

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Development Management
Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 11 October 2016
Please ask for : Gerry Rufolo

Email: 01392 382299

DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday, 19th October, 2016

A meeting of the Development Management Committee is to be held on the above date at 2.00 pm in the Committee Suite, County Hall, Topsham Road, Exeter to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART 1 - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the Meeting held on 20 July 2016 (previously circulated)

3 Items Requiring Urgent Attention

Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

MATTERS FOR DECISION

4 County Matter: Minerals: East Devon District: Variation of conditions 3 (development in accordance with approved working plans) and 19 (development in accordance with approved restoration plan) of Planning Permission 97/P1588 to alter the working and restoration of the site at Venn Ottery Quarry, Venn Ottery, Newton Poppleford (Pages 1 - 16)

Report of the Head of Planning, Transportation and Environment (PTE/16/48) attached

Electoral Divisions(s): Budleigh

- 5 County Matter: Minerals: South Hams District: Variation of condition 3 (to allow the continued extraction of tungsten and tin, processing and disposal of mineral wastes until 5 June 2036) and removal of condition 13 (to remove the restriction on the operating hours of the primary crusher) of planning permission 9/42/49/0542/85/3 at Drakelands Mine, Hemerdon, Sparkwell Plymouth

The Head of Planning, Transportation and Environment to report the receipt of the above application and to RECOMMEND that Members visit the site in advance of determining this application.

Electoral Divisions(s): Bickleigh & Wembury

- 6 County Matter: Minerals: Teignbridge District: Continuation and extension of mineral extraction and processing to allow for an additional 500,000 tonnes of sand and gravel, revised progressive restoration requiring the importation of 285,000 tonnes of inert waste material over a 5 year period and diversion of a bridleway with the construction of a new permanent route at Zig Zag Quarry, Aller Brake Road, Newton Abbot. (Pages 17 - 44)

Report of the Head of Planning, Transportation and Environment (PTE/16/49) attached

Electoral Divisions(s): Teignbridge South

- 7 County Council Development: Teignbridge District: Alterations to the existing footway steps and ramps, and changes to the boundary wall/archway lining Beach Street to accommodate a widened footway and make provisions for cyclists at Lanherne, Exeter Road, Dawlish (Pages 45 - 56)

Report of the Head of Planning, Transportation and Environment (PTE/16/50) attached

Electoral Divisions(s): Dawlish

OTHER MATTERS

- 8 Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule (Pages 57 - 58)

Report of the Head of Planning, Transportation and Environment (PTE/16/51) attached.

Electoral Divisions(s): All Divisions

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership

Councillors J Brook (Chairman), P Bowden, A Dewhurst, P Diviani, A Eastman, G Gribble, R Hannaford, J Hawkins, R Hosking, R Julian, E Morse, P Sanders, R Vint, E Wragg and J Yabsley

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo.
Agenda and minutes of the Committee are published on the Council's Website.

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Public Participation

Any member of the public resident in the administrative area of the County of Devon may make a presentation to the Committee on a planning application being considered by the Committee, or any consultation on a proposal by a Government Department (but not when the County Council is consulted on a proposal by a District Council) or a Review of Old Minerals Permissions applications.

Any request to make a presentation must be given to the Office of the Chief Executive's Directorate by 12 noon on the third working day before the date of the meeting. For further information please contact Exeter 01392 382299.

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PTE/16/48

Development Management Committee
19 October 2016

County Matter: Minerals

East Devon District: Variation of conditions 3 (development in accordance with approved working plans) and 19 (development in accordance with approved restoration plan) of Planning Permission 97/P1588 to alter the working and restoration of the site at Venn Ottery Quarry, Venn Ottery, Newton Poppleford

Applicant: Aggregate Industries UK Ltd

Application No: 16/1955/CM

Date application received by Devon County Council: 3 August 2016

Report of the Head of Planning, Transportation and Environment

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

Recommendation: It is recommended that planning permission is granted subject to no material objections being received on the consultation on the further information submitted in respect of the environmental statement, 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 that seeks to amend conditions to alter the restoration at Venn Ottery quarry. The applicant seeks to restore the quarry to higher levels than was previously approved as there is less material to be excavated.
- 1.2 It is considered that the main material issues in the consideration of this application are impact of the revised working and restoration schemes on the AONB and impact on protected sites and protected species.

2. The Proposal/Background

- 2.1 The application site lies approximately 2 kilometres to the North West of Newton Poppleford and approximately 1.5 kilometres to the South of Westhill. Access to the site is via a minor county road leading from the B3180.
- 2.2 The planning permission area extends to around 30 hectares and the mineral worked here is the Budleigh Salterton Pebble Beds which at this site are composed of rounded quartzite pebbles set in a sand and silt matrix.
- 2.3 The quarry is located within the Area of Outstanding Natural Beauty (ANOB) and is adjacent to a designated Special Protection Area (SPA), Special Area of Conservation (SPC) and Site of Special Scientific Interest (SSSI).
- 2.4 Planning permission for the quarry was granted in 1965 and the permission was subject of a Schedule 13 Review (under the Environment Act 1995) which was granted in 1998. The effect of the Review of the Old Mineral Permission (ROMP) was to impose new planning conditions on the quarry. Whilst the mineral consent remained extant there was no substantial mineral working at the quarry until 2011.

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- 2.5 The method of working is by mechanical excavator with the as-dug material being loaded onto HGVs and hauled to Blackhill Quarry near Woodbury for processing. The processing of the mineral from Venn Ottery Quarry at Blackhill has the benefit of a temporary consent which expires in December 2016. The Blackhill planning consent is accompanied by a legal agreement which, amongst other things, requires the repair to any damage done by HGVs to the minor road leading from Venn Ottery Quarry to the B3180; provision of a new bridleway along the eastern boundary of Venn Ottery Quarry; junction improvements on the A3052 at Halfway House; and a haulage statement dealing with how HGVs running between Venn Ottery and Blackhill are managed.
- 2.6 The application states that mineral extraction will be completed by 1 April 2017, but the applicant has now confirmed that the extraction operations at the quarry will finish by 31 December 2016 which ties in with the required cessation of mineral processing at Blackhill.
- 2.7 The application subject of this Report seeks to vary the ROMP conditions 3 and 19. Condition 3 requires that the development is carried out in accordance with the approved plans and condition 19 requires the restoration of the site be carried out in accordance with the approved restoration plan. The approved working plan gives a general direction of working rather than specific phases. The approved restoration plan provides for the back stowing of the quarry faces to provide 1 in 2 slopes and the floor of the quarry to be restored at final excavation levels to heathland.
- 2.8 The application is made as there is less mineral reserve at the site than was initially thought. The location and nature of the remaining mineral reserve is such that the site has been quarried in a slightly different way to that which was approved. The profiles of the final restoration of the site will differ from that previously approved, and the restoration would be altered to provide for a lowland heath habitat, with areas of mire, open water, native broadleaved woodland, hedgerow and hay meadow/permanent grassland.
- 2.9 The unworked areas within the site are managed by the RSPB and it is understood that following the restoration of the quarry the whole site will be managed by the RSPB for nature conservation purposes.
- 2.10 Due to the area of the quarry the proposal is of a type listed in schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). It is therefore accompanied by an environmental statement.

3. Consultation Responses

- 3.1 East Devon District Council (Planning): No Objection. Seek additional landscaping and screening in phase 3.
- 3.2 East Devon District Council (Environmental Health): No objection.
- 3.3 Environment Agency: No objection.
- 3.4 Natural England: No objection.
- 3.5 Devon Wildlife Trust: No comments received.
- 3.6 Health and Safety Executive: No objection.

- 3.7 Exeter Airport Safeguarding: No objection.
- 3.8 Newton Poppleford and Harpford Parish Council: No objection, but would like the following issues to be addressed as part of the restoration of the site:
- Repairs and proper maintenance to the bridleway.
 - The minor road from the quarry to the B3180 should be fully resurfaced.
 - Remedial works to the pond to prevent it overflowing from.
 - Measures put in place to prevent surface water running from the quarry.
 - Would like to see permissive bridleway and path running all around the site.
- 3.9 RSPB: Has been involved in the restoration design and has provided information on the rationale of it.
- 3.10 East Devon AONB Partnership: Support the application.

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. The representatives of the Blackhill/Venn Ottery quarry liaison group meeting were also informed. As a result of these procedures 5 letters of objection have been received. The objections are:
- The proposal would result in the quarrying operating for a longer period.
 - Restoration of the site would be delayed.
 - The new bridleway is not fit for purpose.
 - There are ongoing issues with surface water run-off from the quarry.
 - The quarry is visually intrusive in the AONB.
 - The planning application is not clear enough.
 - The application will result in an extension of working at the Blackhill processing plant.
- 4.2 Copies of representations are available to view on the Council website under reference DCC/3861/2016 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3861/2016>.

5. Planning Policy Considerations

- 5.1 In considering this application the County Council, as Mineral 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 Appendix I below.

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6. Comments/Issues

- 6.1 It is considered that the main material issues in the consideration of this application are impact of the revised working and restoration schemes on the AONB and impact on protected sites and protected species.

Impact on the revised working plan on the AONB

- 6.2 The site lies wholly within the East Devon Area of Outstanding Natural Beauty (AONB). Paragraph 118 of the NPPF requires that great weight should be given to *“conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty”*.
- 6.3 In terms of impact on the landscape it is clear that Venn Ottery quarry itself has had a significant visual impact on this area during its operation. The effects on the tranquillity and visual amenity of sensitive receptors would not however be significantly different than the already approved scheme given the short term duration of effects.
- 6.4 In terms of the revised working plans it is noted that the excavation works are almost complete and it is recognised that the minor changes in the working plan were due to the legislative requirements relating to relocation of dormice and the timescales involved in this process. This was agreed with the applicant at the time the works were carried out. It is considered that the change in the working of the site did not have any significant different impacts on the AONB.
- 6.5 National guidance states that planning authorities should have regard to management plans for Areas of Outstanding Natural Beauty in taking decisions on planning applications and that these documents may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.
- 6.6 The AONB Management Plan observes that the tranquillity of the AONB is gradually being eroded through increased traffic, air transport, light pollution and built development and that there is a continuing need for the sensitive restoration and aftercare arrangements for mineral sites.
- 6.7 The original 1965 planning permission was subject of a schedule 13 Review in 1998 and as the permission did not have a time limit it became subject to the default 2042 expiry date as required by the legislation. However, it is noted that the extraction work will likely to be completed by December 2016 and following extraction operations any adverse impacts on the AONB will cease.
- 6.8 With applications for variation of planning conditions it is open to the Mineral Planning Authority to impose new conditions if appropriate. In this case it is considered appropriate to require cessation of mineral working by 1 April 2017 which allows for sufficient time to finish extraction operations and provides appropriate protection against possible future impacts on the AONB. This is considered to be in accordance with the requirements of the NPPF and polices within the AONB Management Plan.

Impact of the revised restoration plan on the AONB

- 6.9 In terms of restoration levels, the approved scheme provided for a landform which had a gently sloping quarry floor running west to east with quarry faces graded to a 1 in 2 slope. The proposed new scheme is not significantly different, albeit with slightly higher quarry floor levels and shallower graded slopes on the quarry faces. However, both the currently approved plan and proposed restoration plan are largely indicative and it recommended that planning conditions be attached to require the submission and implementation of detailed plans; timing for restoration; submission of sections; and methods of protecting existing features during the restoration works.

Impact on Protected Sites and Protected Species

- 6.10 This application introduces a revised restoration and an element of agriculture and woodland into the site restoration plans. This is a departure from the originally approved restoration plan which required that the entire site area be restored to heathland.
- 6.11 The quarry is adjacent to the East Devon Pebblebed Heaths SPA/SAC and the proposed new restoration scheme looks for habitat creation and management for nature conservation which reflects the wider landscape. Lowland heath will remain the largest habitat present but the revised restoration will also include areas of mire, open water, native broadleaved woodland, hedgerow and agriculture.
- 6.12 The introduction of an element of agriculture (2.8ha) and woodland (2.1ha) is considered appropriate in this context. The introduction is solely to enhance the ecology of the site. These elements provide the following advantages; dormice and bats have been regularly recorded on the site, a field would provide a link to the existing boundaries by internal hedges, and; this field could provide a suitable habitat for curlew buntings, to help with their northern and eastern range expansion.
- 6.13 Further to this, the top soil of the former agricultural field that was stripped of soils would not easily support heathland plant assemblages, being very fertile and of the wrong level of acidity and if not used onsite this soil would need to be removed.
- 6.14 These restoration proposals have been developed through ongoing consultation with the RSPB. The aim of the organisation is for the site to be restored and managed for long term biodiversity gain and for the benefit of nature. The consultation response from RSPB has highlighted aspirations for the long term aftercare of the site. This would be to complement the surrounding area which the RSPB already holds in long term management.
- 6.15 It is considered that approval of this application would allow for an improved restoration scheme. It provides greater benefits for biodiversity in accordance with the aspirations of the organisation tasked with the aftercare and management of the site.
- 6.16 This planning consideration is afforded significant weight in the planning balance given the sites proximity to European protected sites which are valued for their ecological importance.

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- 6.17 In order to secure the long term ecological benefits of the restoration it is recommended that a suitably worded planning condition is imposed requiring required detailed plans and specifications for the restoration works and securing a five year aftercare programme once restoration is complete.

Other Matters

- 6.18 Objections to the application have been made on the belief that the application would extend the life of the quarrying operations. This is not the case and it is noted that the life of the permission currently runs until 2042. The applicant has confirmed that the mineral extraction operations will cease in December 2016.
- 6.19 A number of objections make reference to degradation of the road. Repairs to the road are addressed through the approved legal agreement associated with the Blackhill processing plant permission. The application does not propose to increase traffic movements beyond that that is already consented. The existing legal agreement requires the ongoing repair of the road and all necessary repairs will be carried out following the cessation of quarrying.
- 6.20 A number of objections make reference to the degradation of the Bridleway No. 37 (Newton Poppleford and Harpford) running near the eastern boundary of the quarry. This Bridleway was provided by the quarry operator as a condition of the S106 agreement associated with the Blackhill Plant processing permission. The Bridleway has now being adopted by DCC and it is the responsibility of the authority to maintain this feature.
- 6.21 A number of objections make reference to amenity implications including noise and dust emitting from the site and the associated vehicle movements. However, the council is satisfied that the quarry has been operated in accordance with the requirement of the consent and the approved noise and dust control schemes and HGV traffic has operated in accordance with the requirements of the S106 agreement.
- 6.22 It is accepted that there have been a few occasions when surface water has discharged from the site, but in these instances the operator has acted quickly to remedy the situation and it is considered that the final restoration of the site (which includes water storage features) will adequately deal with any surface water issues.

