

PTE/17/21

Development Management Committee  
5 April 2017

**County Matter: Waste**

**Torrige District: Proposed extension to the lifetime of the existing non-hazardous and asbestos waste landfilling and associated facilities to be extended until 2025, land at Deep Moor Landfill Site, High Bullen, Torrington**

**Applicant: Devon Waste Management**

**Application No: 1/0188/2017/CPO**

**Date application received by Devon County Council: 17 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 Planning permission is 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 to extend the life of an existing non-hazardous and asbestos waste landfill site until 2025.
- 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 impact on the continued operations on the amenity of the nearby residents; and the impact of the proposal on the landscape should the landfill operations cease before reaching currently approved levels.

**2. The Proposal/Background**

- 2.1 The Deep Moor waste management site is situated between Barnstaple and Great Torrington and currently serves the Northern Devon area for the disposal of household waste together with commercial and industrial waste.
- 2.2 Access to the Deep Moor site is from a minor road via the B3232 which is the main link road between Great Torrington and Barnstaple. No changes are proposed to the existing access arrangements.
- 2.3 The Deep Moor waste management site extends to 41 hectares, and the landfill site has been operation for over 40 years with the first planning permission being granted in 1974 to cater for primarily household waste. Subsequent permissions were granted in 1977, 1981 and 1984 to extend the site to its currently approved area. Further permissions granted in 1995, 2002 and 2008 did not extend the site laterally but varied the proposed restoration contours and imposed a time period for completing operations. The last major planning permission granted in 2008 required the site to be closed in December 2017 with all structures and buildings to be removed and the site restored by 30 December 2018. The current landfill inputs are in the region of 80,000tpa (tonnes per annum) (broken down into 60,000 tpa household and 20,000 tpa industrial and commercial).

- 2.4 The current application seeks to extend the period for the landfilling of waste at the Deep Moor Landfill site until 2025. The completion year is based on predicted inputs and would allow for the completion of the landfill in accordance with the approved levels. The remaining capacity at the site has come about due to the decline in waste imported for disposal largely due to the success of increased recycling rates.
- 2.5 There are a number of facilities directly associated with the landfill and these include two 1MW gas engines (which are used to generate electricity) and leachate lagoons which treat the leachate to a primary standard, before it is pumped along a pipeline to the public sewer at Torrington. Notwithstanding the result of this planning application the leachate lagoons and gas control measures will be required to be retained for pollution control purposes.
- 2.6 The current operating hours for the landfill site are Mondays to Saturdays 06.30 to 18.30 and 09.00 to 15.30 on Sundays and Bank Holidays for the receipt and disposal of waste from the operation of the civic amenity and recycling centre at Deep Moor. This application does not seek to vary the existing hours.
- 2.7 At the Development Management Committee meeting on 25 January 2017 Members considered Report PTE/17/8 concerning the proposed development of a Resource Recovery Centre at Deep Moor which included the major elements of the provision of a new Waste Transfer Station, and extension to the life of the landfill and provision of a Solar Farm. Members resolved:
- (a) *that planning permission for the solar farm be granted subject to the relevant conditions as set out in Appendix II to Report PTE/17/8 (with any subsequent changes to the conditions being agreed in consultation with the Chairman and the Local County Councillor).*
  - (b) *that Planning permission for the proposed Waste Transfer Station and associated extension to the life of the landfill, recycling facility and green waste composting facility on a temporary basis until 31 December 2030 be refused for the following reasons:*
    - (i) *the location of the proposed Waste Transfer Station in relation to the main sources of waste in Northern Devon would result in increased vehicle mileage in comparison with sites close to those sources, contrary to the aim of the Devon Waste Plan to minimise waste transportation distances, as expressed through Objective 6 and Policies W3 and W17;*
    - (ii) *the development and operation of the proposed Waste Transfer Station would have an unacceptable impact on the quality of life and amenity of the residents of Three Oaks, in terms of visual intrusion; noise and vibration and odours contrary to the Devon Waste Plan Policy W18;*
    - (iii) *the operation of the proposed Waste Transfer Station would result in an increase in heavy goods vehicles which would have an adverse effect on the functionality of the transportation network, contrary to Devon Waste Plan Policy W17.*
- 2.8 The current planning application is limited to obtaining the extension of time estimated to complete the approved landfill restoration contours through continued use of the current landfill and associated facility up to 2025.

