed limit) leading to the application site. However, it is considered that HGVs accessing the site would be unable to obtain speeds in excess of 40mph and it is therefore not considered that a speed restriction is required as a result of the traffic generated by this proposal. In coming to this conclusion it is also noted that there have been no reported accidents on this road.
- 6.23 Concerns have been raised about the capacity of the B3232 to accommodate the increase in traffic between the unnamed road and the Roundswell Roundabout. This stretch of road would be used by the majority of HGVs going to and leaving the site and the development would result in an increase of 32 HGVs a day with a peak of 16 movements (8 two way movements) between 14.00 and 15.00 hours. Given that this is an existing B class road with an annual average daily traffic flow of approximately 7,000 comprising of 10% HGV's the increase as a result of this proposal can be accommodated on this road. The predicted growth in traffic in and around Barnstaple has been taken into account, as has the recently constructed Roundswell/St Johns access roundabout scheme (which is designed to cope with traffic flows to 2,031 based on the proposed levels of development set out in the draft joint North Devon and Torrridge Plan) and in this context the increase in traffic as a result of this proposal can easily be accommodated on the existing road network.
- 6.24 The accident record for this stretch of the B3232 has been provided in the Transport Statement. During the 5 year period 1 January 2011 to 31 December 2015 two collisions were reported of which all were classed as resulting in slight injuries and did not involve HGV's.
- 6.25 The new access into the application site from the unnamed road involves the widening of part of the unnamed road at the access point and includes the provision of visibility splays. In the event that planning permission is granted it is recommended that planning conditions be imposed including the submission of details of the new access and its construction before the building works commence.

- 6.26 Representations have been received about the lack of opportunities for use of sustainable travel modes, particularly for pedestrians and cyclists. Whilst these comments are noted it is recognised that the nature of the operations means that there is no sustainable alternative for business traffic and there are very few staff on site (two at any time).

Impact on the Amenity of nearby residential properties

- 6.27 The potential for impact on the amenity of residential properties arises from three aspects namely; impact of noise and odour from the operations at the building, impacts of noise from the increase in HGV traffic and impacts of noise during the construction period.
- 6.28 In terms of operations at the transfer station it is noted that all of the waste transfer operations (deposit of waste from delivery vehicles and loading into articulated vehicles for transfer) would take place within the building. The application is accompanied by a Noise Impact Assessment which examines the existing noise environment and the likely operational impacts. It concludes that so far as the waste transfer station operations are concerned the predicted changes in daytime noise levels will not materially change the existing acoustic environment. The assessment has been carried out in accordance with the appropriate criteria and the conclusion of the noise report for this aspect of the development is accepted.
- 6.29 In terms of odour management the operations would take place within the building and fast operating roller doors would be used and would remain closed at all times apart from when vehicles are entering or leaving the building. Waste would not remain within the building for extended periods of time and the building would be fitted with an odour control system.
- 6.30 In terms of operational noise and odour the site would be subject of an Environmental Permit issued and administered by the Environment Agency which would relate specifically the control of noise and odour.
- 6.31 In terms of traffic noise the issues of concern raised by occupiers of properties on the unnamed road relate to the general increase in HGV traffic; the peak times at which traffic will pass houses the proposed operations on Saturdays. One of the objectors is particularly concerned that the methodology employed in the noise assessment averages out the noise rather than considering the actual noise level of an individual vehicle as it passes a property.
- 6.32 The methodology used in the noise assessment is based on the existing noise environment as measured and takes into account the operation of adjacent Brynsworthy Environment Centre and noise from the B3232 and the unnamed road. Increase in noise is then calculated on the basis of the increase in traffic resulting from the development for the year the facility opens. Noise levels are then calculated in the form of Basic Noise Level change over an 18 hour period. This methodology is a recognised way of assessing change and in this case gives an average daily traffic noise increase of 0.5dB along the unnamed road and 0.1dB on the B3232. Using this methodology the properties fronting onto the roads would experience only a negligible impact.
- 6.33 Given the concerns of the residents along the unnamed road the applicant recalculated the noise assessment for the peak hour period and this shows a worst case scenario of an increase of between 0.5 and 1.6 dB for the hour period. At the worst case this would be a minor impact and in reality the level of traffic modelled for

the purposes of the Transport Statement would not be reached due to the nature of waste collection operations across the two Districts. Whilst the instantaneous level of a passing HGV is not taken into account it should be noted that the methodology used in the application is best practice as set out in the DfT's 'Calculation of Road Traffic Noise' and the Highway Agency advice in 'Design Manual for Roads and Bridges' and the development is considered to not have an adverse impact using the results calculated using the established guidance. However, it does remain the case that the number of HGVs passing the properties will increase, but in terms of the overall noise environment the changes will not be significant.