7. Reasons for Recommendation/Alternatives Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 In the event that the Committee refuse this application the quarry would continue to operate under its current planning permission. The approved extraction levels are not achievable and when quarrying ceases the council would have to rely on the one of the conditions of the current consent which requires that the operator submit a restoration and aftercare scheme, however the proposed restoration scheme delivers additional ecological benefits.
- 7.3 In conclusion it is considered that the revised restoration allows for the quarry site to be completed in line with realistic restoration requirements in an appropriate time frame and would deliver additional landscape and ecological benefits when compared against the approved scheme. The granting of the new consent provides

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for better planning control in terms of cessation of mineral working; timing of restoration and long terms provision of ecological benefits. It is therefore considered that planning permission be granted in accordance with the recommendation to this report.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Budleigh

Local Government Act 1972: List of Background Papers

Contact for enquiries: Charlotte Pope

Room No: AB2, Lucombe House, County Hall

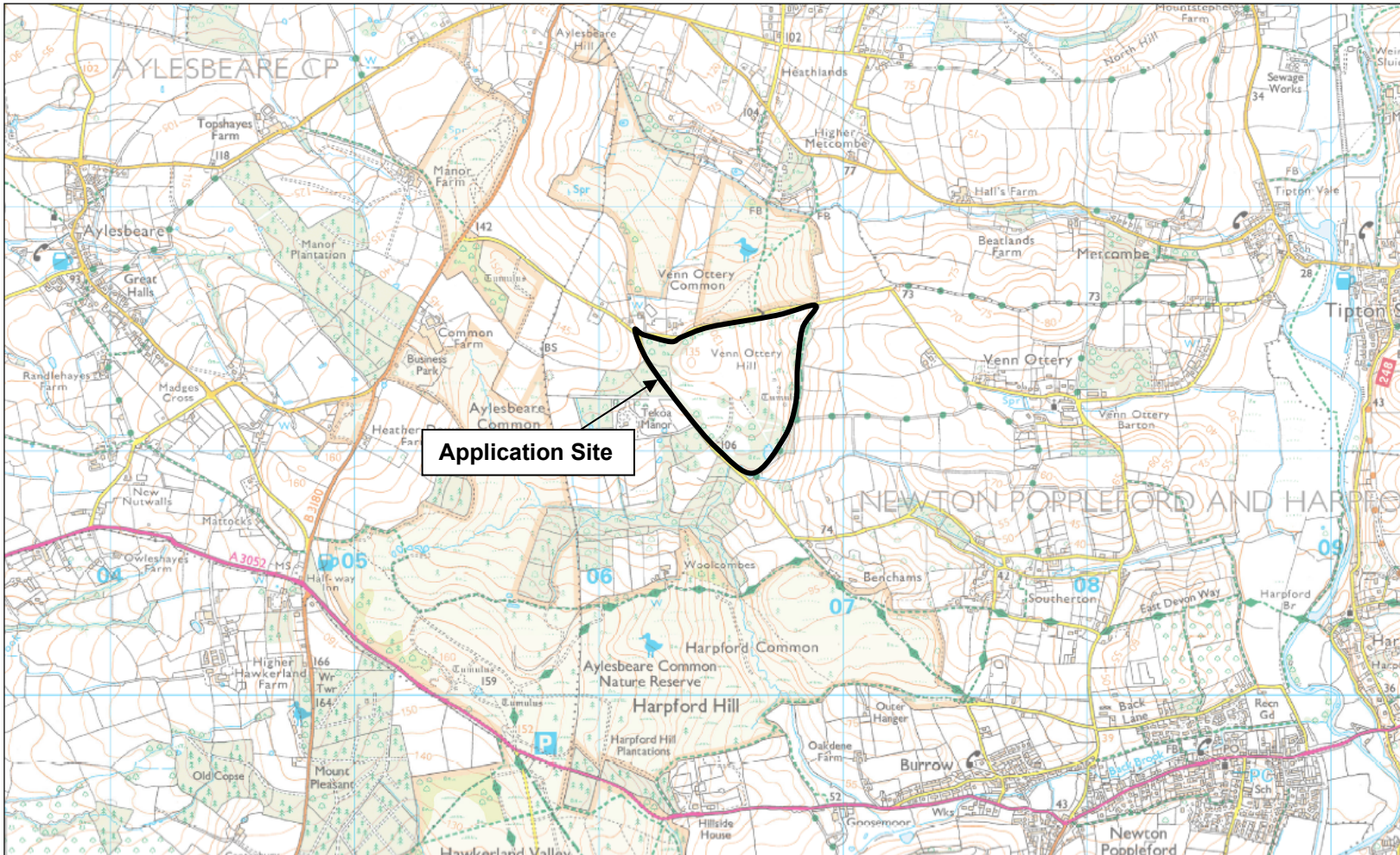
Tel No: 01392 383000


Background Paper	Date	File Ref.
Casework File		DCC/.../2011

cp270916dma
sc/cr/variation conditions venn ottery quarry venn ottery newton poppleford
02 101016

Location Plan

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	Head of Planning, Transportation and Environment	Development Management Committee	date Sept 2016	scale 1:20,000
		County Matter Minerals East Devon District Council: Variation to conditions 3 and 19 of Planning Permission 97/P1588 to alter the working and restoration of the site at Venn Ottery Quarry, Venn Ottery, Devon		Application No: 16/1955/CM

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Appendix I To PTE/16/48

Planning Policy Considerations

East Devon Local Plan 1995 - 2011 (Adopted July 2006): Policies D04 (Landscape Requirements); EN01 (Developments Affecting Areas of Outstanding Natural Beauty); EN04 (Nationally Important Sites - including Sites of Special Scientific Interest); EN06 (Wildlife Habitats and Features); EN15 (Control of Pollution); and S05ED (Countryside Protection).

Devon County Minerals Local Plan (Adopted June 2004): Policies MP02 (AONBs and Effect on National Parks); MP03 (SSSIs and NNRs); MP10 (Maintenance of the County's Nature Conservation Resource); MP21 (Mineral Working Areas for Aggregate Mineral Development); MP27 (Restoration and Aftercare); MP41 (Development Control Considerations); and MP56 (Restoration).

Devon Minerals Local Plan (Examination Submission) May 2016: Policies M17 (Biodiversity and Geodiversity); M18 (Landscape and Visual Impact); M22 (Transportation and Access); M23 (Quality of Life); and M27 (Restoration and Aftercare).

National Planning Policy Framework (March 2012):

Para 7: Dimensions of “sustainable development”; Para 17: Core Planning Principles; Para 115: Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty; Para 118: When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; Para 119: The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

Appendix II To PTE/16/48

Planning Conditions

1. Quarrying operations shall cease before 1 April 2017 and the site shall be restored in accordance with the requirements of Condition 19 not later than 31 December 2018.

Reason: To comply with Schedule 5 of the Town and Country Planning Act 1990.

2. No mineral extraction operations hereby permitted shall be carried out on the Mineral Site other than between:
 - 0700 and 1800 hours on Mondays to Fridays inclusive;
 - 0700 and 1300 hours on Saturdays.

No such operations shall take place on Sundays or on the following Public Holidays:

New Years Day,
Good Friday,
Easter Monday,
May Day Holiday,
Spring Bank Holiday,
Summer Bank Holiday,
Christmas Day,
Boxing Day.

Such other Public Holidays as may subsequently be declared unless previously agreed in writing with the Mineral Planning Authority.

This condition shall not, however, operate so as to prevent the carrying out outside these working hours, of essential maintenance to plant and machinery on the site, or the operation of pumps and ancillary machinery for water management purposes.

Reason: In order to protect the amenity of the locality in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

3. No development shall be carried out other than in strict accordance with the Approved Plans reference numbers V07840/02; V07840/03; and V07840/04.

Reason: To enable the Mineral Planning Authority adequately to control the development and to protect the rural character of the locality in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

4. No materials for the purpose of storage, processing or resale shall be imported into the Mineral Site.

Reason: In order to limit the development to the extraction of minerals and to prevent the unnecessary increase in traffic attracted to the site in the interests of highway safety in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

5. No refuse, waste or imported materials shall be deposited on any part of the Mineral Site.

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Reason: In the interests of local amenity and in order to secure satisfactory restoration in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

6. No working shall take place below 70 metres AOD.

Reason: In order to protect water resources in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

7. No topsoil or subsoil shall be removed from the area of the Mineral Site.

Reason: To ensure than adequate and suitable material is available to reinstate the mineral site on completion of working in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

8. Topsoil and subsoil mounds shall not exceed a height of 4 metres and shall be managed and maintained in accordance with a scheme detailing measures to be used to retain the viability of the heathland seed bank for its future use for the restoration of the site. The scheme shall be submitted for the prior approval of the Mineral Planning Authority before any further soil stripping occurs at the site and shall include methods for the strict control of the growth of gorse (*Ulex europaeus*).

Reason: To ensure adequate management and maintenance of soil storage areas for the future restoration of the site in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

9. Until such time as they are directly affected by quarrying operations, all trees, shrubs and areas of heathland within the Mineral Site shall be retained and managed. Existing trees, shrubs and areas of heathland on the Mineral Site which are not directly affected by quarrying operations shall be retained and protected during the period of the development.

Reason: In the interests of amenity and wildlife conservation in accordance with the Development Plan specifically policy MP10 of the Devon County Minerals Local Plan (Adopted June 2004).

10. All loaded lorries leaving the site, except for vehicles less than three and a half tonnes gross vehicle weight, and vehicles carrying stones in excess of 75mm shall be adequately sheeted to secure their loads and prevent the issuing of dust.

Reason: To protect the amenities of the locality and in the interests of highway safety in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

11. The site shall be operated in accordance with the approved Environmental Dust Scheme provided by Advance Environmental (dated 25 March 2009). The scheme shall be reviewed when any change in process occurs. A copy of any revised scheme produced shall be submitted to the Mineral Planning Authority for approval within 14 days of being completed. Such a scheme shall include details of the following:

- (a) the suppression of dust and mud caused by the moving and storage of soil and overburden, and,
- (b) mud and dust suppression on haul roads.

The approved scheme, or such other scheme that may be subsequently agreed in writing by the Mineral Planning Authority, shall be implemented and complied with at all times.

Reason: To protect the amenities of the locality from the effects of dust and mud in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

12. The site shall be operated in accordance with the approved Environmental Noise Scheme provided by Advance Environmental dated 20 January 2011. The scheme shall be reviewed when any change in process occurs. A copy of any revised scheme produced shall be submitted to the Mineral Planning Authority for approval within 14 days of being completed.

Such a scheme shall provide that, except for temporary operations (which shall include soil stripping and such other temporary operations as may be agreed in writing by the Mineral Planning Authority), the equivalent continuous noise level LAeq (1hr) at the nearest noise sensitive properties to the site and attributable to the operations subject to this consent shall not exceed an absolute limit of 50dB(A) LAeq (1hr). The operator shall implement the approved scheme.

Reason: To protect the amenities of the locality from the effects of noise in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

13. All plant, machinery and vehicles used within the Mineral Site shall be fitted with silencers (or such other effective methods of sound proofing) used and maintained in accordance with the manufacturer's specification at all times.

Reason: To ensure minimum disturbance from operations and the avoidance of nuisance to the local community in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

14. All facilities for storage of oils, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compounds shall be at least equivalent to 110% of the capacity of the tank. If there is multiple tankage, the compound shall be at least equivalent to 110% of the capacity of the largest tank. All filling points, vents and sight glasses shall be located within the bunded area. The drainage system of the bund shall be sealed with no outlet to any watercourse, land or underground strata. For the avoidance of doubt hydraulically interlinked tanks shall be regarded as a single tank.

Reason: To prevent contamination of ground water in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

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15. No external floodlighting or other methods of external illumination shall be used on any part of the Mineral Site until such a time as a lighting scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of the height of floodlighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate light spillage, measures proposed to minimise the impact of the floodlighting or disturbance through glare, and the times when such lights will be illuminated.

Reason: To protect the rural character of the locality from the effects of uncontrolled light sources in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

16. The surfacing of the site access and associated access drainage shall be maintained in an effective state of repair until completion of the mineral working, restoration and aftercare period so that the access remains free of water and slurry from the Mineral Site flowing onto the public highway. No other access shall be used for traffic entering or leaving the Mineral Site unless previously agreed in writing with the Mineral Planning Authority.

Reason: In the interests of highway safety in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

17. The site access visibility splay shall be maintained to provide intervisibility between the site access and the adjoining carriageway for 215 metres in each direction from a distance of 4.5 metres measured into the site access back from the carriageway. The visibility splay area shall be maintained at a height not exceeding 600mm above road level.

Reason: In the interests of highway safety in accordance with the Development Plan specifically policy MP41 of the Devon County Minerals Local Plan (Adopted June 2004).

18. Within 6 months of the date of this Decision Notice a detailed restoration scheme, based upon the concept restoration scheme shown on Drawing Plan No: V07840/04 shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- The final levels of the reclaimed land and the slopes/profiles of final quarry faces.
- The machinery to be used soil respreading operations.
- Method of soil replacement.
- Methods for the reestablishment of heathland communities and other wildlife features.
- Subsequent management of the restored area.