### **3. Consultation Responses**

- 3.1 Torrige District Council - No objection.
- 3.2 Great Torrington Town Council - Object on the grounds of continued high volumes of traffic on the B3232 which in many areas is unsuitable for the level of traffic generated; continued impact on the residential property Three Oaks; and it will result in importation of waste from elsewhere and thereby increase traffic.
- 3.3 St Giles in the Wood Parish Council - no views received.
- 3.4 Huntshaw and Alverdiscott Parish Council - no views received.
- 3.5 Environment Agency: No objection. The Environment Agency advises that an Environmental Permit issued by them authorises the disposal of waste in a landfill and various other associated activities.
- 3.6 Natural England: 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 seven objections have been received together with a letter of support from Devon County Council as Waste Disposal Authority.
- 4.2 The objections to the applications are concerned with:
- No new evidence submitted with the application that would suggest a reversing of the January decision.
  - The continuation of the landfill will not assist in moving waste disposal up the waste hierarchy and the proposal is contrary to National Waste Policy.
  - The continued importation of waste into the site would have an extended impact on the amenity of nearby residents contrary to policies W11 and W12 of the Devon Waste Plan and policies DM1 and DM2 of the emerging North Devon and Torrige Local Plan.
  - Prolonging the life of the site would be contrary to the sequential approach set out in the Waste Strategy and therefore contrary to the aims of sustainability.
  - The proposal will not fulfil the Devon Waste and Resource Management Strategy objective that no Local Authority Collected Waste will be landfilled.
  - The proposal is contrary to objective 1 of the Devon Waste Plan relating to the waste hierarchy.
  - The site is not close to sources of waste contrary to policies W2 and W5 of the Devon Waste Plan.
  - The environmental record of the landfill is poor in terms of noise, odour, windblown material, operating contrary to planning conditions and given this the continued use is contrary to the Waste Local Plan.
  - Errors in the application documents using the baseline as though the scrap yard is operating, which is not the case.
  - The application provides no demonstrable need that the extension of time is required.

- There are existing impacts on residents health and it is unacceptable that these continue.
- Problems with scavenging animals such as rats and birds.
- The highway network is considered to be inappropriate to be used by HGV's.
- Ongoing detrimental visual impacts on the landscape.

4.3 The letter of support from DCC as Waste Disposal Authority comments that the authority has a statutory duty to arrange for the treatment or disposal of Local Authority Collected Waste. It notes that following the closure of Broadpath landfill in 2020 the Deep Moor site will be the only site in Devon that will be able to landfill municipal waste. It considers that there will always be a need for some landfill capacity in Devon for wastes that cannot be recovered and at times of recovery facility breakdown. Also the site provides a disposal point for local commercial firms who may not be able to access the regional facilities and the site is the only asbestos disposal facility in Devon and Cornwall.

4.4 Copies of consultation responses and representations are available to view on the Council website under reference DCC/3956/2017 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3956/2017> .

## 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 considerations in the determination of the proposed development are indicated below:

### **Waste Planning Policy**

#### *Context*

6.2 Disposal including Landfill is at the bottom of the waste hierarchy and management of waste higher up the hierarchy should be promoted. This however does not mean that there is no longer a role for landfill and a need to retain some capacity for it.

6.3 Forecasts developed for the Devon Waste Plan indicated that the proportion of non-hazardous waste being landfilled would reduce from around 40% in 2013 to around 5% at the end of the Waste Plan period in 2031. This would still, however, equate to around 90,000 tonnes each year being landfilled in 2031 and would comprise waste that was unsuitable for management by more sustainable methods. The forecasts predicted that the permitted non-hazardous capacity available in 2013 would be sufficient to enable disposal to continue to around 2022/23, although different scenarios resulted in earlier or later dates. While the Waste Plan does not allocate any sites for new landfill capacity beyond then, Policy W7 does allow for delivery of new capacity (and also presumes in favour of further permissions being granted for existing capacity that is subject to a temporary planning permission).