- 6.34 The majority of the early HGV traffic will be RCVs leaving the Brynsworthy Environment Centre and this would not change as a result of this development. Similarly, this is the same in the evening peak. Currently working is limited to weekdays at the Brynsworthy Environment Centre and this application proposed Saturday working. Saturday working is required to enable the efficient use of the northern Devon recycling centres and to ensure waste delivered on Fridays can be removed rather than sitting in the building for the weekend. It is recognised that there is the potential that there would be an adverse impact due to working on Saturdays but the applicant has now confirmed that the total traffic movements on a Saturday would be 12 HGVs and that the hours of operation can be reduced to between 0900 and 1300 hours. Given this it is considered that limited Saturday morning working can occur without undue additional impacts and the hours of operation can be secured by an appropriately worded planning condition.
- 6.35 In order that the impacts of the development are confined to those examined in the application it is recommended that a planning condition is imposed limiting the annual capacity of the transfer station to be no more than 45,000 tonnes per annum.
- 6.36 Noise during the construction period can be a cause of concern and in the view of North Devon Council the proposed Construction Management Plan could be strengthened to protect residential amenity. In this case the provision of a revised Construction Management Plan would be secured by condition in the event that planning permission is granted.

Other Matters

- 6.37 Whilst not a planning document the Devon Waste and Resource Management Strategy indicates that there will be a reduction in Local Authority Collected Waste (LACW) being directly disposed of to landfill, with an objective that no LACW will be landfilled but is diverted to other facilities such as energy from waste or for further processing elsewhere. The nearest available energy from waste facilities are currently situated in Plymouth and Avonmouth (the Exeter facility having an area restriction for the sources of waste that does not include northern Devon), so there is a need for a waste transfer building within the northern Devon area to allow for the consolidation of LACW prior to onwards transportation for treatment. It is considered that this proposal would assist in the delivery of the Strategy and given the distance that transferred waste would travel for final disposal (i.e. Plymouth or out of County) the location of the facility is appropriate.

7. Reasons for Recommendation/Alternatives Options Considered

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

- 7.2 With regard to the planning balance the main issue is considered to be the impact of the development on the countryside in terms of the landscape and visual impact. It is recognised that the development will have an adverse visual impact, particularly until such time as the landscaping establishes, but in terms of its location the site is appropriate as it is close to Barnstaple, which is the largest source of waste, and relatively close (and having good transport links) to Bideford. It is recognised that there will be some additional impacts on the residential properties close to the unnamed road, but in the context of the existing levels of traffic the additional impact will be limited and appropriately mitigated by planning condition. It is also recognised that there are appropriate synergies between the operations at the adjacent Brynsworthy Environment Centre and the proposed new facility. The use of the site would be limited to local authority collected waste and there would be a restriction on the quantity of waste dealt with at the site ensuring that the development is acceptable in terms of the policies of the Devon Waste Plan and the development in the countryside policy of the adopted North Devon Local Plan.
- 7.3 Taking all material considerations into account it is considered that planning permission be granted in accordance with the recommendation of this Report.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Chulmleigh & Swimbridge, and Fremington