Restoration of the Mineral Site shall be carried out in strict accordance with the approved scheme, or such alternative schemes as may be subsequently approved in writing by the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority adequately to control the development and to ensure that the land is restored to a condition capable of beneficial use in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

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19. An aftercare scheme detailing necessary steps to be taken to restore Venn Ottery quarry to the required standard for use for heathland and grassland shall be submitted for approval to the Mineral Planning Authority not later than the expiration of one year prior to the anticipated date of completion of the restoration of the site. The steps to be taken shall cover a period of five years from the completion of the replacement topsoils.

Reason: To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 (as amended) and to ensure that the reclaimed land is correctly husbanded and bring the land to the standard required for agriculture/amenity use in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

20. All plant and buildings shall be removed from the site on completion of quarrying at the mineral site.

Reason: To ensure the adequate restoration of the site in accordance with the Development Plan specifically policy MP56 of the Devon County Minerals Local Plan (Adopted June 2004).

PTE/16/49

Development Management Committee
19 October 2016

County Matter: Minerals

Teignbridge District: Continuation and extension of mineral extraction and processing to allow for an additional 500,000 tonnes of sand and gravel; revised progressive restoration requiring the importation of 285,000 tonnes of inert waste material over a 5 year period; and the diversion of a bridleway with the construction of a new permanent route at Zig Zag Quarry, Aller Brake Road, Newton Abbot, TQ12 5FN

Applicant: Harleyford Aggregates Ltd

Application No: 16/01477/DCC

Date application received by Devon County Council: 18 May 2016

Report of the Head of Planning, Transportation and Environment

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

Recommendation: It is recommended that planning permission is granted subject to the conditions set out in Appendix II of 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 area of mineral working at Zig Zag Quarry and a revised restoration scheme involving the importation of inert waste material.
- 1.2 It is considered that the main material considerations in the determination of this application are an examination of the proposal against relevant planning policy; impact on nature conservation interests; the impacts of continued working and the restoration of the site on the area in terms of noise and dust; impact upon the local landscape; impact of traffic; impact on the water environment; and issues relating to the diversion of the bridleway.

2. The Proposal/Background

- 2.1 Zig Zag Quarry is located in an existing open area between Kingskerswell and Newton Abbot with direct vehicular access from Torquay Road. The nearest properties include a housing estate located to the south west of Torquay Road; the nearest property here is approximately 40m away from the tree lined boundary of the quarry. A line of mobile homes are also situated at the bottom of the steep valley on the south east corner of the quarry beyond Under Way Road.
- 2.2 Zig Zag Quarry is established sand and gravel quarry that currently operates with the benefit of a planning permission granted in 2001. The mineral quarried are Eocene age gravels which occur up to 30 metres in thickness in this area. At Zig Zag the quarry has generally been worked from a south to north direction on a number of wide benches with the current landform being relatively flat areas with a large open quarry face at the back of the quarry.

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- 2.3 A part of the quarry floor, near the entrance to the site, is used as a stockpile and sales area. As well as mineral products processed at the site the operator imports and sells quantities of building materials both directly to the public and to the construction industry. Portacabin type office accommodation and a weighbridge are located close to the site entrance. The mineral is extracted by mechanical excavators and is processed within the quarry. Part of the processing operation involves the washing of the mineral, and the silt from the process is deposited in silt lagoons in the adjacent former quarry, Royal Aller, which has the benefit of a separate planning permission.
- 2.4 The application proposes to extend sand and gravel extraction northwards, into what is currently a wooded area that separates Zig Zag from Royal Aller. This will enable the extraction of an additional 500,000 tonnes of material over an approximate 10 year period. The material would be extracted at a rate of 50,000 tonnes per year, and will be taken in a series of benches to a depth of 43mAOD (35m deep). The extension will require the removal of trees and diversion of a bridleway (Yew Tree Walk). Ongoing use of the silt ponds within the restored Royal Aller Quarry, would continue as part of this proposal.
- 2.5 The existing site covers an area of approximately 9.6 hectares, with the extension area covering a surface area of approximately 1.2 hectares. Although the site boundary would be expanded by an additional 7.3 hectares, to include the adjacent silt lagoons in Royal Aller Vale Quarry. As a result the mineral site would cover approximately 18 hectares.
- 2.6 The application also incorporates a revised restoration scheme for the entire site, which will require the importation of 285,000 tonnes of inert waste material over a planned 5 year period. The proposed restoration would be carried out in a progressive manner with continued ground shaping of the eastern part of the quarry which would be restored to grassland with three individual fields bounded with hedgerows. This area would be restored to a gradient of around 1 in 6.
- 2.7 The northern and central part of the quarry (which consists of near vertical faces) would be restored to a series of terraced slopes by backfilling to gradients of between 1 in 1½ and 1 in 3. These areas would be grassed and planted with copses of indigenous trees.
- 2.8 The central part of the quarry would be a relatively level platform sloping gently north towards the bottom terrace which would allow for the management of surface water which would be channelled to a pond in the southern part of the site. This platform area would be restored to species rich grassland.
- 2.9 The existing storage and distribution yard would be retained following the cessation of quarrying.
- 2.10 Hours of operation are proposed to continue in line with the current planning permission, these are between 0700 and 1800 on Mondays to Fridays inclusive; 0700 to 1300 on Saturdays, no operations would take place on Sundays or Bank Holidays.
- 2.11 This application is Environmental Impact Assessment (EIA) development and is accompanied by an Environmental Statement.

3. Consultation Responses

- 3.1 **Teignbridge District Council (Planning)** – This has been dealt with under Officer delegated powers and the planning officer has no comments to make on the application. However, it notes that the Council's biodiversity Officer raises objection to proposal due to the potential impact on the Greater Horseshoe Bats of the South Hams Special Area of Conservation due to the extension being in a strategic flyway and foraging habitat for this bat species. Because of the potential impact, the biodiversity officer notes that Devon County Council is required to comply with the Habitat Regulations and if found to impact on the SAC must undertake an Appropriate Assessment to fully consider the impacts and, if the impacts cannot be fully mitigated the application must be refused.
- 3.2 **Teignbridge District Council (Environmental Health)** – No comments.
- 3.3 **Kingskerswell Parish Council** – No objection.
- 3.4 **Environment Agency** – No objection. Comments that an Environmental Permit will be required for the importation of waste to be used for the restoration of the quarry.
- 3.5 **Natural England** – No objection subject to Devon County Council following the requirements of the Habitats Regulations. Natural England (NE) provides advice on the recording of the HRA and justification of conclusions on the likelihood of significant effects. In particular NE advice on the HRA refers to the total number of Greater Horseshoe Bat passes at the site; improved connectivity for bats following restoration; and the underpinning of mitigation and enhancement measures which should be secured in perpetuity. NE also makes reference to the potential for the site to provide biodiversity enhancements and consider that such enhancements can be secured in a Landscape and Ecological Management Plan.
- 3.6 **Historic England** – No comments.

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 3 letters of representation have been received.
- 4.2 The objections raised are:
- Existing drainage problems are noted at the entrance of the quarry, with sandy water running into the old A380 which leads to conditions of danger for cyclists using the highway.
 - Lorries leaving the site depositing aggregate/mud material on the adjacent roads.
 - Concerns are raised about on-going impacts upon air quality from dust and fine particles.
 - Complaints regarding the recent removal of trees and vegetation where the extension is proposed, prior to receiving planning permission, with the impact of opening up views of the silt ponds in particular, which may result in accidents.
 - The proposed new bridleway will be very steep.

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- 4.3 Copies of representations are available to view on the Council website under reference DCC/3841/2016 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3841/2016>.

5. Planning Policy Considerations

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

6. Comments/Issues

- 6.1 It is considered that the main material considerations in the determination of this application are an examination of the proposal against relevant planning policy; impact on nature conservation interests; the impacts of continued working and the restoration of the site on the amenity of the area in terms of noise and dust; impact on visual amenity; impact of traffic; impact on the water environment; and issues relating to the diversion of the bridleway.

Examination of the Proposal against Development Plan Policy

- 6.2 There are two key elements in the proposal firstly the extension of the quarry and secondly, the restoration proposal which involves the importation of 285,000 tonnes of waste material.
- 6.3 The Development Plan includes the adopted Devon County Minerals Local Plan (2004); the emerging Devon Minerals Plan; the adopted Devon County Waste Plan (2011-2013); and the Adopted Teignbridge Local Plan 2013-2033. In terms of National Planning Policy, the National Planning Policy Framework is relevant, and the associated Planning Practice Guidance which includes specific guidance on aggregates supply and the restoration of quarries as well as associated noise issues in particular.

The NPPF does not contain specific policies on waste but the National Planning Policy for Waste (Oct 2014) is relevant and the Waste Management Plan for England 2013.

- 6.4 In relation to the extension of the quarry and supply of sand and gravel, Policy MP23 of the adopted Minerals Local Plan provides for extensions to existing sites under specific circumstances, which this proposal meets through:
- (a) the proposal is part of a consolidating application that integrates the currently-permitted operations and the proposed extension;
 - (b) it would contribute to maintenance of the sand and gravel landbank, currently at 12 years, by providing an additional 500,000 tonnes of sand and gravel material over a 10 year period;
 - (c) the proposal would help to reduce distances travelled to transport sand and gravel, as the alternative sources of sand and gravel in Devon are mainly located in the eastern parts of the county. In particular Zig Zag could provide a local source of material for the considerable urban extensions around

- Newton Abbot allocated in the Teignbridge Local Plan (NA1, NA2 and land at Wolborough for example); and
- (d) the quarry provides a distinct yellow sand that can not be met through other sources in Devon.
- 6.5 In relation to the emerging Devon Minerals Plan, Policy M12 provides for the supply of land-won sand and gravel and, in addition to proposing two Preferred Areas, also allows for small-scale working in the Newton Abbot area “through the extension of existing quarries”. The pre-submission consultation yielded no objections to paragraph (c) of Policy M12, with no modifications being proposed to that part, and considerable weight can therefore be attached to this part of the policy.
- 6.6 Policy M1 provides for sand and gravel aggregates from quarries close to the main settlements, including Newton Abbot and Torbay. While Policy M1 was heavily modified through the examination process, no objections to it were received through the modifications consultation.
- 6.7 The application proposes the importation of 280,000 tonnes of inert waste in order to achieve the final landforms proposed for restoration. In order to determine if the proposal amounts to a recovery operation, rather than amounting to disposal which sits lower in the waste hierarchy, the MPA needs to be satisfied that the waste would serve a useful purpose by replacing material that would have otherwise been used, in order to achieve an effective and lasting beneficial use. In this case there will be a requirement to restore Zig Zag quarry as part of the planning permission. Without bringing in additional material the site could be partially restored, but the main quarry void would remain steeply-sided and difficult to integrate into the landscape. This would raise material planning issues regarding its appearance adjacent to a designated Area of Great Landscape Value (AGLV) as well as its function as part of the strategic flyways for Greater Horseshoe Bats associated with the South Hams SAC. It is considered that partially infilling the quarry with the imported waste to re-profile the quarry and provide tree planting and a number of fields enclosed with hedgerows with intermittent trees, will allow it to better fit within its landscape context and provide biodiversity enhancement – in particular for a European protected species.
- 6.8 In order to achieve the proposed scheme, the alternative to bringing in inert waste would be using imported soils and other non-waste materials to achieve the final landforms. In this case using inert waste available locally may help to reduce road miles as well as limiting the need for extraction of additional finite resources.
- 6.9 Taking into account the above, it is considered that the proposed scheme would satisfy the criteria to be defined as a recovery operation and so accord with the waste hierarchy contained in the National Planning Policy for Waste and Waste Plan Policy W2 (Sustainable Waste Management). It would also meet the criteria set out in Policy W5 (Reuse, Recycling and Materials Recovery) as it would provide an opportunity for a beneficial use for the material.
- 6.10 Policy W5 also allows for recovery of waste materials where a site is close to the source of waste, and it is evident that there are likely to be sufficient sources of local inert waste material as a consequence of proposed and permitted development within a 5 mile vicinity off the quarry, in combination with the fact that there are limited inert waste landfill sites in the vicinity that would provide an alternative destination for the waste (albeit at a lower level in the waste hierarchy).

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Nature Conservation Impacts

- 6.11 The application has the potential to impact upon the South Hams Special Area of Conservation (SAC) which is a group of sites designated for their important habitats and rare species, including Greater Horseshoe Bat. Natural England has published guidance for the SAC which identifies a Greater Horseshoe Bat consultation area composed of sustenance zones (feeding areas) and strategic flight lines. This quarry lies in a strategic flight line and the Council, as a Competent Authority, is therefore required by the Habitats Regulations to screen the development for the likelihood of significant effects on the SAC. The screening has been carried out and appears as Appendix III to this Report. Of relevance in this screening is the low number of recorded Greater Horseshoe Bats recorded at the site; the retention of vegetation to maintain a flyway; no proposed lighting; and the improved connectivity and habitat for bats as a result of restoration of the site. The Council's conclusion is that the proposal will not have a significant effect on the European Site, alone or in-combination with other plans and projects.
- 6.12 In order to confirm the conclusion, in the event of planning permission been granted, a planning condition would be imposed requiring the protection of vegetation around the site which provides a bat flight line. Enhancement of the site for bats would be required through the submission and approval of a Landscape and Environmental Management Plan (LEMP).
- 6.13 To ensure the longer term restoration of the site planning conditions would be imposed requiring the submission of details and requirements for a five year aftercare following the completion of the restoration. It is noted that Natural England request that mitigation and enhancement measures should be secure in perpetuity but this is not considered justified or reasonable, as avoidance measures and low numbers of bats mean that there will be no impact on the SAC. However, the planning conditions will ensure that the aftercare proposals best achieve mitigation and enhancement in relation to the SAC within a 5 year period.
- 6.14 Other than Greater Horseshoe Bats, site surveys have identified a number of bat species that forage along the margins of the existing woodland areas but again bat flight lines will be retained and restoration will benefit the bats. In order to protect breeding birds there would be a restriction on the times when vegetation can be removed.