### National Planning Policy for Waste (NPPW)

- 6.4 The National Planning Policy for Waste (NPPW), while seeking to “drive waste management up the waste hierarchy”, recognises “*the need for a mix of types and scale of facilities... [and] adequate provision must be made for waste disposal*” (paragraph 3, second bullet point, emphasis added). The final bullet point of paragraph 3 requires us to “*consider the extent to which the capacity of existing operational facilities would satisfy any identified need*”, implying a preference for utilising existing consented capacity prior to development of new capacity.
- 6.5 Paragraph 4 of the NPPW requires waste planning authorities to “*plan for the disposal of waste...in line with the proximity principle*” – this recognises an ongoing need to plan for landfill (disposal), as well as limiting transportation distances.

### The Waste and Resource Management Strategy for Devon Review (March 2013)

- 6.6 The Strategy is seeking the diversion of residual waste from landfilling to energy recovery, however it recognises an ongoing role for landfill in assuming that 5% of Local Authority Collected Waste (LACW) will be landfilled at 2017/18 (bearing in mind that the Strategy had assumed diversion of North Devon/Torridge residual LACW to energy recovery through a new contract by now, which has not been realised).
- 6.7 Strategy Policy WSP4 seeks to recover value from waste (i.e. recycling, composting and other recovery) at a level of 95% by 2020 – leaving a residual 5% for landfill. Policy WSP15 states “*Landfill will continue to be a method of managing a small percentage of Devon’s waste from 2014. In some parts of the County...extensions to existing landfill sites or new capacity will be required to meet that need. In the long term landfill will be used only for those wastes which cannot be recycled, composted or recovered and the residues/rejects from these processes.*”

### Devon Waste Plan

- 6.8 While the waste hierarchy is a key feature of the Waste Plan through Objective 1 and Policy W2, it recognises an ongoing need for capacity for disposal, with Policy W7 seeking to limit disposal of LACW and CIW to 5% from 2021 onwards.
- 6.9 Policy W7 specifically provides for permission to be granted for “*the use of remaining capacity for landfilling of non-hazardous waste where a temporary permission will expire prior to the permitted capacity being utilised*” – the circumstances now facing Deep Moor.
- 6.10 The Waste Plan inspector was concerned that the Plan recognised a potential shortfall in landfill capacity during the period to 2031 but did not allocate any sites for new capacity. He therefore required us to commit to an early review of the Plan if monitoring (i.e. Indicator 2.3) shows landfill capacity being used at a faster rate than predicted – we are effectively now in this position due to Heathfield having closed, Broadpath soon closing prematurely and, potentially, Deep Moor closing in 2018, which would leave us with no non-hazardous (or hazardous) capacity after next year.
- 6.11 As pointed out by an objector, Policy W3 requires that strategic facilities are located so as to minimise transportation distances. However, Policy W3 refers specifically to new waste management facilities, for which there will be a clear choice to be made in location, and not to continuation of existing facilities. It is also the case that, if we

have no landfill capacity after 2018, then any waste from Devon requiring landfilling will need to travel out of county.

- 6.12 Taken together, these policy documents endorse the waste hierarchy as a sustainable approach, but recognise that landfill remains a legitimate means of managing waste that is unsuitable for management further up the hierarchy. The NPPW requires that we make adequate provision for waste disposal, and Policy W7 of the Waste Plan specifically endorses renewal of temporary permissions where landfill capacity remains.

#### Need

- 6.13 In recent years, Devon has relied on three landfill sites (Deep Moor, Heathfield and Broadpath) within the county for the disposal of its non-hazardous household, commercial and industrial waste. The availability of adequate capacity at these sites enabled Devon to be largely self-sufficient in meeting its need for non-hazardous waste disposal. However, the increasing diversion of residual waste from landfill to energy recovery that has occurred with the opening of Energy to Waste facilities at Exeter (2014) and Plymouth (2015) has resulted in much lower inputs to the landfill facilities. The position with the three landfill sites is:

- Heathfield closed in January 2016 and is undergoing restoration;
- although it has remaining landfill capacity, Broadpath is due to close at the end of 2020 and undergo subsequent restoration; and
- Deep Moor's planning permission expires at the end of 2017, although the site has remaining capacity that would enable it to continue landfilling beyond that date if the planning permission were to be extended.

- 6.14 The implication is that, without further planning permissions being granted, Devon will no longer have any permitted non-hazardous landfill capacity after the end of 2018, and will therefore have to rely on remaining capacity outside the county. Discussions with waste operators suggest that the opening of a new non-hazardous landfill site in Devon, or creation of new capacity at an existing facility, is very unlikely to be economic given the reduced inputs of waste being experienced.

