

County Matter: Waste

Teignbridge District: Permanent planning consent sought for on-farm composting of garden waste, with the finished compost used on the farm holding as a soil fertiliser & general improver, land at Seale Hayne Farm, Field 6041, Newton Abbot

Applicant: Coastal Organics

Application No: 17/01021/DCC

Date application received by Devon County Council: 18 April 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 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 proposal for on-farm composting of shredded garden waste in an open windrow, at Field 6041, Seale Hayne Farm, Newton Abbot. Annual throughput of waste will be between 1,000 and 1,500 tonnes and all compost will be used within the agricultural holding.
- 1.2 It is considered that the main material planning considerations in the determination of the proposed development are the impacts on residential amenity, with particular reference to the impact of odour; noise and dust from the composting activities; the impacts on the local landscape; and consideration against Planning Policy.
- 1.3 The planning application, representations received and consultation responses are available to view on the Council website under reference DCC/3976/2017 or by clicking on the following link:
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3976/2017>.

2. The Proposal/Background

- 2.1 Seale Hayne Farm is located approximately 625m north of the A383 (Ashburton Road) and 1.6 km South of Trago Mills on the A38. The application site at Field 6041 is located approximately 265m south-west of the main Seale Hayne farm buildings and approximately 300m north west of the 2 nearest properties. There is a small group of houses on Howton Lane approximately 600m to west of the site and a small settlement approximately 750m to the north-west. The site is accessed from the A383 (Ashburton Road).
- 2.2 This proposal is for permanent consent for on farm composting of shredded garden waste in open windrows, with all compost being utilised within the farm holding.
- 2.3 The shredded green waste originates from the Bickley Ball shredding site in Kingsteignton (which deals with green waste originating from household recycling

centres). All vehicles from Bickley Ball will follow the A383 through Kingsteignton and Newton Abbot and take the first right after the Seal Hayne entrance.

- 2.4 The proposal seeks to allow for a maximum annual tonnage of 1,500 tonnes comprising of a maximum of 3 batches of 500 tonnes per year. Each batch will be made up of 45 loads and take between 5 and 7 days to deliver, giving a maximum of 21 days per year. There will be a maximum of 10, tractor and trailer, deliveries per day. In total this would produce up to 750 tonnes of compost per year which would be suitable to spread on approximately 20-30ha of farmland.
- 2.5 The area required for the windrow is approximately 500m², i.e. up to 70m long, approximately 8m wide and up to 3m high once settled. The total space required for the windrow and its management, including space for manoeuvring machinery and turning the compost is 70m x 14m.
- 2.6 Composting operations involve the occasional turning of windrow and screening of the compost. The finished compost would be spread onto land within the farm holding.
- 2.7 The composting operation hours (including deliveries) will be between 0730 hours to 1800 hours Monday to Saturday with no working on Sundays and bank holidays.

3. Consultation Responses

- 3.1 Teignbridge District Council – No objections but comment that in determining the application DCC should take into account impacts on visual amenity; ecology; landscape; and potential risk to nearby residents (in terms of noise, odour, dust and bio aerosol). The District Council also notes that the site is near to an area allocated in the Teignbridge Local Plan for mixed use development and impacts on this should be considered.
- 3.2 Newton Abbot Town Council - No objection in principle but have suggested a condition restricting waste delivery times to the site.
- 3.3 Ilington Parish Council – Highlighted that the land near the application site is earmarked for residential development and raised an objection on the grounds that this is not a suitable site to have in a residential area due to the odour that would be omitted from the composting windrows.
- 3.4 Environment Agency – no objections. The Agency notes that composting activity would require an Environmental Permit and this would be likely to be a standard rules permit which would include a risk assessment for the activity.
- 3.5 Natural England – no objections.

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 no letters of objection were received.