Local Government Act 1972: List of Background Papers

Contact for enquiries: Mike Deaton

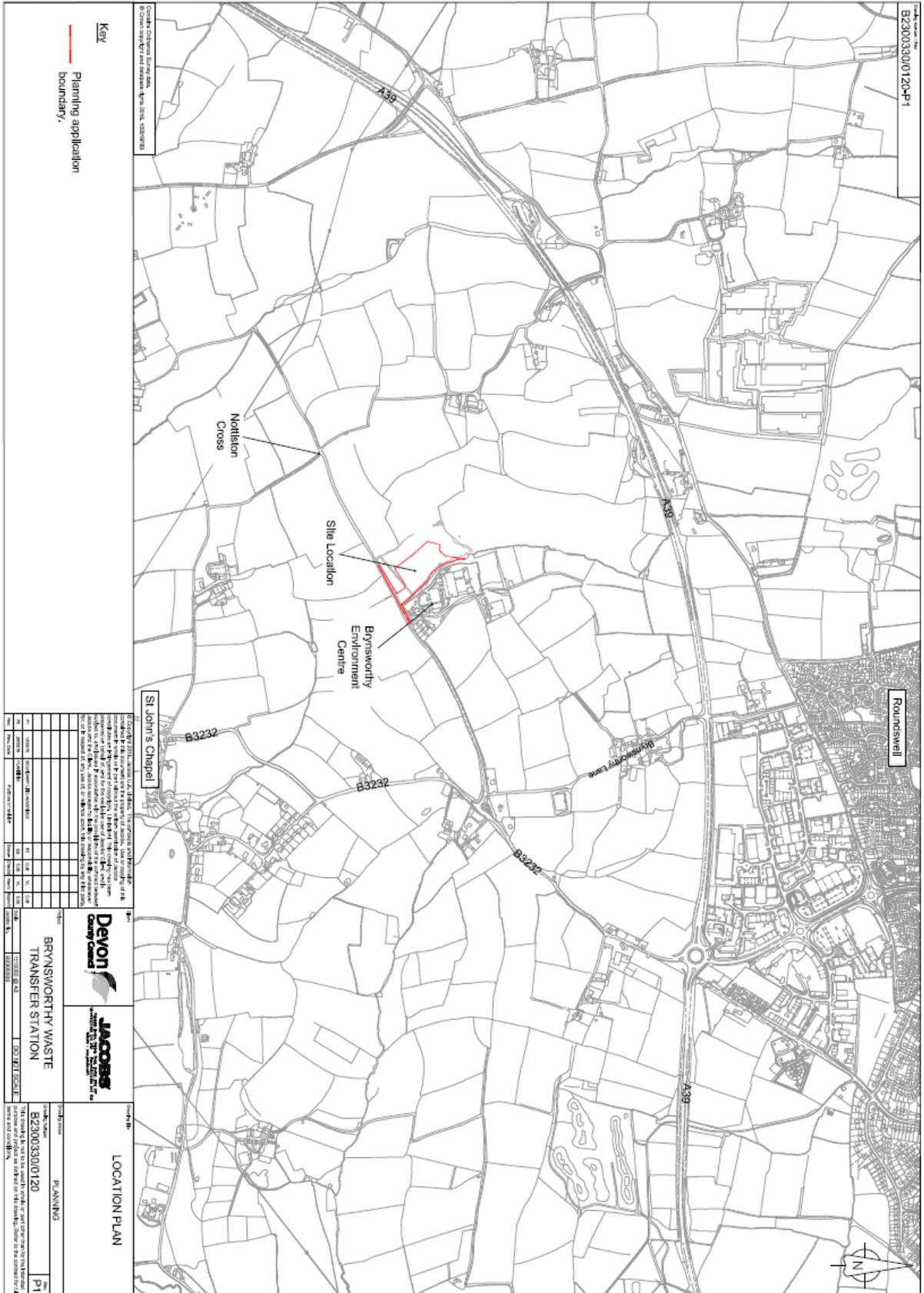
Room No: AB2, Lucombe House, County Hall

Tel No: 01392 38 3000

Background Paper	Date	File Ref.
Casework File	Current	62614

md230317dma
sc/cr/waste transfer station Brynsworthy Roundswell Barnstaple
03 270317

Location Plan



Planning Policy Considerations

National Planning Policy Framework (March 2012) including:

Paragraph 32: take account of whether safe and suitable access can be achieved, and only prevent or refuse development on transport grounds where the residual cumulative impacts are 'severe'.

National Planning Policy for Waste (October 2014) including:

Paragraph 7: consider the likely impact on the local environment and on amenity against the locational criteria in Appendix B.

Devon Waste Plan (Adopted December 2014): Policies: W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W4 (Waste Prevention); W5 (Reuse, Recycling and Materials Recovery W11 (Biodiversity and Geodiversity); W12 (Landscape and Visual Impact); W13 (The Historic Environment); W14 (Sustainable and Quality Design); W15 (Infrastructure and Community Services); W16 (Natural Resources); W17 (Transportation and Access); W18 (Quality of Life); and W19 (Flooding).

North Devon Local Plan (2006) Saved Policies DVS2 (Landscaping) ENV1 (Development in the Countryside); ENV7 (Agricultural Land); and ENV8 (Biodiversity).

North Devon and Torridge Local Plan (Submitted June 2016): Policies: ST10 (Transport Strategy); DM01 (Amenity Considerations); DM02 (Environmental Protection); DM03 (Construction and Environmental Management); and DM05 (Highways).

**Appendix II
To PTE/17/20**

Planning 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 B2300330/0105 Rev P5; B2300330/0201 Rev P3; B2300330/0202 Rev P3; B2300330/0301 Rev P2; B2300330/0302 Rev P1; B2300330/0103 Rev P3; B2300330/0601 Rev P01; B2300330/0602 Rev P01; B2300330/0603 Rev P01; CT_4186_TPP Rev 3; Landscape and Ecology Management Strategy (B2300330/LEMS/0); Arboricultural Impact Assessment (CT_4186); Flood Risk Assessment (B2300330/L1-FRA Rev 01); Brynsworthy WTS Lighting Report (B2300330/0751); Construction Traffic Management Plan (B2300330/TRA/CTMP/001 B) unless as varied by the conditions below.