- 6.15 Deep Moor also has Devon's only landfill capacity for hazardous waste, specifically stable non-reactive hazardous waste (i.e. asbestos), which also serves Cornwall which has no Stable Non-Reactive Hazardous Waste capacity. The nearest alternative facility is Walpole at Bridgwater, with other hazardous waste sites available in Wiltshire and Gloucestershire.

#### Waste Policy Conclusion

- 6.16 The proposal seeks an extension of the life of the landfill facility from 2017 to 2025 to enable the existing non-hazardous and asbestos disposal capacity to be utilised, with no additional capacity created. This proposal accords with Policy W7 of the Devon Waste Plan which states that *"planning permission will normally be granted for the use of remaining capacity for landfilling of non-hazardous and inert waste where a temporary permission will expire prior to the permitted capacity being utilised"*.
- 6.17 The desirability for approving this proposal is underlined by the impending closure of Broadpath landfill by the end of 2020, following which Devon will have no non-hazardous landfill capacity unless this application is approved. In the absence of any capacity in Devon, increased transportation costs would be incurred by waste managers and producers in carrying waste to landfill facilities outside the county, with

consequent increases in vehicle emissions. This would be contrary to Devon Waste Policy W17 – “Waste management development should seek to minimise the distance waste is transported .....

- 6.18 The extension of the life of the asbestos cell is also supported by Policy W9 of the Waste Plan, which states that “development for the management of special types of waste will be permitted where it will predominantly serve a need arising from within the functional waste management catchment area of Devon”. Available evidence indicates that, in 2015, 66% of the asbestos deposited at Deep Moor originated within Devon with 33% from Cornwall and only 1% being from outside those two counties.

### **Impact on Amenity of Residential Properties**

- 6.19 The closest property to the site ‘Three Oaks’ is situated 315m from the boundary of the previously approved active landfill site and is separated from it by an existing tree screen. The other nearest residential properties are located at Peagham Barton 500m to the south of the landfill. Concerns have been raised on behalf of the occupiers of Three Oaks and by the residents at Peagham Barton in respect of the effect of the continued operation on the residents in respect of the impact on their amenities.
- 6.20 The planning system controls the development and use of land in the public interest. This includes consideration of the impacts on the local environment and amenity taking into account the criteria set out in Appendix B to [National planning policy for waste](#).
- 6.21 There exist a number of issues which are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively. The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. However, before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body.
- 6.22 The day to day operation of the site is controlled by the environmental permit issued by the Environment Agency; this covers issues such as odour, noise and general site operations.
- 6.23 The role of the environmental permit, regulated by the Environment Agency, is to provide the required level of protection for the environment from the operation of a waste facility. The permit will aim to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health.
- 6.24 The objectors highlight a perceived lack of compliance with the Waste Plan’s development management policies (W11 to W21). Whilst it is recognised that landfill operations do give rise to impacts that can affect the amenity of local residents (particularly in terms of odour from landfill gas during specific weather conditions) the landfill is monitored by DCC Planning Officers and Officers of the Environment Agency and it is considered that this provides the appropriate level of control for the site operations. It is also noted that it is the intention of Devon County Council as Waste Disposal Authority that the disposal of LACW from North Devon and Torridge

to landfill at Deep Moor is likely to cease (subject to contractual changes) and this will likely change both the quantity and the nature of the waste material disposed of at the site.

### **Traffic and Transportation Implications**

- 6.25 Deep Moor is located close to Great Torrington accessed from the B3232 via a minor road leading directly to the site. HGV traffic are an average of 62 trips a day, the majority of which are Refuse Collection Vehicles delivering municipal waste from Torridge and North Devon.
- 6.26 The past five year accident data provided with the previous application showed that there were a total of 34 accidents on the B3232, with two involving HGV's (but not caused by HGV) with the majority been the result of driver error.
- 6.27 The extension of the life of the landfill will not result in an increase in traffic going to and leaving the site and would not result in any additional impacts on the B3232 and therefore there is no objection to the proposal on traffic and transportation grounds.

### **Landscape**

- 6.28 Concerns have been raised about the visual impact of the landfill, but it is considered that the existing landscape screening effectively screens the landfill from both near view points. The final profiles of the landfill have been designed to help assimilate the finished site into the wider rural landscape and if permission is refused the unfinished landform is likely to have a detrimental impact on the wider landscape.