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 considerations in the determination of this planning application are considered below:

Planning Policy Considerations

- 6.2 The National Planning Policy for Waste (October 2014) states, amongst other things, that when determining waste planning applications, waste planning authorities should:

- *Consider the likely impact on the local environment and on amenity against the criteria set out in Appendix II and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies; and*
- *Concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.*

- 6.3 Policy W5 (Reuse, Recycling and Materials Recovery) of the Devon Waste Plan (2011 to 2031) deals with sustainable waste management and the provision of facilities for composting of waste. Whilst this in itself is a modest proposal it contributes to a network of sites dealing with household garden waste in a sustainable manner and it is considered that this proposal is in accordance with policy W5.

Odour

- 6.4 Licensing and permitting of composting sites such as these is carried out by the Environmental Agency (EA) and in this instance, due to its location, operations will likely be permitted by a 'standard rules permit' for composting in open and closed systems. The permit will require:

'Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable, to minimise, the odour.'

- 6.5 It goes on to clarify that:

'The operator shall:

- a) *maintain and implement an odour management plan;*
- b) *if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the specified period, a revised odour management plan;*
- c) *implement any approved revised odour management plan from the date of approval, unless otherwise agreed in writing by the Environment Agency.*

6.6 Composting operations such as these generate little in the way of odour, with any odours likely only during delivery and the turning of the windrow, which occurs infrequently. Taking this into account and the requirements of the permit it is considered that there is no objection to the proposal from an odour generation aspect.

Bioaerosols

6.7 With regards to bioaerosols the application site is more than 250 metres from the nearest occupied property and approximately 350m to the west of the allocated mixed use land of Policy NA1. Bioaerosols have the possibility of impacting on human health but the Health and Safety Executive have demonstrated that due to the dilution effect in open air, bioaerosol concentrations fall away rapidly with distance from compost being handled and that by 100 to 200m away the bioaerosol concentration has mostly returned to background levels. Moreover, and based on scientific evidence that bioaerosol levels from waste composting are reduced to background levels within 250 metres from the source, the Environment Agency operates a '250 metre limit' rule around composting sites which requires the production of a specific bioaerosol risk assessment for sites close to occupied properties.

6.8 In this case, given the distance involved, there is not likely to be any significant risk to health.

Noise

6.9 Noise impacts associated with the composting operations may occur during the delivery of the material, its turning and occasional screening. The noise level predicted by the applicant from all associated activities (including the operation of the trommel screen and loader) would be approximately 80 dB 10m away from the activity, which is similar to other agricultural activities that take place at the farm. There will be a maximum 33 days activity that could generate noise, with machinery activity based upon a maximum of 3 batches per year, 5 days delivery plus 3 part days (4hrs each) turning and 3 days screening.

6.10 Under the standard rules permit, the Environment Agency will require the following:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration.

The operator shall: (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan; (b) implement the approved noise and vibration management

plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

- 6.11 Given the level and infrequency of noise generation, together with the controls exercised by the Environment Agency it is considered that there is no objection to the application on the grounds of noise impact.

Landscape

- 6.12 The area required for the windrow is approximately 500m², that is to say the windrow will be approximately 70m long, 8m wide and no greater than 3m high once settled. The proposal will be located parallel to a hedgerow in the corner of the field. The windrow will be set against a backdrop of rolling hills to the west, all of which will help to minimise any visual impact the windrow will have on the landscape from the residential properties approximately 300m to the South or 600m to the East.

Traffic and Transportation

- 6.13 Deliveries to the site would be using tractors and trailers, with each batch likely to require up to 45 deliveries, up to a maximum of 10 deliveries a day, during a 5 to 7 day delivery window. This level of traffic would not have a severe impact on the highway network and there is no objection to the proposal on traffic grounds.

Other Matters

- 6.14 The finished compost would be used on the farm holding and has positive benefits in terms of providing a sustainable alternative to the use of inorganic fertilisers; improving soil structure, soil health and nitrate contamination of groundwater.
- 6.15 Given that the waste is domestic garden waste arising from household waste recycling centres there is the potential for transmission of injurious weeds onto the farm land. However, at other sites of a similar nature operated by the applicant a protocol has been put in place to minimise the risk of feedstock contamination. This includes advice at recycling centres, inspection of loads at the shredding site and maintenance of high temperatures during the composting process.