Impacts on local living and working conditions

- 6.15 The application assesses the dust impacts of quarry operations and a dust management plan has been produced. In this case the assessment involved survey work at nearest residential properties and concluded that the overall dust impacts were insignificant. Whilst it is noted that there is a single objection to the application on the grounds of deterioration of air quality, it is considered that the measures set out in the Dust Plan provide for appropriate dust control measures. In this case this involves damping of unpaved haul roads; avoidance of soil stripping during dry and windy conditions; drop heights minimised when loading materials; water suppression during mineral processing when required; appropriate maintenance of plant and machinery; monitoring of weather conditions; and visual site inspections.

- 6.16 Taking the above into account it is considered that the continued operation of the quarry will not result in a deterioration of air quality and in the event that planning permission is granted the operation of the Dust Management Plan will be required by planning condition.
- 6.17 The other potential source of impact on living conditions is that of noise emissions. The sources of noise arise from extraction, processing and transport operations. A planning condition attached to the current consent limits early and late working to 48LAeq, 1 hour and normal working hours to 55LAeq, 1 hour measured at the nearest noise sensitive properties. The noise survey accompanying the application confirms that the quarry can operate within these constraints.
- 6.18 Taking the above into account it is considered that the quarry operations can continue, without adverse impact on living conditions in terms of noise, and in the event that planning permission is granted, a condition would be imposed relating to noise limits.

Impacts on local landscape

- 6.19 The site is located within a designated Strategic Open Break, and an Area of Great Landscape Value runs alongside the quarry to the East. In relation to the impacts from mineral extraction, it necessary to consider that as an established quarry, the site currently results in adverse visual impacts as it is visible from a wide area.
- 6.20 As a consequence visual receptors are likely to be less sensitive to proposed continuation of working, but the extension will result in loss of a substantial portion of the central section of mature woodland, which current skyline position contributes to the wooded character of the wider area. However, the overall loss of woodland would be compensated for in the short term in particular, with additional tree planting on the Royal Aller Quarry side of the woodland, within and around the silt pond. In the event that planning permission is granted this planting would be required by planning condition.
- 6.21 As for the final restoration the eastern section would form agricultural fields, with hedgerows and hedgerow trees which is characteristic of the wider landscape. This would have beneficial visual effects in relation to the Local Character Area when compared to the previously consented restoration scheme. The remainder of the proposed restoration would be an informal patchy pattern of grassland and woodland, over steep slopes and terraces in the north-western half of the site, this is considered to result in a vegetation pattern that is less characteristic of the area and the terraces would have an artificial appearance. However, it is considered that this is a reasonable restoration scheme given the constraints of the site and any changes to the profiles would require the importation of significantly more restoration material and result in a longer period to restore the site. Notwithstanding this it is considered that the landscaping scheme can be improved through the inclusion of broadleaved woodland rather than allowing solely natural regeneration and this can be required by planning condition as part of the required LEMP.

Traffic and Transportation

- 6.22 Access to the site is from Torquay Road, which whilst still an A classified road, has seen a dramatic reduction in traffic following the opening of the South Devon Link Road. Currently the quarry average daily trips are 234 two way trips, which HGV vehicles comprising of around 25% of the trips.

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- 6.23 The current proposal will not result in a change in the amount or type of traffic and the majority of traffic will no longer pass through Kingskerswell, rather it would use the South Devon Link Road.
- 6.24 Following the cessation of quarrying around 285,000 tonnes of waste material would be imported into the site over a five year period, which will result in around 5,560 two way trips per year, which is a significant decrease on the current levels of traffic. However, it is recognised that waste importation will likely take place over shorter, more intensive bursts of activity, and there may be times when restoration material is imported whilst the quarry is still in operations. This is in fact required for the phased restoration of the site. In order to control this a planning condition is proposed to the limit the annual combined tonnage of imported and exported sand and gravel and inert waste material to 70,000 tonnes.
- 6.25 On the basis that traffic levels will not exceed those experienced already, and that there has been a major traffic improvement with the opening of the South Devon Link Road it is considered that there is no objection to the proposal from a traffic and transportation point of view.
- 6.26 There have been issues with mud and debris that has been carried out onto the public highway which have been addressed in the application and will be secured by an appropriately worded planning condition.
- 6.27 In terms of sustainable transport, and reducing distances travelled by car and lorries, as set out in the policy/need section above, Zig Zag provides, and would provide an ongoing source of sand and gravel material for the Newton Abbot Area, and will potentially provide a local inert waste landfill facility when Yannon Lane landfill is complete. In this case the proposal would then help to reduce distance travelled by vehicles in line with policy MP23 relating to Aggregate Mineral Development, MP41 (Development Control Considerations) and MP43 (Transportation of Minerals).

Bridleway Diversion

- 6.28 A number of concerns have been raised about the possible steepness of the diverted bridleway and that it would run closer to the silt ponds in the adjacent Royal Aller site, posing possible safety risks. The final gradient of the path will be 1:10 rather than 1:6 which the path is now and will be less steep, however it will be longer. In terms of safety, the path will be enclosed within a post and wire agricultural fence, and warning signs will be placed along the route. The diversion of the bridleway is fundamental to the application and it is considered that the bridleway diversion is acceptable in principle but will require a separate Diversion Order. This being the case it is considered that it is appropriate to apply a Grampian style provide an informative note condition that prevents the commencement of the development until such time as the diversion order is confirmed and the new bridleway put in place.

Impacts on the water environment

- 6.29 The quarry does not fall within any Flood Zones, but is recorded as being at high and medium risk of surface water flooding. The applicant has produced a surface water strategy which will be developed as a part of the restoration scheme. It is considered that this is acceptable in principle, although the potential for surface water to run onto the highway during extreme weather events is still possible. This being the case, it is recommended that a planning condition is imposed requiring full details of the

surface water drainage plan to be submitted and agreed before the development commences, to prevent water reaching the highway

Other Matters

Timescale to complete the scheme

- 6.30 Paragraph 114 of the NPPF requires that when determining planning applications local authorities should “provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards”. The initial planning submission proposed a 10 year period would be required to bring in waste and restore the quarry. This period has since been reduced to 5 years. It is considered that although restoration of quarries are generally encouraged to take place over a 1 or 2 year period after cessation of operations, the reality is these often take longer to complete. In addition it is recognised, in this particularly case, as extensive development is proposed in and around Newton Abbot, that the potential requirement for an inert waste facility beyond the completion of the nearby Yannon Lane landfill site would justify an extended time period to complete this restoration scheme.
- 6.31 In order to ensure that this is carried out at the earliest opportunity in line with the NPPF and adopted Mineral Planning Policy MP56 (Restoration) a condition is recommended to ensure the restoration is carried out over a 5 year period following cessation of mineral working.
- 6.32 In addition, it is considered that there should be an allowance for the importation of waste prior to the cessation of mineral working, to help ensure certainty over sufficient material being made available the restoration scheme, and to help facilitate for the restoration to be achieved at the earliest opportunity. In order to manage this, and minimise any possible impacts upon the landscape or highway network - a condition would be used to required details of where waste will be stored, and stockpile heights prior to each phase of working and annual tonnes of material at the site (for waste or mineral operations) shall not exceed 70,000 tonnes.

Impact upon local economy

- 6.33 The proposal is anticipated to require the ongoing employment of 13 personnel, over a 15 year period, this would be labourers, plant operators and administrators who would live in close proximity to the site. In addition, the site provides knock on beneficial effects for the local economy, in terms of the construction business and the requirement for local tradesmen. This would support the National Planning Policy Framework (NPPF) requirements for sustainable economy and Section 144 of the NPPF which states Local Authorities should give great weight to the benefits of mineral extraction, including to the economy.

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 there are a number of benefits associated with the extension of the quarry. The site currently provides the only source of yellow sand in the county and is a well-used and valued local source of material. It is considered that using inert waste material to achieve final restoration levels is likely to also provide benefits for sustainable waste management as it would provide a local facility which can serve the proposed expansion of Newton Abbot, and facilitate the restoration of the quarry.

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- 7.3 Following the HRA screening it is demonstrated that there would be no impact on the South Hams SAC and that no other significant environmental impacts are considered to result from the proposal. Therefore the presumption in favour of 'sustainable development' is re-instated given the planning balance.
- 7.4 This report sets out the material planning considerations of extending operations at the site and using waste material for restoration against the value of the ongoing extraction, its restoration, and benefits as a local inert waste deposition facility. It is considered that impacts upon: Ecology, and Greater Horseshoe Bats in particular, the local and wider landscape, surface water run-off; the highway and upon local residents as a result of on-going operations, can be mitigated against through the conditions attached to this report. The final restoration of the site will provide for significant nature conservation gains in the longer term. Whilst there will be an adverse visual impact during the life of the quarrying, the positive benefits of the restoration phases are considered to outweigh these.
- 7.5 It is therefore considered that permission should be granted in accordance with the recommendations in this report.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Teignbridge South

Local Government Act 1972: List of Background Papers

Contact for enquiries: Hayley Stokes

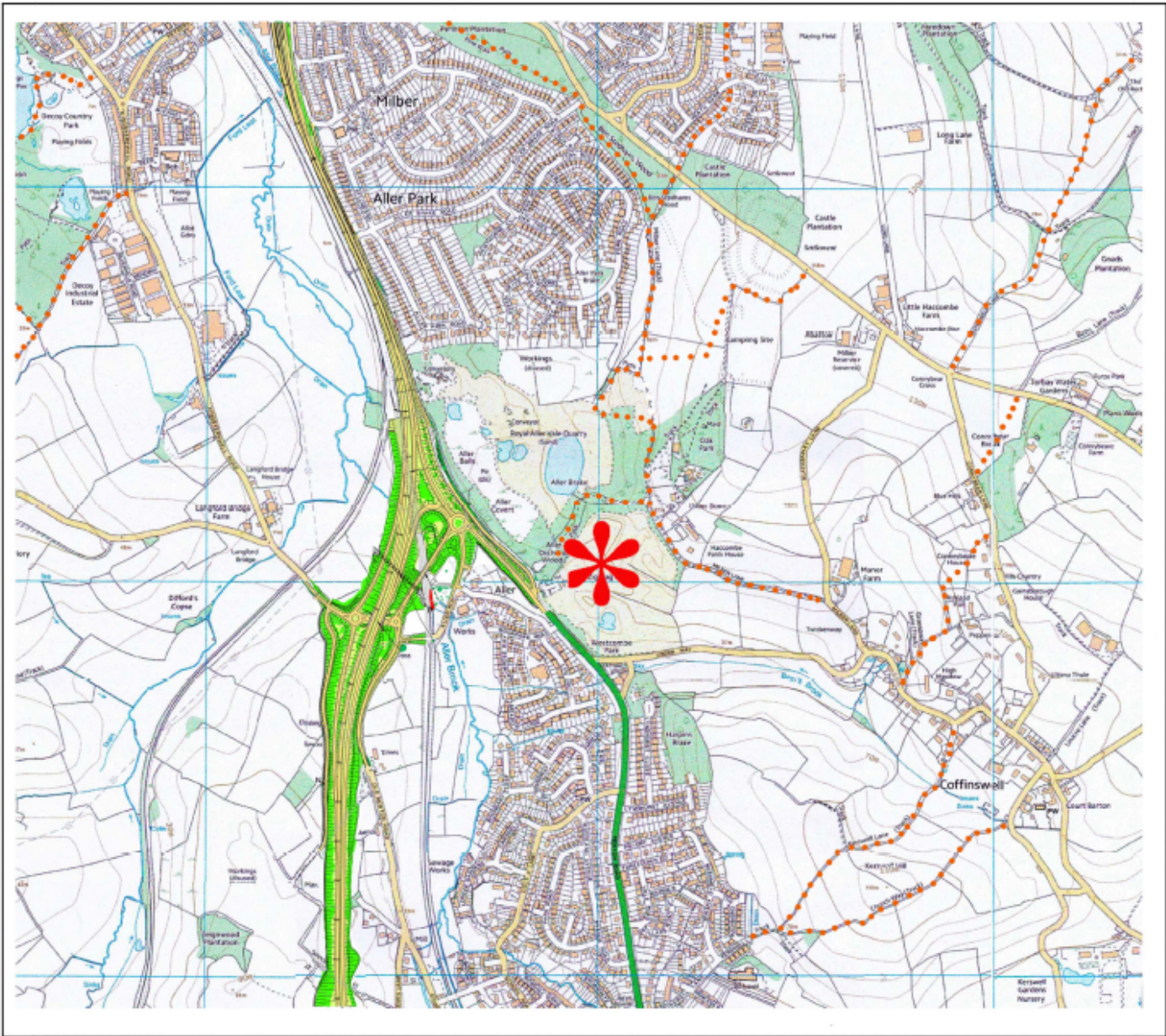
Room No: AB2, Lucombe House, County Hall

Tel No: 01392 383000






Background Paper	Date	File Ref.
Casework File	18/05/2016	DCC/3841/2016

hs051016dma
sc/cr/extension zig zag quarry aller brake road newton abbot
02 101016


Location Plan



KEY

-  Application Site
-  Existing Contours
-  Public Rights of Way
-  Woodland
-  Ongoing earth works and associated planting