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

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 The application to extend the life of the landfill is considered to be in accordance with the policies of the Devon Waste Plan and the proposal will not result in additional or new impacts on the area. The objectors' concerns regarding the negative impacts of the landfill operations are noted as are the concerns that if planning permission is granted such impacts may continue longer than currently allowed for. However, the landfill is subject of an Environmental Permit which controls pollution emissions such as odour and noise and the necessary regulatory powers are available to the Environment Agency. National guidance advises that in determining planning applications waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
- 7.3 Taking all material considerations into account it is considered appropriate that planning permission is granted in accordance with the recommendation to this Report.

Dave Black  
Head of Planning, Transportation and Environment

**Electoral Division: Torrington Rural**

Local Government Act 1972: List of Background Papers

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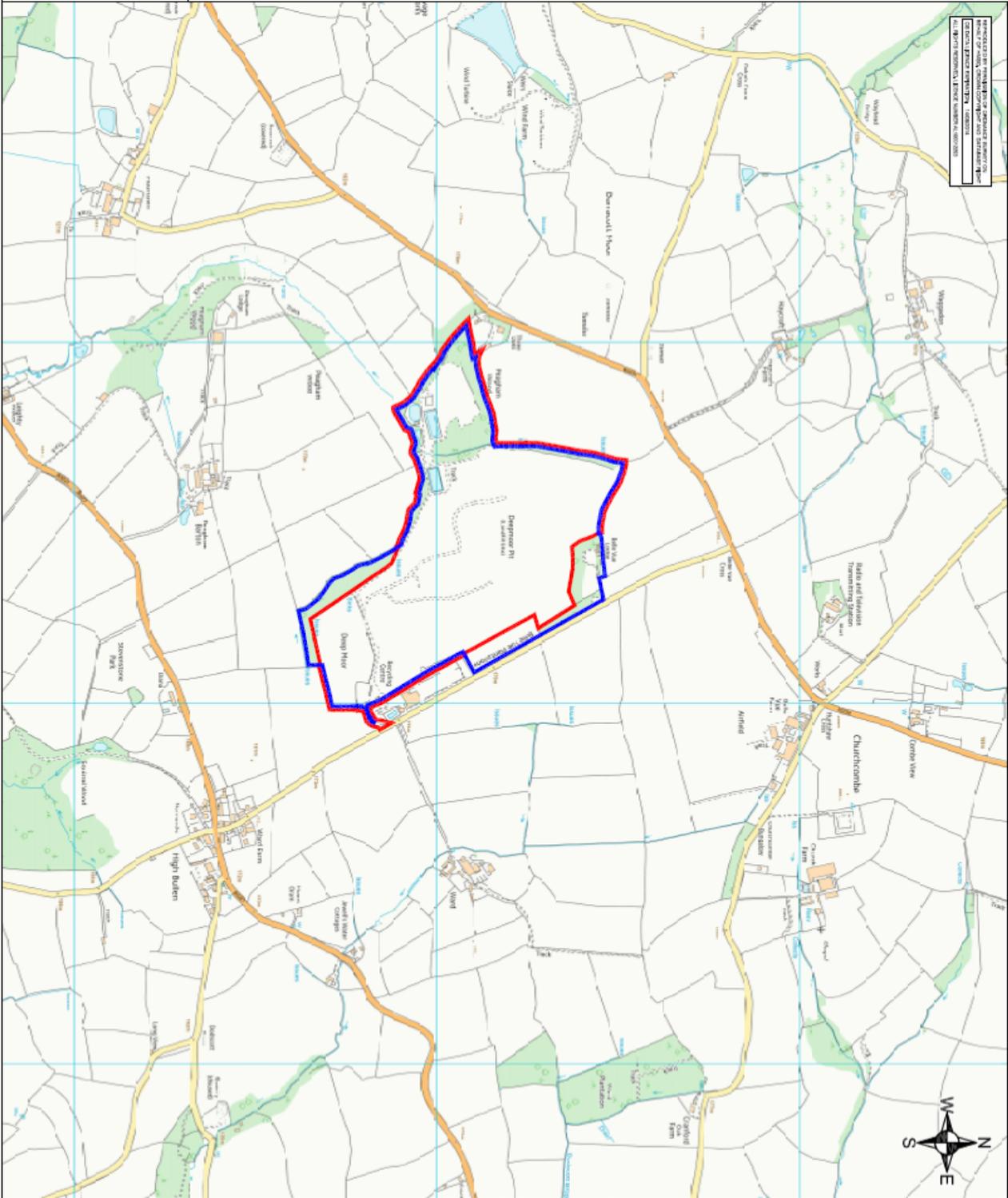
Background Paper	Date	File Ref.
Casework File	Current	1/0188/2017/CPO