7. Reasons for Recommendation/Alternatives Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 It is considered that the proposal is consistent with Policy W5 of the Devon Waste Plan which supports new capacity for composting in specified circumstances including where the site is located at or close to opportunities for the beneficial use of the waste and in this case the compost will be used on the farm holding.
- 7.3 The Teignbridge Local Plan allocates a large area for mixed-use development (predominantly housing) to the east of the application site, as noted in the objection from Ilsington Parish Council, this allocation will be approximately 350 metres from the application site at its closest point, and this is not considered to be a significant constraint on operation of the proposed composting facility in terms of odour or bioaerosols.
- 7.4 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: Bovey Rural, Newton Abbot North

Local Government Act 1972: List of Background Papers

Contact for enquiries: Barnaby Grubb

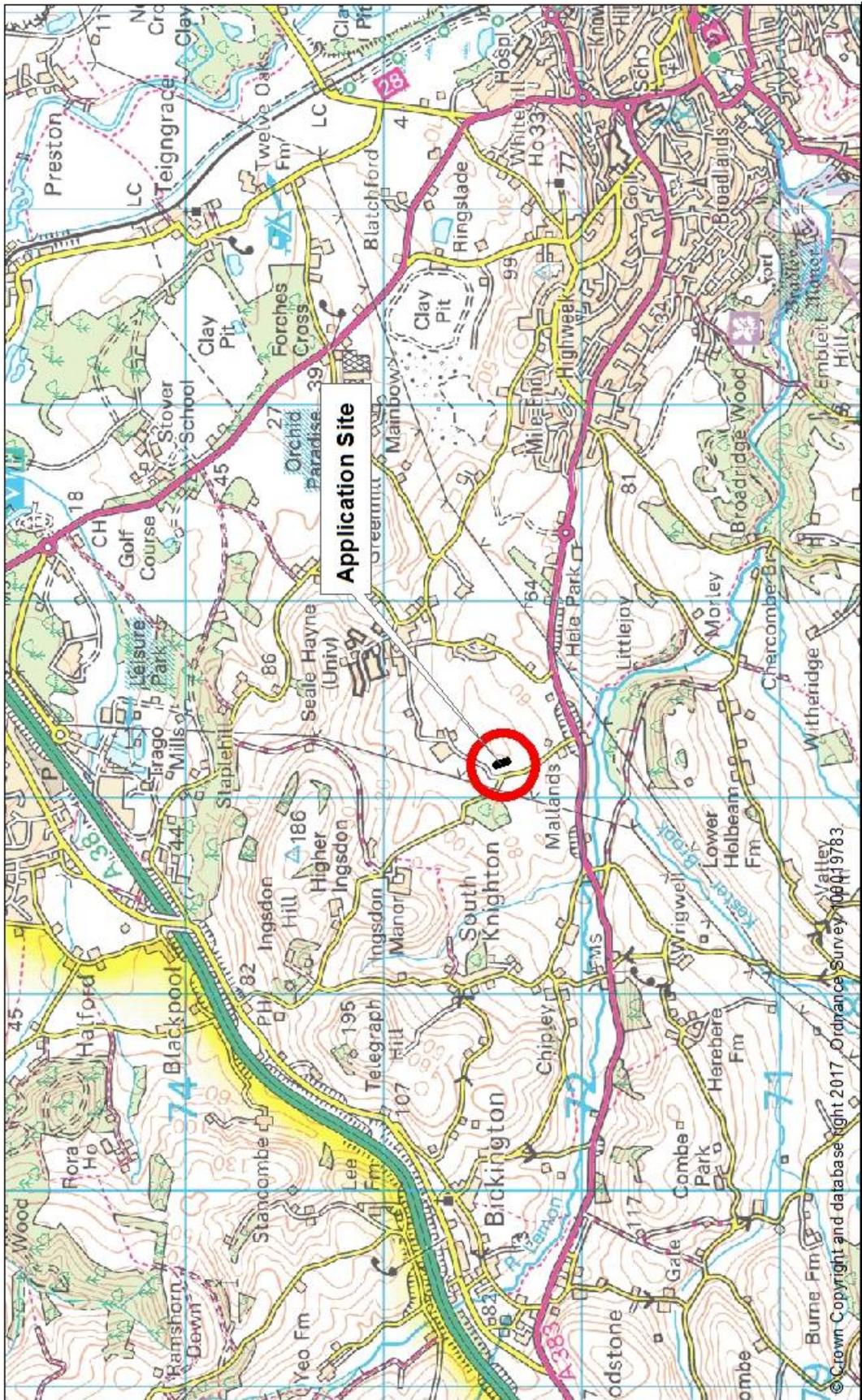
Room No: AB2, Lucombe House, County Hall