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

3. The Waste Transfer Station shall only deal with local authority collected wastes from within the administrative areas of North Devon District Council and Torrington District Council.

REASON: To ensure that the proposal meets the objectives of the Devon waste Plan and accords with the requirements of Policy W2 and Policy W3 of the Devon Waste Plan.

4. The Waste Transfer Station shall deal with a maximum of 45,000 tonnes of waste per annum. Records of the quantity of material accepted at the site shall be kept by the operator and such records shall be made available to the Waste Planning Authority within two weeks of any request being made.

REASON: To limit the impacts of the development on the highway network and in order to protect residential amenity in accordance with Policy W17 and W18 of the Devon Waste Plan.

5. Waste deliveries and waste exports shall only take place between 07.30 to 18.00 hours on Mondays to Fridays and 09.00 to 13.00 hours on Saturdays and Public Holidays.

REASON: To protect the living conditions of residents living close to the highways leading to the site in accordance with Policy W18 of the Devon Waste Plan.

6. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Waste Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk (Report Ref. B2300330/L1-FRA, Rev. 0, dated February 2017).

REASON: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

7. The carriageway widening shall be constructed and laid out in accordance with details to be approved by the Waste Planning Authority in writing before its construction begins. For this purpose, plans and sections, indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Waste Planning Authority for approval.

REASON: To ensure that adequate information is available for the proper consideration of the detailed proposals.

8. No other part of the development hereby approved shall be commenced until the access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway with the ironwork set to base course level, the visibility splays and carriageway widening required by this permission have been laid out and a site compound and car park have been constructed in accordance with details previously submitted for approval.

REASON: To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period and in the interest of the safety of users of the adjoining public highway.

9. No development approved by this permission shall be occupied or brought into use until a scheme for future responsibility for, and maintenance of, the cesspool has been submitted to and approved by the Waste Planning Authority.

REASON: To prevent pollution of the water environment.

10. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1.) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2.) 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.
4. 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 (3.) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Waste Planning Authority. The scheme shall be implemented as approved.

REASON: To ensure the protection of controlled waters.

11. 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 local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Waste Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Waste Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure the protection of controlled waters.

12. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Waste Planning Authority. The Plan shall provide details of:

- a) Timetable/programme of works
- b) Measures for traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles]
- c) Days and hours of building operations and deliveries
- d) Location of loading, unloading and storage of plant and materials
- e) Location of contractor compound and facilities
- f) Provision of boundary fencing/hoarding
- g) Parking of vehicles of site personnel, operatives and visitors.
- h) Wheel washing
- i) Dust control

The development shall be implemented in accordance with the approved Plan.

REASON: To ensure adequate access and associated facilities are available for the construction traffic and to minimise the impact of construction on nearby residents in accordance with Policy W18 of the Devon Waste Plan

13. No development shall take place until a Landscape and Ecological Management and Monitoring Plan (LEMMP) has been provided and approved in writing by the Waste Planning Authority. The LEMMP shall be informed by the aims and objectives of Landscape and Ecological Management Strategy (ref B2300330/LEMS/01 dated 13/12/2016) submitted in support of the planning application and shall also include the following aspects:-

- The methods of protection of trees and hedgerows identified as remaining within the application site, which should be in accordance with the Aborigicultural Impact Assessment and Tree Protection Plan submitted with the application.
- Details of the method of the hedgebank translocation, subsequent management and replanting in the event of any tree in the translocated hedge dying.
- Details of areas of woodland planting to be implemented in advance of construction works taking place
- The implementation of the landscaping measures in accordance with the Landscape Masterplan and Planting Schedule.
- Full details of the management and all new planting and proposed and retained habitats.

The development shall be carried out in accordance with the approved LEMMP.

REASON: To ensure that species, habitats and the local landscape are conserved and enhanced in accordance with policy W11 and W12 of the Devon Waste Plan.

14. The external lighting shall be designed, located, installed and operated in such a way that the lateral and upwards light overspill is minimised in accordance with the submitted Lighting Report (ref B2300330/0751 dated 09/09/16)

REASON: To minimise the visual impact of the site in accordance with Policy W18 of the Devon Waste Plan.

15. No vegetation clearance shall take place during the bird nesting season (01 March - 31 August inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a written record of this is kept.

REASON: To minimise impacts on nesting wild birds and ensure that no birds take up residence in the intervening period in accordance with Policy W11 of the Devon Waste Plan.