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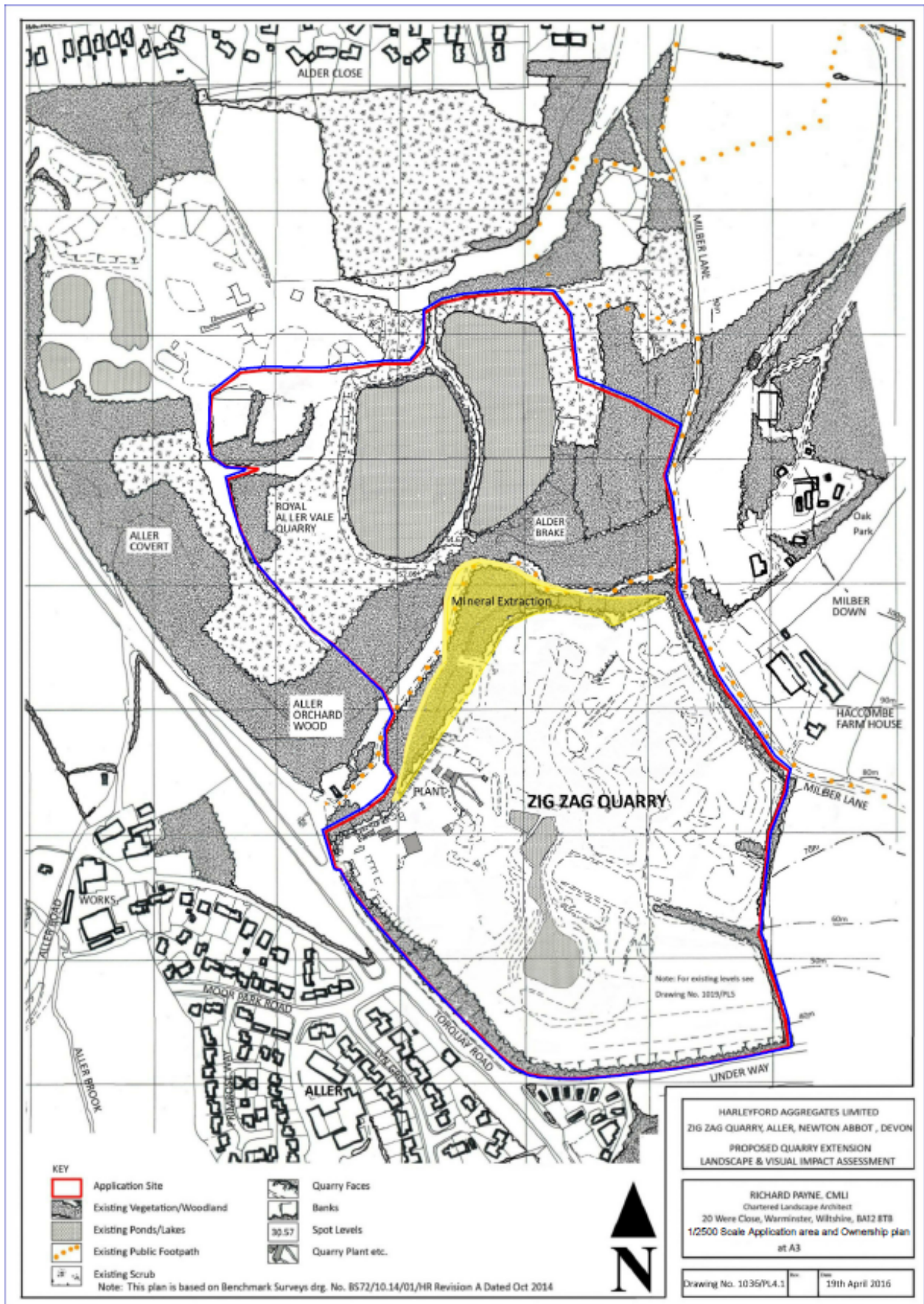
Revised	Date	Details

HARLEYFORD AGGREGATES LIMITED
 ZIG ZAG QUARRY, ALLER, NEWTON ABBOT, DEVON
 PROPOSED QUARRY EXTENSION
 LANDSCAPE & VISUAL IMPACT ASSESSMENT

RICHARD PAYNE, CMLU
 Chartered Landscape Architect
 20 Wore Close, Warminster, Wiltshire, BA12 8TB
 1/10,000 scale LOCATION PLAN
 at A3

Drawing No.1036/PL1	Rev	Date
		18th November 2015

Site Plan



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Appendix I To PTE/16/49

Planning Policy Considerations

Devon County Minerals Local Plan (Adopted June 2004)

Policies: MP3 Sites of Special Scientific Interest and National Nature Reserves; MP7 County Environmental Designations - Areas of Great Landscape Value; MP10 Maintenance of the County's Nature Conservation Resource; MP11 Environmentally Sensitive Sites Not Having Statutory Designations); MP20 Landbanks; MP23 Aggregate Mineral Development as Extensions to Sites Not Designated as Mineral Working Areas; MP41 Development Control Considerations; MP43 Transport of Minerals; MP45 Water Resource Protection; MP47 Flood Risk and Floodplains; MP49 Rights of Way; MP52 Importing Materials to Mineral Sites; and MP56 Restoration.

Devon Minerals Plan - Modifications Version (August 2016)

Policies: M1 Spatial Strategy; M11 Steady and Adequate Supply of Land-won Aggregates; M12 Land-won Sand and Gravel Supply; M16 Green Infrastructure; M17 Biodiversity and Geodiversity; M18 Landscape and Visual Impact; M21 Natural Resources; M22 Transportation and Access; M23 Quality of Life; M24 Flooding; M25 Land Stability; M26 Cumulative Effects; and M27 Restoration and Aftercare.

Devon Waste Plan 2011 - 2031 (Adopted December 2014)

Policies: W2 Sustainable Waste Management; W3 Spatial Strategy; W5 Re-use, Recycle, Materials Recovery; W11 Biodiversity & Geodiversity; W12 Landscape & Visual Impact; W14 Sustainable and Quality Design; W16 Natural Resources; W17 Transportation and Access; W18 Quality of Life; and W19 Flooding.

Teignbridge Local Plan 2013 - 2033 (Adopted May 2014)

Policies: CH09 Green Infrastructure; EN01 Strategic Open Breaks; EN02A Landscape Protection and Enhancement; EN04 Flood Risk; EN06 Air Quality; EN08 Biodiversity Protection and Enhancement; EN09 Important Habitats and Features; EN10 European Wildlife Sites; EN11 Legally Protected and Priority Species; EN12 Woodlands, Trees and Hedgerows; HT03 Heart of Teignbridge - Green Infrastructure; and S22 Countryside.

National Planning Policy Framework

National Planning Policy for Waste

Appendix II To PTE/16/49

Planning Conditions

1. The development shall commence within 3 years of the date of this permission. Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of commencement.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to enable the MPA to adequately monitor the development.

2. Extraction of minerals shall cease within 10 years of commencement of the development, all buildings/structures/plant and machinery used in connection with mineral operations shall be removed at this time, and restoration and aftercare shall be completed in accordance with conditions 3, 20 & 21 within 15 years of the date of commencement.

REASON: To minimise the duration of disturbance from the development and to comply with policies of the Development Plan: in particular policy M56 (Restoration) Adopted Mineral Local Plan and M27 (Restoration and Aftercare) of the emerging plan.

3. The development shall be carried out in strict accordance with the details shown on the Approved Plans/Drawings and Documents numbered or entitled 1036/PL4.1; 1036/PL14/A; 1036/PL15/A; 1036/PL16/A; FRA Addendum V1 08.08.16; 446-FRA3B; 446-FRA4; BS72/06.16/01/DW/A; 'Site Entrance Intercept/Rev A'; 1036/50

REASON: To ensure that the development is carried out in strict accordance with the approved details development and to comply with policies of the Development Plan: in particular policies MP41 (Development Control Considerations).

4. The developer shall notify the Mineral Planning Authority in writing within 14 days of the date of the following:
 - a) Commencement of each new phase of working (in accordance with approved plans above),
 - b) Completion of each working phase,
 - c) Completion of winning and working at the site,
 - d) Completion of restoration of the planning permission area,
 - e) Start of the aftercare period,
 - f) Completion of the aftercare period.

REASON: In order that the Mineral Planning Authority can adequately monitor the development and to comply with policies of the Development Plan: in particular policies adopted Mineral policy: MP11 (Environmentally Sensitive Sites not having a Statutory Designation); SP21 (Flooding); MP45 (Water Resource Protection) and emerging policy MP18 (Landscape and Visual Impact); M24 (Flooding); M27 (Restoration and Aftercare).

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CONDITIONS (PRE-COMMENCEMENT)

LANDSCAPING/TREES/ECOLOGY

5. Within three months of the date of this permission, and prior to any of the operations listed below taking place, a Landscape Environmental Management Plan (LEMP) shall be submitted to and approved by the Mineral Planning Authority.

This shall include details of the following:

- a) the location and height of stockpiles of inert waste;
- b) grassland and tree management in line with BS3998 (including details of pruning/coppicing);
- c) vegetation & tree removal, (timing and the location of this), (to ensure minimal harm to Bats, Birds, Reptiles, Amphibians and Dormice occurs);
- d) hedgerow management and ongoing aftercare;
- e) replacement planting (including soil preparation, planting method, spacing, seed types, plant species, stock size, means of protection/ support, timing of planting);and proposed maintenance;
- f) Soil management; (Including timings for removal; depth and method of spreading of subsoils and topsoil, their cultivation and fertilisation) in accordance with Mineral Practice Guidance;
- g) ongoing maintenance of fencing;

This shall be updated, and approved by the MPA, prior to the commencement of each new phase of working. The updated LEMP shall include a record of management operations undertaken in the previous phase, and identify operations planned for the forthcoming phase.

Mineral Operations, planting and land management works shall be carried out in accordance with the approved LEMP.

REASON: To minimise impacts upon biodiversity, to provide enhancement for biodiversity and benefits for landscape and amenity. In accordance with adopted Mineral Local Plan policy: MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations) and emerging policy M17 (Biodiversity & Geodiversity) & M18 (Landscape & Visual Impact).

6. No development shall take place, including preliminary groundworks, until a Tree Protection Scheme, in relation to protected trees identified on 'Retained Vegetation Plan' numbered 1036/50 has been submitted to and approved in writing by the Mineral Planning Authority. This tree protection scheme shall accord with BS5837 (2012).

REASON: To ensure that retained trees are protected from damage in the interests of amenity and wildlife conservation and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations) and emerging policy (M17 Biodiversity & Geodiversity) and M18 (Landscape & Visual Impact).

7. A minimum 10m strip of woodland/trees shall be retained, or where necessary planted, between the diverted Public Right of Way and the quarry edge.

REASON: To minimise impacts upon biodiversity, to provide enhancement for biodiversity and benefits for landscape and amenity. In accordance with adopted

Mineral Local Plan policy: - MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations) and emerging policy M17 (Biodiversity & Geodiversity) and M18 (Landscape & Visual Impact).

NOISE

8. Within three months of the date of this permission, a scheme to monitor noise levels from the site shall be submitted to and approved by the Mineral Planning Authority. The scheme shall provide for:
 - a) Attended measurements by a competent person of Laeq 5 minute noise levels over 2 hour periods at monitoring locations and frequencies agreed with the Mineral Planning Authority;
 - b) Details of equipment to be used for monitoring;
 - c) Monitoring during typical working hours with a main items of plan and machinery in normal operation under normal loading conditions;
 - d) The logging of all weather conditions, wind speed and direction and both on-site and off-site events occurring during measurements including "phased out" extraneous noise events;
 - e) Monitoring results to be forwarded to the Mineral Planning Authority within 14 days of measurement together with a summary specifying whether the site is operating within the maximum permitted levels, or where noise output exceeds permitted levels details of this contravention;
 - f) Methods and timescales for reducing noise output from the site if the findings of the noise monitoring identify contravention of the maximum permitted levels.

The operator shall keep records of any complaints received regarding noise at the site and shall notify the Mineral Planning Authority of any such complaints with 7 working days.

REASON: To minimise the adverse impact of noise generated by the operations on the local environment and communities and to comply with policies of the Development Plan: in particular policies: MP41 (Development Control Considerations); M23 (Quality of Life); and Waste policy W18 (Quality of Life).

DRAINAGE

9. Within one month of the date of this permission, further details including phasing of the proposed surface water drainage, shall be submitted to and agreed with the Mineral Planning Authority. This detailed surface water drainage proposals will be in accordance with the principles of sustainable drainage systems, and those set out in the Level 2 Flood Risk Assessment & Surface Water Drainage Proposals (Report Ref. 446/FRA2, Rev. V2, dated 19/04/2016) and Addendum to Flood Risk Assessment dated 19 April 2016 (Report Ref. 446, dated 08/08/2016).

Reason: To ensure that surface water from the development is managed in accordance with the principles of sustainable drainage systems. In accordance with policies MP41 (Development Control Considerations); W19 (Flooding) & emerging mineral policy M24 (Flooding).

10. The diversion of the Public Right of Way (Kingskerswell Bridleway 18) shall be constructed and open for use prior to the commencement of any groundworks associated with the extension to the quarry taking place.

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REASON: To ensure the implementation of the Public Right of Way diversion in the interests of the users of the Public Right of Way in accordance with Policy MP49 (Rights of Way) of the adopted Devon Minerals Local Plan and Policy M22 (Transportation and Access) of the emerging Devon Minerals Plan (Modifications Version – August 2016).

CONDITIONS (OPERATIONAL)

11. There shall be no light spill from lighting used within the quarry into areas identified as protected by the Tree Protection Plan 1036/50.

REASON: To limit impacts upon protected species, particularly bats, and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations) and emerging policy (August 2015) (M17 Biodiversity & Geodiversity); and M18 (Landscape & Visual Impact).

12. Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority within five days):

- (a) No operations, other than water pumping, environmental monitoring, servicing and maintenance of plant shall be carried out at the site except between the following times:

0700 hours to 1800 Mondays to Fridays,
0700 hours to 1300 Saturdays,
At no time on Sundays and Public Holidays.

REASON: In the interests of controlling and limiting the effects on the local environment and community, and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations); W18 (Quality of Life) and emerging Mineral Policies (M17 Biodiversity & Geodiversity); and M23 (Quality of Life).

13. Mineral and Waste operations at the site shall be carried out in accordance with the Dust Management Measures, Procedures on Recording, Responsibilities and Monitoring as set out in the 'Dust Management Plan' dated July 2016 ' (Air Quality Consultants).

REASON: To protect the amenities of the local environment and communities from the effects of dust arising from the development and to comply with policies of the Development Plan: in particular policies MP41 (Development Control Considerations); W18 (Quality of Life) and emerging Mineral Policy M23 (Quality of Life).

NOISE

14. All vehicles, plant and machinery operated within the mineral site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers.

REASON: To minimise the adverse impact of noise generated by the operations on the local environment and communities and to comply with policies of the

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Development Plan: in particular policies: MP41 (Development Control Considerations); M23 (Quality of Life); and Waste policy W18 (Quality of Life).