ab220317dma

sc/cr/lifetime of existing facility extended to 2025 Deep Moor Landfill site high bullen torrington  
04 280317

# Location Plan

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Information on this plan is based on the site plan submitted as part of the planning application. It is not intended to be a definitive statement of the site's boundaries or the location of any buildings or structures. It is the responsibility of the applicant to ensure that the information on this plan is accurate and up to date.



- LEGEND**
- PLANNING APPLICATION BOUNDARY
  - OTHER LAND WITHIN APPLICANT'S CONTROL



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**DEEP MOOR  
 WASTE MANAGEMENT FACILITY  
 ENERGY PARK  
 SITE LOCATION PLAN**

Scale: 1:10,000 @ A3  
 Date: JANUARY 2014

**Planning Policy Considerations**

**Devon Waste Plan (Adopted December 2014):** Policies W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W7 (Waste Management Capacity); W12 (Landscape and Visual Impact); W17 (Transportation and Access); W18 (Quality of Life) and W20 (Restoration and Aftercare).

**Torrige Local Plan (September 2004):** Policies DVT2C (Development in the Countryside); DVT8 (Landscaping); and DVT18 (Restoration and Aftercare).

**North Devon and Torrige Local Plan 2011 - 2031 (Submitted for examination June 2016):** Policies ST10 (Transport); DM1 (Amenity Considerations); and DM2 (Environmental Protection).

**Planning Conditions**

1. No waste shall be imported onto the site after 31st December 2024 and the site shall be restored by 31st December 2025 in accordance with the conditions below unless otherwise approved by the Waste Planning Authority.

REASON: To provide for the completion and progressive restoration of the site within the approved timescale in the interest of local amenity and residents.

2. Unless otherwise agreed in writing by the Waste Planning Authority, the development to which this permission relates shall proceed in accordance with the phasing programme indicated on drawing no. DM3/2/1 and the final restored levels shall not exceed 200m shown on that drawing and on drawing no DM3/3/0 and DM3/4. The restoration of the site shall be undertaken in accordance with the details shown on drawing no. DM3/3/1 and contained in the supplementary information and Environmental Impact statement submitted with application No: 01/0399/2007 and application No: 01/0400/2007

REASON: To ensure that the amended scheme for the operation and restoration of the site is complied with in the interests of the amenity of the area.

3. All existing trees, shrubs and Hedgerows within or on the boundaries of the application site shall be retained and protected during the course of operations such that they are not damaged, destroyed, uprooted, lopped or topped during the life of the site without the previous written approval of the Waste Planning Authority.
  - Protection shall consist of a 1.2m minimum height Chestnut paling mounted on 1.2m minimum height wooden posts driven firmly into the ground, situated 2m from the edge of the tree canopy.
  - Any such trees removed without permission or dying or being seriously damaged or diseased during the life of the site shall be replaced in the following planting season with trees of such size and species as may be approved by the Waste Planning Authority

REASON: To protect the visual amenities of the area.

4. A full topographical survey of the site including levels based upon Ordnance Datum together with cross sections shall be submitted to the Waste Planning Authority on the 1st April 2008 and each subsequent year until 1st April 2018 indicating the levels reached in that annual period.

REASON: To ensure that the approved amended scheme for the restoration of the site is complied with in the interests of the amenity of the area.

5. Subsidence monitoring reports including compaction isopacights shall be submitted to the Waste Planning Authority on the 1st April 2008 and on each subsequent six month period until 1st April 2014.

REASON: To ensure that the approved amended scheme for the operation and restoration of the site is completed with, in the interests of the amenity of the area.

6. Any security fencing shall not exceed 1.8 metres in height and, in the case of peripheral fencing, shall be placed on the inward side of any peripheral banks marking the boundary of the land.