Tel No: 01392 383000

Background Paper	Date	File Ref.
Casework File	March 2017	DCC/3976/2017

bg220617dma
sc/cr/on farm composting seale hayne farm newton abbot
02 300617

Location Plan

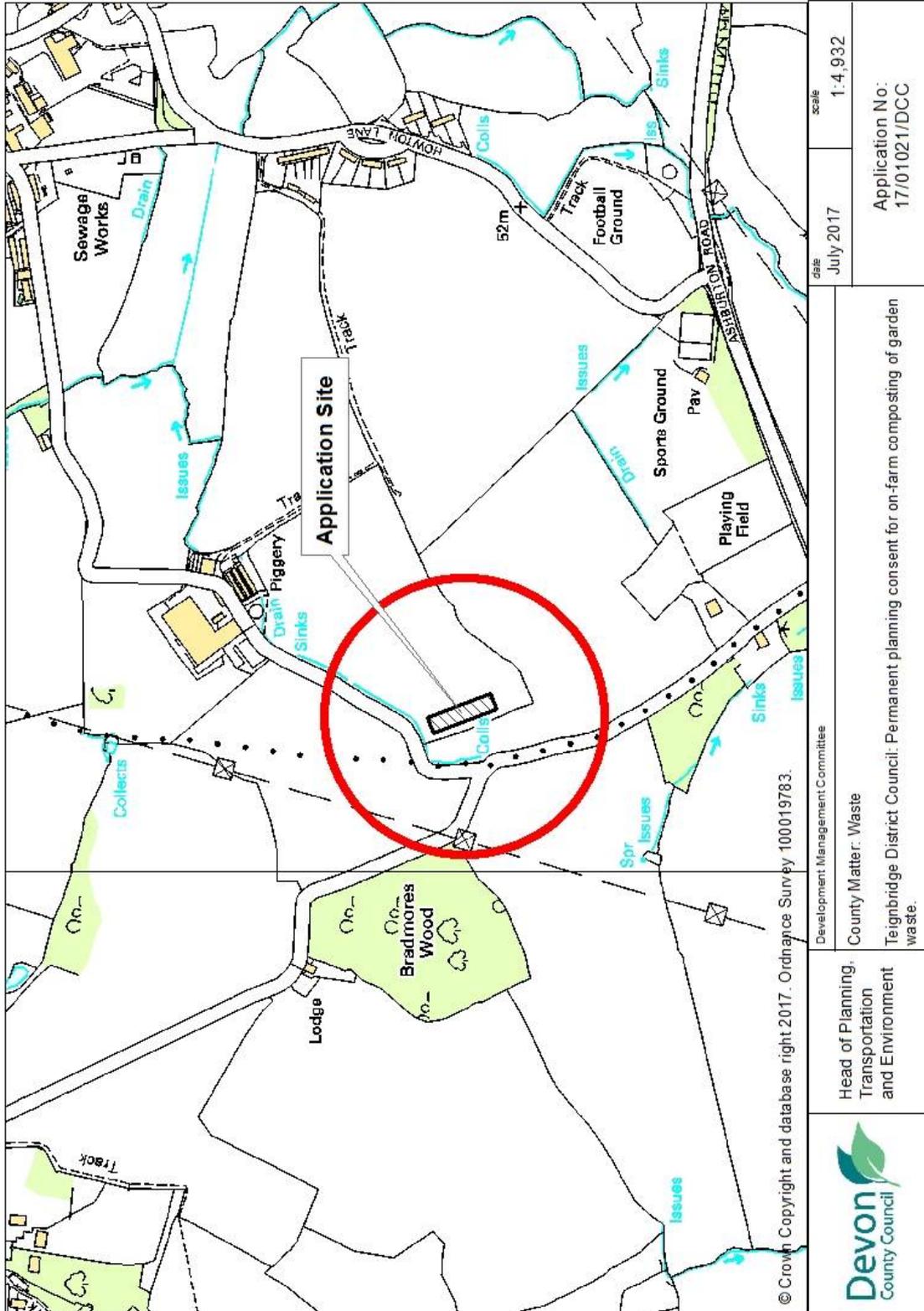


scale 1:24,661	date July 2017	Development Management Committee
Application No: 17/01021/DCC		County Matter: Waste
Teignbridge District Council: Permanent planning consent for on-farm composting of garden waste.		Head of Planning, Transportation and Environment



© Crown Copyright and database right 2017. Ordnance Survey 100019783.

Site Plan



Planning Policy Considerations

Devon Waste Plan 2011-2031 (Adopted 2014)

W2: Sustainable Waste Management
W3: Spatial Strategy
W5: Reuse, Recycling and Materials Recovery
W11: Biodiversity and Geodiversity
W12: Landscape and Visual Impact
W17: Transportation and Access
W18: Quality of Life

Teignbridge Local Plan 2013-2033

S1A: Presumption in favour of Sustainable Development
S1: Sustainable Development Criteria
S2: Quality Development

EN2: Undeveloped Coast
EN2A: Landscape Protection and Enhancement
EN8: Biodiversity Protection and Enhancement
EN11: Legally Protected and Priority Species

NA1: Houghton Barton

Newton Abbot Neighbourhood Development Plan 2016-2033

National Planning Policy Framework

**Appendix II
To PTE/17/39**

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. Except as maybe varied by the conditions below, the development shall be carried out in strict accordance with the details submitted on the site and location plans and the supporting planning statements.

REASON: To enable the Waste Planning Authority to control the development in order to minimise its impact on the area.

3. The development hereby approved shall be only for the composting of shredded green waste*.

REASON: To protect the local environment and the living conditions of local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

* NOTE: Shredded green waste shall refer to any plant waste which has not previously been altered in any form except by being shredded. It does not include vegetable based kitchen waste.