15. The noise emissions from mineral extraction and restoration operation activities on site shall not exceed the following limits when measured in a free field location at the nearest noise sensitive premises;

Between the hours of 0700 to 1800 Monday to Friday, and
0700 to 1300 on Saturdays= 55db LAeq, 1h

REASON: To minimise the adverse impact of noise generated by the operations on the local environment and communities and to comply with policies of the Development Plan: in particular policies: MP41 (Development Control Considerations); M23 (Quality of Life); and Waste policy W18 (Quality of Life).

DRAINAGE

16. Within one month of cessation of mineral working, the pipelines between the settlement ponds in Royal Aller/Colesville Quarry and Zig Zag Quarry, and associated above ground plant and equipment, shall be removed and land reinstated.

REASON: To minimise the effect of the development on the landscape groundwater resources and to comply with policies of the Development Plan: in particular policies MP41 (Development Control Considerations); and W19 (Flooding) and emerging mineral policy M24 (Flooding).

17. No winning and working of minerals shall take place below the water table.

REASON: To minimise the effect of the development on the groundwater resources and to comply with policies of the Development Plan: in particular policies MP41 (Development Control Considerations); and W19 (Flooding) and emerging policy M24 (Flooding).

WASTE AND MINERAL RESTRICTIONS

18. A maximum of 70,000 tonnes of *inert waste and sand & gravel material, shall be imported into the site (in the case of waste material) or exported from the site (in the case of aggregate extracted at the site) during any one calendar year.

REASON: To ensure the impacts from the development on the highway are acceptable. In accordance with mineral policies MP41 (Development Control Considerations) & MP43 (Transportation of Minerals) and waste policies WPP32 (Recycling of Wastes) & WPP17 (Water Resources Protection).

**Inert waste is not chemically or biologically reactive and will not decompose.

RESTORATION AND AFTERCARE

19. In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the development shown on Approved Plan 1036/PL14/A, which in the opinion of the Mineral Planning Authority constitutes a permanent cessation (within the terms of Paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990), restoration and aftercare schemes shall be submitted for approval to the Mineral Planning Authority.

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The schemes shall be submitted within 3 months of the agreed cessation date.

The submitted schemes shall include all those matters prescribed the Aftercare condition 21.

The Scheme shall be implemented on approval.

REASON: To ensure that the land is restored and husbanded in a condition capable of a sustained beneficial use and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations); MP56 (Restoration) and emerging policy (M17 Biodiversity & Geodiversity); M18 (Landscape & Visual Impact) and M27 (Restoration and Aftercare).

20. Details of the progressive Landscaping/Restoration Scheme for the site shall be updated then submitted to and agreed in writing by the Mineral Planning Authority (MPA) by the deadlines set below. The following details shall be submitted:
- a) Within 3 months of the date of this permission, details of required additional tree planting in Royal Aller Quarry, shall be submitted to and agreed by the MPA, these additional trees shall be planted within 2 years of the date of commencement;
 - b) Prior to commencement of each new phase of the development, details of the subsequent phase of restoration shall be agreed with the MPA, as well as the timetable for its implementation, the details shall include:
 - The species, size, number and location of all trees, scrubs and any grasses to be planted, details of staking securing and mulching, and the measures to be undertaken for their protection from noxious weeds, vermin and lack of water;
 - Details of soil preparation, fertilisers, seed mixes, weed killers to be used and their rates of application;
 - Design and location of fencing, provision and details of gateways, paths and tracks.

The Approved Scheme/s shall be implemented and complied with at all times.

REASON: To comply with Section 197 of the Town and Country Planning Act 1990 [as amended] to improve the appearance of the site in relation to the local landscape and to reduce the impact of the development on the surrounding area and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations); MP56 (Restoration) and emerging policy (August 2015) (M17 Biodiversity & Geodiversity); M18 (Landscape & Visual Impact) and M27 (Restoration and Aftercare).

20. An aftercare scheme detailing the steps that are necessary to bring and maintain the land to the standard required for agriculture/amenity and forestry use shall be submitted for approval to the Mineral Planning Authority 12 months prior to the end of the 5 year restoration period. The submitted scheme shall:
- a) Include an outline strategy (in accordance with the NPPF paragraph 057) for the five year aftercare period. This shall specify the steps to be taken and the period during which they are to be taken;
 - b) Include a programme of monitoring of the progress of all planting and seeding and land drainage provision, together with details of how the developer will

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- remediate any problems that arise during the aftercare period caused either by failure or inadequate initial provision;
- c) Provide for the submission to the Mineral Planning Authority of a detailed annual programme of works).

The Aftercare Scheme shall be implemented on approval.

REASON: To ensure that the restored land is husbanded in a condition capable of a sustained beneficial use similar to surrounding land in the same use and to comply with policies of the Development Plan: in particular policies MP10 (Maintenance of the County's Nature Conservation Resource); MP41 (Development Control Considerations); MP56 (Restoration) and emerging Mineral policy (August 2015) (M17 Biodiversity & Geodiversity); M18 (Landscape & Visual Impact) and M27 (Restoration and Aftercare).

Habitats Regulations 2010 Section 1: Screening of likely significant effect on a European site		Devon County Council October 2016
1. Type of permission/activity:	Full Planning Permission	
2. Application reference no:	DCC/3841/2016 Zig Zag Quarry, Aller Brake Road, Newton Abbot	
3. National grid reference:	SX 8799 6900 Location shown in Fig 1	
4. Brief description of proposal:	<p>The application is for:</p> <ul style="list-style-type: none"> Continuation and extension of mineral extraction and processing to allow for an additional 500,000 tonnes of sand and gravel. A revised progressive restoration requiring the importation of 285,000 of inert waste material over a 5 year period. Diversion of a bridleway with the construction of a new permanent route. <p>This proposal will involve the loss of semi-natural woodland and scrub habitat above the extant quarry face along the northern site boundary.</p>	
5. Is the proposal directly connected with or necessary to management of a European site for nature conservation?	No	
6. European site name(s) and relevant interest features:	<p><u>South Hams SAC</u> Qualifying features: <u>Annex I Habitats</u> European dry heaths Semi-natural dry grasslands and scrubland faces: on calcareous substrates (<i>Festuco-Brometalia</i>) Vegetated sea cliffs of the Atlantic and Baltic coasts Caves not open to the public Tilio-Acerion forests of slopes, screes and ravines * Priority feature <u>Annex II Species</u> Greater horseshoe bat <i>Rhinolophus ferrumequinum</i></p>	
	<p>Relevant interest feature: Greater horseshoe bats (<i>Rhinolophus ferrumequinum</i>) - South Hams is thought to hold the largest population in the UK. It contains both maternity and hibernation roosts and contains the largest known maternity roost in the UK and possibly in Europe.</p> <p>The whole of the quarry site falls within a South Hams SAC strategic flyway which forms part of the consultation area for the SAC (NE South Hams SAC Guidance, 2010).</p>	
	<p>Please note that it has been agreed with NE that, due to distances and the nature of the proposal, there are no other qualifying features of these SACs and no other SACs/SPAs that need to be considered within this HRA screening.</p>	
	<p><u>Conservation Objectives</u> With regard to the natural habitats and/or species for which the site has been designated (the Qualifying Features" listed above);</p>	

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	<p>Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.</p>
	<p>Subject to natural change, to maintain or restore:</p> <ul style="list-style-type: none"> - The extent and distribution of qualifying natural habitats and habitats of qualifying species; - The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species; - The supporting processes on which qualifying natural habitats and habitats of qualifying species rely; - The populations of qualifying species; - The distribution of qualifying species within the site.
<p>7. Ecological characteristics associated with the relevant interest features</p>	<p>Greater horseshoe bats</p> <p>Greater horseshoe bats use the wider countryside of South Devon for the majority of their activities, including commuting, foraging, roosting, and mating. The SAC designated roost sites were identified on the basis of their relative importance for hibernating during winter, and summer roost sites including nursery roosts where the females for a whole colony gather together to give birth and rear their young.</p> <p>The key aspects associated with maintaining the integrity of the greater horseshoe bat interest (and its favourable conservation status are) :-</p>
	<p>1) The area has to be large enough to provide a range of food sources capable of supporting the whole greater horseshoe bat population; the bats feed at a number of locations through the night and will select different feeding areas through the year linked to the seasonal availability of their insect prey.</p> <p>2) Greater horseshoe bats regularly travel through South Devon between feeding sites and their roosts via a network of established flyways. They also travel greater distances between the sites designated as the South Hams SAC at certain times of the year, for example: in the spring and autumn between hibernacula and maternity sites; and, in the autumn to mating sites.</p>
	<p>3) Greater horseshoe bats need to be able to move through the landscape between their roosts and their foraging areas to maintain favourable conservation status. They require linear features in the landscape to provide landscape permeability. The greater horseshoe bat tends to use landscape features to navigate, such as lines of vegetation (hedgerows, woodland edge, vegetated watercourses etc) and will tend to fly close to the ground up to a height of 2 meters, and mostly beneath vegetation cover.</p> <p>4) Greater horseshoe bats are sensitive to light and will avoid lit areas. The interruption of a flyway, by light disturbance or physical removal/ obstruction would force the greater horseshoe bat to find an alternative route which is likely to incur an additional energetic burden and will therefore be a threat to the viability of the bat colony. In some circumstances, an alternative route is not available and can lead to isolation and fragmentation of the bat population from key foraging areas and/or roosts.</p>
	<p>5) Most feeding activity is concentrated in an area within 4km of the roost (juvenile bats will forage within 3km at a stage in their life when they are most susceptible to mortality). The most important types of habitat for feeding have been shown to be permanent pasture grazed by cattle, hay meadows, and wetland features such as stream lines and wet woodland.</p>

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Taking the above requirements into account, greater horseshoe bats are particularly susceptible to the following changes in their habitat that may arise as a result of development:-

1. Impact on roost sites (including damage, destruction and disturbance)
2. Removal, severance or disturbance of linear features used for navigation and commuting
3. Disturbance from new illumination causing bats to change their use of an area
4. Physical injury by wind turbines
5. Change in habitat structure and composition (loss or change in quality of foraging habitat)

Planning development proposals need to demonstrate that there will be no detrimental impact upon the ability of the greater horseshoe bats to navigate and feed by affecting the ecological impacts identified above.

The above is predominantly taken from Natural England South Hams SAC planning guidance, 2010.

8. Planning context:

This site is an extant quarry with associated buildings and tracks.

The existing plant and operation's area extends to approximately 2.0 hectares and initially worked under the auspices of a permission granted in 1947. The site was granted an extension in 1972 covering land to the north east of the existing quarry.

Various planning permissions for mineral extraction and processing have been granted since the introduction of planning control. The current permission was granted May 10th 2011 under planning reference 2000/3295/16/PN.

The uses currently permitted are:

- Processing, stockpiling and sale of sand and gravel, both excavated from adjoining land and imported into the site
- The bagging of processed and imported aggregates for resale
- Importation and resale of aggregates
- Production of ready mixed mortar and concrete
- Office accommodation for associated staff
- Pipeline to silt ponds on adjacent land
- Mineral extraction and importation of restoration material

9. Greater horseshoe bat use of the application site – relevant to this application

A series of bat transect surveys of the site were undertaken in the spring, summer and autumn of 2014 as detailed in the planning application (Ecological Impact Assessment, EPS Ecology, April 2015). All surveys were carried out in accordance with Natural England's *South Hams SAC – Greater horseshoe bat consultation zone planning guidance*.

A total of 5 GHB passes were recorded during the surveys - the distribution of this species is associated with the northern and eastern sides of the application site. No foraging activity was noted and all five bat passes recorded were bats flying around the edges of the site. See the 2015 Ecology Report for a map.

Screening Assessment for likely significant effect

10. Potential hazards likely to affect the interest features

Sensitive interest feature	Possible impacts	Actual impact
South Hams SAC: Greater horseshoe bat strategic flyway	<ul style="list-style-type: none"> Loss/severance of linear features forming flight lines around the site e.g. trees, hedges Creation of physical barriers along the flyway e.g. security fencing Disturbance e.g. increased lighting >0.5 Lux 	<p>Loss/severance - The removal of woodland and scrub habitat to the north of the quarry extension will not result in the loss of bat flight lines around the site. Habitat forming bat flight lines around the edge of the site will be protected (through a condition attached to any planning consent) during the lifetime of the quarry and aftercare period – as shown in Figure 2 below.</p> <p>Physical barriers. The proposed quarry extension does not include anything which could act as physical barriers within a flight line around the site.</p> <p>Lighting. This proposal does not include any lighting.</p> <p>Given that bat flight lines around the site are being protected no mitigation is required.</p>

Conclusion

11. Conclusion:

Is the proposal likely to have a significant effect 'alone' or 'in combination' on a European site?