REASON: To protect the visual amenities of the local area and to control the development.

7. No buildings or structures shall be erected on the site without the express permission of the Waste Planning Authority.

REASON: To protect the visual amenities of the local area and to control the development.

8. On completion of the importation of waste materials, all access roads, buildings and any other site facilities not essential for restoration or aftercare or for continued landfill gas/leachate monitoring or treatment shall be removed or demolished. Any hard standings or foundations where these interfere with the restoration of the site shall be removed from the site prior to the final reseeded and cultivation of the land.

REASON: To ensure proper reclamation of the site.

#### HOURS OF OPERATION

9. The waste disposal and landfill site shall only open as set out below:

- between the hours of 0630 to 1830 hours Mondays to Saturdays; and
- between 0900 to 1530 hours on Sundays and Bank Holidays solely for the receipt and disposal of waste arising from the operation of civic amenity and recycling centre and for the receipt and disposal of street litter.

REASON: In the interests of local residents.

10. All plant, machinery and vehicles used in connection with the waste operations at the site shall be fitted with and use effective silencers (or such other effective methods of sound proofing). These shall be used and maintained in accordance with the manufacturers specifications at all times.

REASON: In the interest of local residents.

11. For the purpose of this development no access shall be made or used other than the existing access to the site. All vehicles carrying waste leaving the site shall use the wheel wash prior to leaving the bounds of the site.

Reason: To prevent mud and dust being brought onto the highway and in the interest of Highway Safety.

12. Within three months of the date of this permission a scheme for keeping the site free of scavenging birds will be submitted to the Waste Planning Authority for its approval. The approved scheme shall be implemented during the hours of daylight throughout the life of the site.

REASON: To protect public health, air safety and residential amenity.

13. Unless otherwise agreed in writing by the Waste Planning Authority, within three months of the completion of the restoration of any part of the site in accordance with

the programme referred in Condition 2, that area shall be securely fenced with a stock proof fence in accordance with details that shall first have been agreed in writing by the Authority.

REASON: To ensure that the restored areas of the site are capable of agricultural after-use.

14. The existing temporary stockpiles of excavated material shown on Drawing No: DM3/2 shall be wholly removed and used in the restoration of the site.

- Stockpiles D, J, H and part of Band C will be used in the restoration of cells 4, 6 and part of 7, commencing in 2007.
- Stockpile A, the remainder of B and parts of C and E will be used to restore cells 7 and 13 from 2012 onwards.

The remaining balance in stockpiles C and E will be used to restore cells 8, 9, 10, 11 and 12 from 2014.

Prior to their removal, no additional material shall be placed on the stockpiles. No new stockpiles shall be created without the express permission of the Waste Planning Authority.

REASON: The stockpiles are not acceptable as permanent features due to their harm to the visual character of this rural area.

15. Any storage of skips or containers stored on the land shall be incidental to the land filling of the site and shall be confined to an area which shall have been previously approved in writing by the Waste Planning Authority within three months of the date of this permission.

REASON: To control the appearance of the site in the interest of visual amenity of the local area.

16. Within three months of the date of this permission a scheme to minimise the emission of dust from the development hereby authorised (including measures to monitor emissions) has been submitted to and approved in writing by the Waste Planning Authority. Such scheme shall include the water spraying of access and haul roads to suppress dust in periods of prolonged dry weather, and shall be implemented in full, and the suppression equipment thereafter maintained in accordance with the manufacturer's instructions for the duration of the permission. Following approval the development shall be carried out in strict accordance with the submitted details, or other such alternative details as may subsequently be agreed.

REASON: In the interests of local amenity.

17. For a period of five years following its restoration, the site shall be managed to provide agricultural grassland, hedges and woodland in accordance with the restoration scheme shown on Drawing No: DM 3/3/1.

REASON: To ensure that the amended scheme for the operation and restoration of the site is complied with in the interests of the amenity of the area.

18. In the event of a cessation in tipping of waste prior to achievement of the completion of the approved scheme ref DM3/3/1 which in the opinion of the Waste Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of

Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of reclamation and aftercare shall be submitted in writing for approval of the Waste Planning Authority, within six months of the cessation of tipping. The approved revised scheme shall be fully implemented within one year of the written approval unless otherwise agreed in writing with the Waste Planning Authority.

Reason: To enable the Waste Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use.