4. No operations associated with this development shall be carried out other than between 0730 and 1800 hours Mondays to Saturdays, and no such operations shall take place on Sundays or on public or bank holidays.

REASON: To protect the local environment and the living conditions of local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

5. No shredding of green waste shall take place on the site.

REASON: To protect the local environment and the living conditions of local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

6. The amount of green waste processed on the site shall not exceed 500 tonnes of material at any one time.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance with Policy W12 (Landscape and Visual Impact) and W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

7. No more than 1,500 tonnes of green waste shall be processed at the site in any calendar year.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance with Policy W12 (Landscape and Visual Impact) and W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

8. The settled height of the windrow shall not exceed 3 metres in height.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance with Policy W12 (Landscape and Visual Impact) and W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

9. There shall be no selling of composted material to the public from the site or the public delivery of green waste to the site.

REASON: To prevent additional traffic movements to and from the site and to protect the living conditions of local residents in accordance with Policy W17 (Transportation and Access) and W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).

10. Compost produced at the site shall be used solely for incorporation into the farm holding in which this permission site is located.

REASON: To prevent additional tractor and trailer movements on the local highway network.

11. The development shall be for the composting of shredded green waste arising from Bickley Ball shredding site only.

REASON: To prevent additional traffic movements to and from the site and to protect the living conditions of local residents in accordance with Policy W17 (Transportation and Access) and W18 (Quality of Life) of the Devon Waste Plan: 2011-2031 (December 2014).