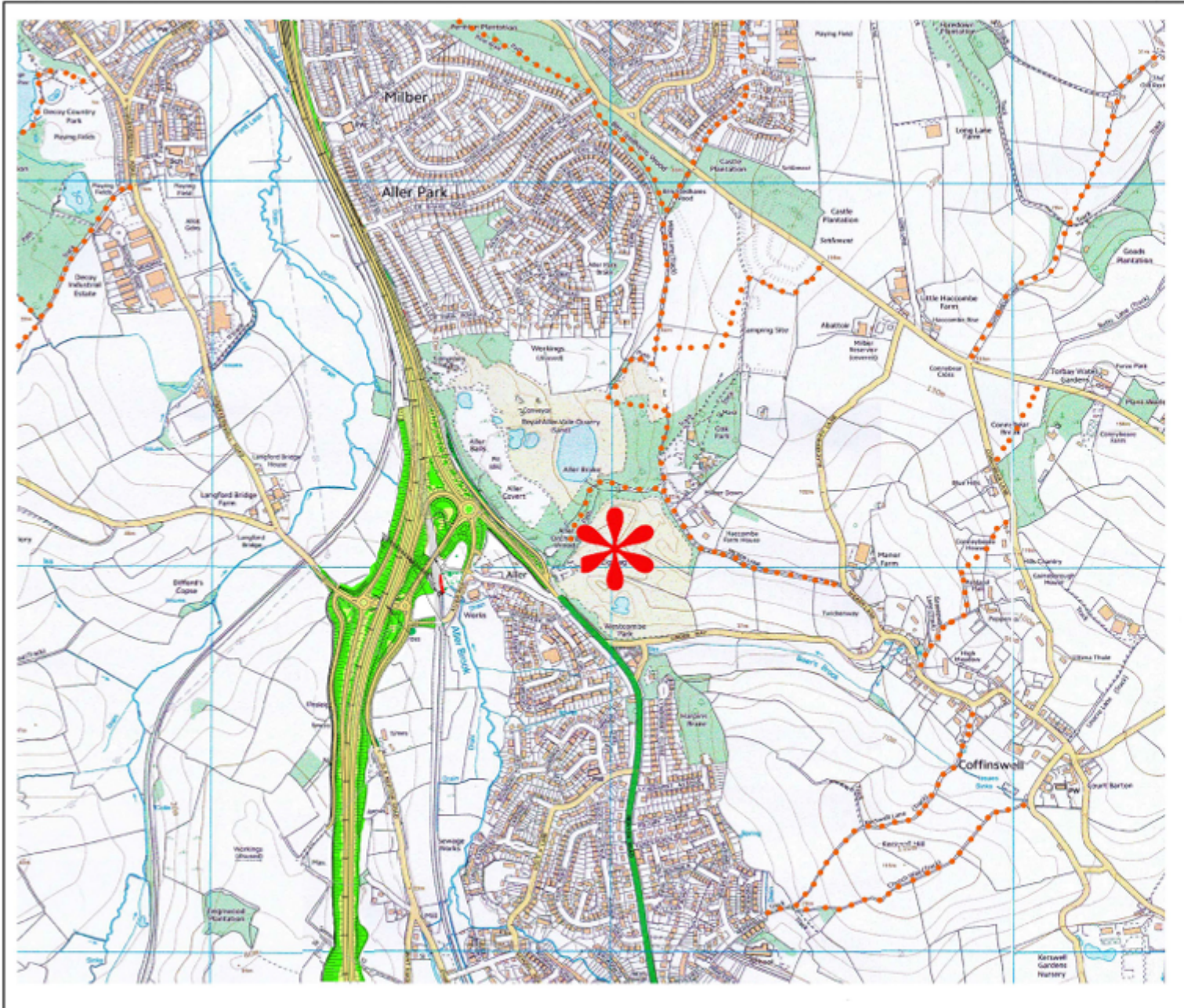
As only five greater horseshoe bat passes were recorded at this site, and as flight lines around the site will be protected through a condition, this proposal will not result in a likely significant effect on the South Hams SAC. There are no residual effects which could, in-combination with any other plans or projects, have a likely significant effect on the South Hams SAC.

Note that, although it is not a requirement of this HRA, final restoration of Zig Zag quarry will benefit Greater Horseshoe Bats through the provision of new grassland and scrub/woodland habitats. This enhancement will be secured through a condition requiring a detailed *Landscape and Ecology Management Plan* which ensures net gain for wildlife, including greater horseshoe bats.

Natural England's response (dated 16 June 2016) also concluded that that *'the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. NE gave the following reasons:*

- *5 greater horseshoe bat passes were recorded in total during the surveys.*
- *Long term, and once restoration has been implemented, the site should provide improved connectivity in comparison with the limited habitats associated with the existing quarry void.*

Natural England's response further stated that *'all agreed mitigation and enhancement measures will need to be secured in-perpetuity to reflect the permanent nature of the restoration plan'*. In addressing these comments, it has been made clear to NE that, as the applicant is avoiding an impact on GHBs, it would not be reasonable to request that restoration measures are secured in perpetuity. In terms of NE's comments relating to the 'permanent nature of the restoration plan' note that Planning Practice Guidance (paragraph 052) reflects the statutory limitation preventing the MPA from requiring any steps after 5 years without the agreement of the operator (This is set out within Schedule 5 of the Town and Country Planning Act)



KEY	
	Application Site
	Existing Contours
	Public Rights of Way
	Woodland
	Ongoing road works and associated planting

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Revised	Des.	Date

HARLEYFORD AGGREGATES LIMITED
ZIG ZAG QUARRY, ALLER, NEWTON ABBOT, DEVON
PROPOSED QUARRY EXTENSION
LANDSCAPE & VISUAL IMPACT ASSESSMENT

RICHARD PAYNE, CMLU
 Chartered Landscape Architect
 20 Were Close, Warminster, Wiltshire, BA12 8TB
 1/10,000 scale LOCATION PLAN
 at A3

Drawing No.1036/PL1	Rev	Date
		18th November 2015

Figure 1 - Location plan of Zig Zag Quarry and surrounding land use



Figure 2 – Map showing the vegetation which is to be protected throughout the life of the quarry operations by condition

PTE/16/50

Development Management Committee
19 October 2016

County Council Development

Teignbridge District: Alterations to the existing footway steps and ramps, and changes to the boundary wall/archway lining Beach Street to accommodate a widened footway and make provisions for cyclists at Lanherne, Exeter Road, Dawlish

Applicant: Devon County Council

Application No: 16/02234/DCR3

Date application received by Devon County Council: 4 August 2016

Report of the Head of Planning, Transportation and Environment

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

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

1. Summary

- 1.1 This proposal is for the alteration of the existing path that leads through the southern section of the Lanherne development to Beach Street, located within Dawlish. The alterations include creating a wider stepped path with a reduced gradient to accommodate cyclists.
- 1.2 It is considered that the main planning considerations for the determination of this application are the impacts upon the Dawlish Conservation Area; the design quality; highway safety implications; the appropriateness of the replacement planting; impacts upon residential amenity; and sustainability considerations.

2. The Proposal/Background

- 2.1 The application site is directly north of Beach Street, Dawlish, and covers the southern tip of the grounds associated with the Lanherne housing development. There is a significant level change between Beach Street and the Lanherne development, meaning the existing path is steep and includes a number of steps. The proposal looks to alter the existing path to accommodate cyclists. This includes increasing the path's width from 1.5m to 2.75m and also realigning the path to reduce its gradient. The proposed path would include long shallow steps with a ramp on one side to allow cyclists to push their bikes. In order to achieve this, the proposal also includes the partial demolition of the wall and gated archway lining Beach Street. An archway would then be constructed at an increased width of 2m and rotated 45 degrees. New retaining walls would be a combination of render and masonry, which would provide the opportunity for public art, which would be delivered by Teignbridge District Council, to be installed at a future date. Currently, the existing path is surrounded by dense vegetation; this would be cleared to accommodate the new path and some new planting is proposed. The existing lighting is proposed to be replaced in the same locations at present.

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- 2.2 The aim of the proposal is to create an off road cycle route connecting Exeter Road (A379) to Dawlish Station and the town centre as the development will eventually become part of the National Cycle Network Route 2 (a route that will eventually link St Austell with Dover). The proposed development is part of the wider 'Destination Dawlish Project' and the majority of this project path has previously been considered as permitted development, which is why construction has already begun in locations near to the application site.

3. Consultation Responses

- 3.1 Teignbridge District Council: No objection. The Conservation and Listed Building Officer recommends:
- A condition requiring the recording of the arched gateway prior to commencement;
 - A sample panel of the stone work detail is to be agreed prior to commencement; and
 - Consideration of the surfacing materials for the area to the south of the new arched gateway which enhance the Conservation Area as at present some cobbles are likely to be lost as result of the proposed scheme.
- 3.2 Dawlish Town Council: No objection subject to:
- Safety barriers being installed with a STOP sign at the bottom of the path;
 - Adequate lighting being provided, which could be low lighting; and
 - Replacement trees are mature trees.
- 3.3 Natural England: No objection
- 3.4 South West Water: No objection
- 3.5 Wales and West Utilities: If permission is granted, applicant must contact Wales and West Utilities.

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, five representations have been received.
- 4.2 Objections were raised to the proposal on the grounds of conflict between pedestrians, cyclists and vehicles as cyclists exit the path onto Beach Street. Representations made suggestions that a safety barrier should be installed, as well as a stop sign. Other comments received on the application include the need for the path to be accessible to those with limited mobility, including wheelchair users; whether alternative routes were more suitable; and that replacement planting should be like for like, both in type and quantity.
- 4.3 Copies of representations are available to view on the Council website under reference DCC/3890/2016 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3890/2016>.

5. Planning Policy Considerations

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

6. Comments/Issues

- 6.1 It is considered that the main planning considerations for the determination of this application are the impacts upon the Dawlish Conservation Area; the design quality; highway safety implications; the appropriateness of the replacement planting; impacts upon residential amenity; and sustainability considerations.

Impact upon Dawlish Conservation Area

- 6.2 The site is within the Dawlish Conservation Area and, therefore, in accordance with Policy EN5 (Heritage Assets), development should look to protect and enhance the area's heritage taking into account the significance, character and local distinctiveness of any affected heritage asset. Planning authorities are advised to look for opportunities to enhance conservation areas (paragraph 137 of the NPPF) and that harm to the asset's significance should be avoided. In addition, considerable importance and weight must be paid to the desirability of preserving and enhancing the character or appearance of a conservation area, as set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.3 The path, boundary wall and arch were likely to have once formed part of the grounds of a late 18th century villa which was demolished in the 1970s. The proposal maintains the height and curve of the wall and also ensures an archway still forms part of the street scene. As the existing archway is to be demolished, it is considered appropriate that a planning condition for the investigation and recording of the structure is imposed. The application proposes that the new arch is constructed from precast concrete. This is not considered to be appropriate in the context of the conservation area and that the use of a more suitable material, such as stone, would enhance the area. If approved it is recommended a condition is imposed requiring the submission and approval of materials to be used in the construction of the arch.
- 6.4 At present, the existing path is surrounded by dense vegetation, which is considered to contribute to the character of the street scene along Beach Street/Richmond Place. The proposal looks to remove the vegetation and this will affect the street scene. However, in terms of the impact on the conservation area the removal of the trees will not have a significant impact. A planter is proposed directly abutting the wall lining Beach Street to accommodate shrubs, reinstating vegetation onto the street scene. This is considered appropriate.
- 6.5 The proposal also includes other measures that respond to and enhance the conservation area. These include improving and reinstating an area of cobbles, currently in a poor state; using boulders to line the path; and the use of masonry/render walls.

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- 6.6 Overall, it is considered the proposal, with the proposed conditions, protects Dawlish Conservation Area in accordance with Policy EN5 (Heritage Assets), takes up opportunities to enhance the area and that there is no harm to the conservation area.

Design

- 6.7 The dense vegetation and narrow width of the existing path results in a sheltered, secluded route, which is not welcoming to users. The proposal will open up this area increasing opportunities for eyes on the street and decreasing areas for congregation, which would provide for a more usable path in accordance with Policy S2 (Quality Development) and Policy S9 (Sustainable Transport) which seeks to provide safe environments.
- 6.8 The path is proposed to be surfaced with concrete, with the walls to be a combination of render or masonry faced. Handrails and railings will be required on parts of the route but details of these have not yet been agreed with the applicant.
- 6.9 The design of the development is considered to be acceptable in principle but given the conservation area designation and the policy protection offered to this area, a hard landscaping scheme is recommended to be subject of a planning condition in order to ensure the proposal enhances the conservation area and town centre, as required by Policy EC9 (Development in Town Centres) and Policy EN5 (Heritage Assets). It is also recommended that a sample panel of any stone work is to be agreed prior to the commencement of the development.
- 6.10 There is a need to provide an accessible route, Policy S2 (Quality Development) also notes that development should be accessible. Provisions have been provided to improve the path for those with limited mobility, including tactile paving and handrails, with the gradient of the proposed steps markedly reduced. Whilst this is an improvement over the existing situation, it is not a flat route and unfortunately will not be suitable for wheelchair users. Overall, the provisions made are considered to be acceptable when taking into account the topography of the site and the improvements being made.

Safety

- 6.11 Representations have highlighted that there is a potential conflict where the path accesses onto Beach Street between cyclists using the path and pedestrians and vehicles. The applicant has clarified that cyclist dismount signs will be erected and that, in the event users attempt to cycle down, the archway acts as a pinch point to slow users down. The scheme is currently undergoing a Road Safety Audit, assessing this issue. Part of this process includes a review of the scheme a year after completion. With the measures taken and the safety audit process, it is considered any potential conflict will be minimised.

Planting

- 6.12 In order to facilitate the development, approximately 15 trees are required to be removed. The Arboricultural Impact Assessment, submitted with the application, highlights that nearly all trees scheduled for removal, in relation to this application are of low quality individually but are recognised to collectively be a landscape feature. These are a mixture of Holm Oak and Sycamore. In addition a Holm Oak would be felled which is of moderate quality. It is noted that the Town Council in its consultation response that replacement planting should be mature and like for like in species and in quantity.

- 6.13 The landscaping scheme submitted with the planning application proposes three semi-mature Sweet Gum trees (typically these will be between 2m-3m in height) be planted. Whilst they are non-native deciduous hardwood species, they grow into large trees (up to 20m) and have ornamental qualities. This is considered to be an appropriate species for an urban setting. In addition approximately 70 shrubs of various species are also proposed to be planted. The increased of the footprint of the path restricts the amount of compensatory planting, however, given the site area and the improvements to the area this scheme presents overall, the replacement planting is considered acceptable in principle. The final details of the soft landscaping has yet to be agreed and will therefore be subject of a planning condition with the aim to ensure the layout and species of the planting enhances the conservation area. A condition is also recommended to ensure the trees are removed in accordance with the ecological measures provided, and that root protection areas are protected during construction.

Residential Amenity

- 6.14 The existing footpath is well used and neighbouring properties are currently well screened from these users due to the vegetation. The removal of the vegetation could potentially cause issues of overlooking for the properties of Mariners Court/Richmond Place. To address this, the proposal includes two planters for shrubs to act as screening. To ensure that the proposed planting adequately establishes, a planning condition requiring the timing of the planting and its aftercare will be attached to the permission.
- 6.15 Construction activities can impact on residential amenity and there are a number of residential properties close to the site. Construction times have been proposed by the applicant to be 7.30am – 6pm Monday to Friday. Given the proximity to properties it is considered that a more appropriate timing of construction works is 8am – 5pm Monday to Friday and in the event that planning permission is granted this can be secured by a suitably worded planning condition. Such a restriction on the timing of construction activities is considered to be in accordance with Policy S11 (Pollution) of the Teignbridge Local Plan which looks for levels of pollution to be reduced where possible.

Sustainability considerations

- 6.16 Policy S17 (Dawlish) of the Teignbridge Local Plan states that Dawlish will be a sustainable place with routes that facilitate walking and cycling to improve connectivity at Dawlish. Policy DA9 (Movement) adds that connectivity and accessibility within Dawlish will be improved through the National Cycle Network Route 2. National planning policy also supports the use of sustainable transport modes and opportunities for sports and recreation. This proposal supports these aims.

The site also falls within the town centre, where development should encourage visitors and improve the environment to support the vitality of town centres, as stated by Policy EC9 (Development in Town Centres). This proposed is considered to contribute towards this.

7. Reasons for Recommendation/Alternatives Options Considered

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

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- 7.2 It is considered that there is strong policy support for the provision of this cycle/walkway and any potential adverse impacts of the development have been considered and can be adequately mitigated by the imposition of the planning conditions set out in Appendix II. Taking all material considerations into account, it is considered that planning permission be grant in accordance with the recommendation of the report.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Dawlish

Local Government Act 1972: List of Background Papers

Contact for enquiries: Emily Harper

Room No: AB2, Lucombe House, County Hall

Tel No: 01392 383000

Background Paper	Date	File Ref.
Casework File	29/09/2016	DCC/3890/2016

eh220916dma
sc/cr/alterations to footway lanherne exeter road Dawlish
03 101016

Location Plan

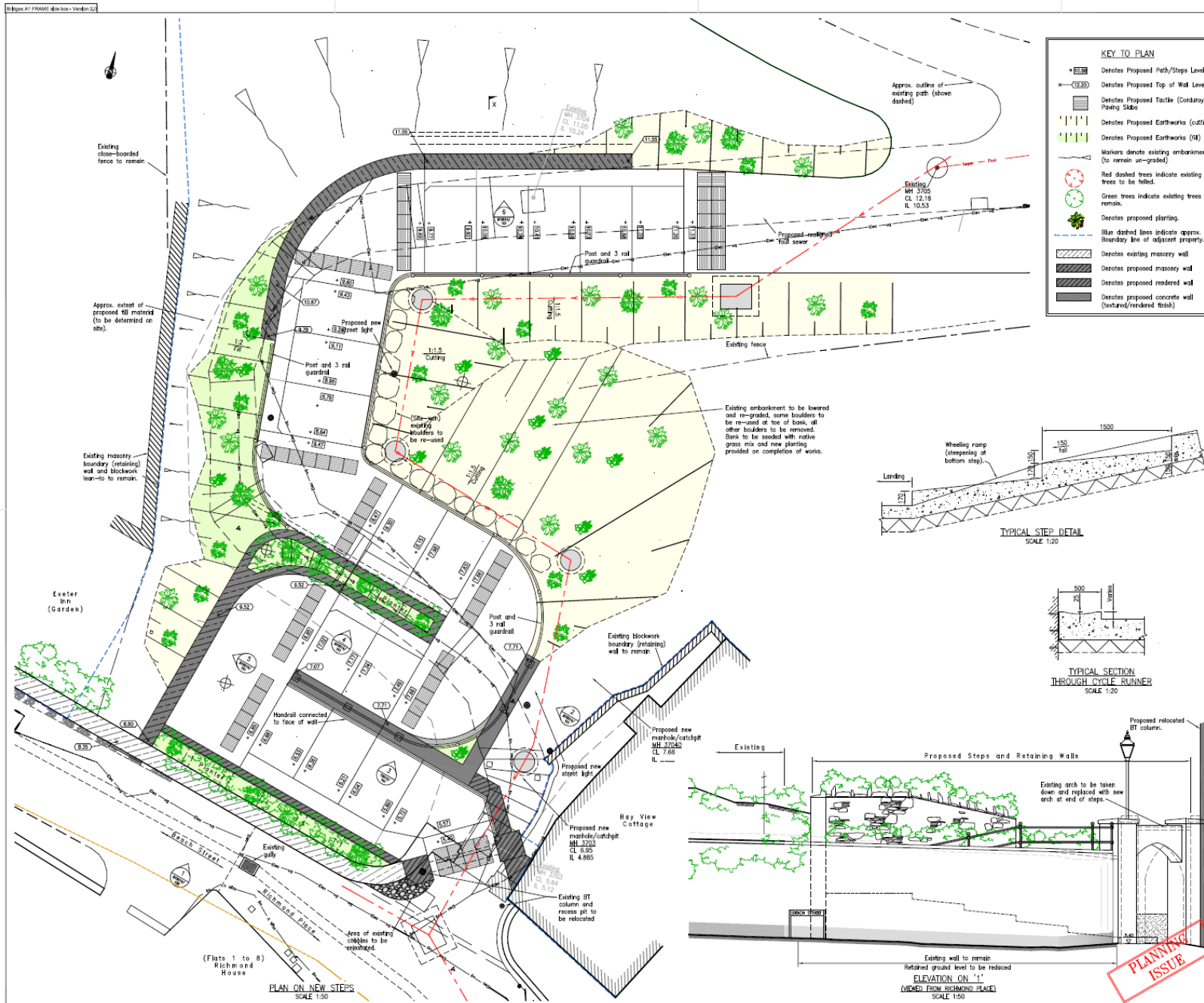


Red line boundary



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	Engineering Design Group Maiford Offices County Hall Topsham Road Exeter EX1 4QD Tel: 0145 155 1094 Fax: 01392 382342 customer@devon.gov.uk www.devon.gov.uk	JOB NCN DAWLISH ROAD LINK FROM EXETER ROAD (PHASE 3 LANHERNE STEPS)	DRAWING TITLE LANHERNES STEPS PHASE 3 LOCATION PLAN & PLANNING BOUNDARY	Rev 1	Date 02.08.16	Drawn JO	Revisions Proposals removed, boundary line tweaked	Chk	Do not scale from this drawing in either hard or electronic format. No responsibility is accepted where this drawing is used in circumstances other than that for which it was originally prepared and issued. drawing number B15014/ 1 scale(s) 1:200	Revision A
				size A1						



Do not scale from this drawing if other hard or algebraic format. No responsibility is accepted where this drawing is used in circumstances other than that for which it was originally prepared and issued.

NOTES

- This drawing is to be read in conjunction with drawing numbers B12037/02.
- All levels shown in metres.
- All dimensions in millimetres.
- All statutory undertakers plant omitted for clarity, for approximately locations refer to drawing number B12037/07.

Rev	Date	Drawn	Revised	Check
P0	APRIL 2018	TJC	Preliminary Issues	N/A
P1	20/07/2018	TJC	Step alignment revised.	N/A
P2	26/07/2018	TJC	Landscaping note revised.	***
P3	18/08/18	TJC	Typical Step Detail extended.	***
P4	08/09/18	TJC	Wall footing references added to Rev. Outline notes.	***
P5	18/09/18	TJC		***



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JOB
**NCN LANHERNE STEPS
 DAWLISH**

DRAWING TITLE
**PROPOSED
 GENERAL ARRANGEMENT**

drawing number	B15014/100	revision	P5
status	AS SHOWN	code	A1

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**Appendix I
To PTE/16/50**

Planning Policy Considerations

National Planning Policy Framework (March 2012)

Planning Practice Guidance

Teignbridge Local Plan 2013 - 2033 (Adopted May 2014): Policies EN05 (Heritage Assets); EN12 (Woodlands, Trees and Hedgerows); S01 (Sustainable Development Criteria); S02 (Quality Development); S09 (Sustainable Transport); S10 (Transport Networks); S17 (Dawlish); S21A (Settlement Limits); DA9 (Movement); and EC9 (Developments in Town Centres).

Appendix II To PTE/16/50

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 numbered B15014/100 Rev P5, B15014/101 Rev P3 and 16.40.1.TPP and documents entitled 'Design and Access Statement', 'Street lighting on footpath Lanhern to Richmond Place', 'Arboricultural Impact Assessment', 'Construction Management Scheme' and 'Wildlife Report', except as varied by the conditions below.

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

Pre-commencement

3. No development shall take place until the applicant has secured the implementation of a programme of historic building recording and analysis in accordance with a written scheme of investigation which has been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: To ensure that an appropriate record is made of historic building fabric that may be affected by the development in accordance with Policy EN5 Heritage Assets of the Teignbridge Local Plan (2013-2033).

4. No development shall take place, except that associated with the historic building recording, until a Landscaping Scheme which is consistent with the submitted documents has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:
 - (a) hard surfacing materials to be used for the path, that include the reuse of the kerbstones and cobbles;
 - (b) materials to be used for all retaining walls to be constructed, including coping details;
 - (c) materials to be used for the archway to be constructed;
 - (d) structures, including location of signs, handrails and lighting;
 - (e) a detailed planting plan showing all soft landscaping elements including the layout of the planting;
 - (f) written specifications, including methods of cultivation and other operations associated with plant establishment;
 - (g) schedules of plants, giving species, planting sizes and proposed numbers and densities;
 - (h) details of the planters to be installed, including dimensions and drainage information; and
 - (i) a schedule of maintenance to be carried out for a minimum of five years following completion.

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The landscaping works shall be carried out in accordance with the approved scheme. Approved planting shall be implemented in the first planting and seeding season after completion of development

REASON: To protect the character and appearance of the conservation area in accordance with Policy EN5 Heritage Assets and Policy EN12 Woodlands, Trees and Hedgerows of the Teignbridge Local Plan (2013-2033).

5. No masonry work shall begin until a trial panel or section has been constructed to demonstrate the materials (stone, mortar mix and mortar application) to be used in the retaining walls. The panel shall be inspected and approved in writing by the County Planning Authority. Development shall be carried out in accordance with the approved panel or section.

REASON: To protect and enhance the conservation area in accordance with Policy EN5 Heritage Assets of the Teignbridge Local Plan (2013-2033).

During construction

6. All trees and shrubs identified and marked for retention on the approved Tree Protection Plan ref 16.40.1.TPP shall be retained and protected during construction in accordance with the Tree Protection Plan ref 16.40.1.TPP and recommendations in the submitted Arboricultural Impact Assessment and Arboricultural Method Statement.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period, in the interests of visual amenity and in accordance with Policy EN12 Woodlands, Trees and Hedgerows of the Teignbridge Local Plan (2013-2033).

7. No vegetation clearance shall take place during the bird nesting season (1 March to 31 August inclusive) unless the developer has been advised by a suitably qualified ecologist that clearance will not disturb nesting birds and a record of this is kept. Such checks shall be carried out in the 14 days prior to clearance works commencing.

REASON: To minimise impacts on nesting birds and ensure that no birds take up residence in the intervening period in accordance with Policy EN8 Biodiversity Protection and Enhancement of the Teignbridge Local Plan (2013-2033).

8. Building operations shall only take place between 8am and 5pm on Mondays to Fridays. There shall be no working on Saturdays, Sundays and Public Holidays.

REASON: To protect the living conditions of nearby residents and in accordance with Policy S11 Pollution of the Teignbridge Local Plan (2013-2033).

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PTE/16/51

Development Management Committee
19 October 2016

Delegated Schedule – 19th October 2016 - Summary

<u>District/Location/Application Number</u>	<u>Proposal</u>	<u>Electoral Division</u>	<u>Action Taken</u>
<p>Teignbridge District Council</p> <p>Land off Aller Road opposite the Barn Owl Pub, Kingskerswell</p> <p>DCC/3844/2016</p>	<p>Land formation works utilising excavated material (arising from the South Devon Link Road construction) and associated engineering works to create a landscape feature at land opposite the Barn Owl Public House.</p>	<p>Teignbridge South</p>	<p>Conditional Approval</p>
<p>Teignbridge District Council</p> <p>The Ice House, Road from Stover Caravan Park to Forches Cross, Stover, TQ12 6QG</p> <p>DCC/3855/2016</p>	<p>Conservation repair</p>	<p>Newton Abbot North</p>	<p>Conditional Approval</p>
<p>South Hams District Council</p> <p>Lee Moor China Clay Works, Lee Moor, Shaugh Prior, Plympton, PL7 5JU</p> <p>DCC/3874/2016</p>	<p>Temporary 5 year permission for change of current permitted land use to incorporate areas for the importation, storage and treatment of waste materials suitable to create soils appropriate for land restoration. The treatment will include shredding, composting and soil manufacture</p>	<p>Wembury & Brixton</p>	<p>Conditional Approval</p>
<p>East Devon District Council</p> <p>Fluxton Waste Water Treatment Works, Tipton Vale, Fluxton, Ottery St Mary, EX11 1RL</p> <p>DCC/3880/2016</p>	<p>Proposed buildings to house additional plant and equipment</p>	<p>Ottery St Mary Rural</p>	<p>Conditional Approval</p>
<p>East Devon District Council</p> <p>Withycombe Raleigh C of E Primary School, Withycombe Village Road, Exmouth, EX8 3BA</p> <p>DCC/3886/2016</p>	<p>Demolition of 2 double temporary classrooms and construction of one new 4 classroom block with ancillary accommodation</p>	<p>Exmouth Brixington & Withycombe</p>	<p>Conditional Approval</p>
<p>North Devon District Council</p> <p>Ashleigh C of E Primary School, Bevan Road, Barnstaple, EX32 8LJ</p> <p>DCC/3891/2016</p>	<p>Demolition of double temporary classroom and installation of a single modular classroom with toilets and reinstate section of playground</p>	<p>Barnstaple North</p>	<p>Conditional Approval</p>

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Delegated Schedule - 7th October 2016 - Summary

<u>District/Location/Application Number</u>	<u>Proposal</u>	<u>Electoral Division</u>	<u>Action Taken</u>
Mid Devon District Council Landscape County Primary School, Threshers, Crediton, EX17 3JH DCC/3892/2016	Variation of condition 2 of pp DCC/3820/2015 to amend the position of the proposed cycle shelter	Crediton Rural	Conditional Approval