

Phil Norrey
Chief Executive

To: The Chair and Members of the
Development Management
Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 19 November 2019
Please ask for : Gerry Rufolo

Email: 01392 382299

DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday, 27th November, 2019

A meeting of the Development Management Committee is to be held on the above date at 2.15 pm in the Committee Suite - County Hall 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 16 October 2019 (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: Waste: East Devon District: Change of use from In-Vessel Composting Facility to Incinerator Bottom Ash (IBA) Recycling Facility to import and process up to 90,000 tonnes of IBA per annum, Former TEG In Vessel Composting Site, Stuart Way, Hill Barton Business Park, Exeter (Pages 1 - 20)

Report of the Chief Planner (PTE/19/45), attached

Electoral Divisions(s): Broadclyst

- 5 County Matter: Waste: South Hams District: Change of use from vehicle depot (Class B8) to a waste transfer station (sui generis) including land previously used as a Household Waste Recycling Centre, with building works to include demolition of an existing storage building, and construction of a waste transfer station building and associated litter netting, Ivybridge Council Depot, Ermington Road, Ivybridge (Pages 21 - 40)

Report of the Chief Planner (PTE/19/46), attached

Electoral Divisions(s): Ivybridge

- 6 County Council Development: Teignbridge District: Construction of a 630 place primary school and 750 place secondary school, provision for a road access and a bridge over the A379, Vacant agricultural site near the A30, Exminster, Exeter (Pages 41 - 66)

Report of the Chief Planner (PTE/19/47), attached

Electoral Divisions(s): Exminster & Haldon

OTHER MATTERS


- 7 Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule (Pages 67 - 68)

Report of the Chief Planner (PTE/19/48), attached.

Electoral Divisions(s): All Divisions

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

Nil

Membership
Councillors J Brook (Chair), Y Atkinson, S Aves, R Bloxham, J Hook, A Connett, G Gribble, I Hall (Vice-Chair), L Hellyer, J Hodgson, R Hosking, T Inch, P Sanders, C Slade 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.
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PTE/19/45

Development Management Committee
27 November 2019

County Matter: Waste

East Devon District: Change of use from In-Vessel Composting Facility to Incinerator Bottom Ash (IBA) Recycling Facility to import and process up to 90,000 tonnes of IBA per annum, Former TEG In Vessel Composting Site, Stuart Way, Hill Barton Business Park, Exeter

Applicant: Rock Solid Processing Limited

Application No: 19/1367/CM

Date application received by Devon County Council: 12 June 2019

Report of the Chief Planner

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 I of this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Members).

1. Summary

- 1.1. This report relates to an application to process and store up to 90,000 tonnes of incinerator bottom ash (IBA) per annum at Hill Barton Business Park.
- 1.2. It is considered the main material planning considerations in the determination of this application are planning policy considerations; highways; residential amenity; drainage; landscape and visual impact; and other environmental concerns, including climate change.
- 1.3. The planning application, representations received and consultation responses are available to view on the Council website under reference DCC/4135/2019 or by clicking on the following link:
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4135/2019>.

2. The Proposal/Background

- 2.1. Hill Barton Business Park is located approximately 4km to the east of Junction 30 of the M5 and the edge of Exeter, with vehicular access provided directly from the A3052 Exeter to Sidmouth road. It is a large business complex which includes a number of waste operations, including skip hire, waste transfer, green waste composting, inert landfill, the site of a proposed gasification unit and a Material Recycling Facility.
- 2.2. The application site is located in the north eastern corner of the business park, utilising the former in vessel composting building and storage area. It should be noted that green waste composting is currently taking place to the south of the proposal site and will continue. The inert landfill facility at Hill Barton borders the site to the south east, with an energy generation plant to the north and a vegetated area to the north west.

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- 2.3. The application looks to process up to 90,000 tonnes of incinerator bottom ash per annum, of which 15,000 tonnes would be sourced from the proposed Hill Barton energy from waste (EFW) facility, should it be built. The remaining material, 75,000 tonnes, would be imported to the site via public roads, with the main source of the IBA being the Plymouth energy from waste facility (approximately 60,000 tonnes per annum), which has permission to process 265,000 tonnes of waste per annum, and a facility at Bridgwater (approximately 15,000 tonnes per annum) which has permission to process up to 110,000 tonnes of waste per annum. All IBA material would be imported to the site from the M5 using the A3052.
- 2.4. IBA is the non-combustible residue remaining after incineration, mainly ash together with other materials including metals, grit and rubble.
- 2.5. The IBA would be imported to the site daily, by an estimated 11 covered HGVs (22 trips, which does not include the IBA imported from any Hill Barton facility), and would then be stockpiled and stored on site until the necessary capacity is reached to carry out processing on a campaign basis. IBA will be stored to the east of the building, within the existing hardstanding yard, with stockpiles reaching a maximum height of 10m. The applicant estimates that the storage yard is able to hold a maximum of 35,000 tonnes at any one time. Once this capacity is reached, processing within the existing building would commence, and it is anticipated that there would be three campaign processing events per year, lasting 6-8 weeks.
- 2.6. The processing operations constitute separating and sorting ferrous and non-ferrous metals through magnets and handpicking. These metals will be stored within the building until reaching a suitable tonnage and will be removed for recycling, and it is anticipated that approximately 7,450 tonnes of metals will be recovered per annum. Any unburned material would also be separated, stored within the building and returned to the incineration facility at which it originated. The IBA would then be screened into various different grades, and, once processed, incinerator bottom ash aggregate (IBAA) is produced which is a secondary aggregate. This will be stored on site or within suitable nearby facilities that have the correct permission, until sold for use as an aggregate. It is estimated that 67,500 tonnes of IBAA will be exported from the site, averaging 10 HGVs (20 trips) each day (excluding the movements associated with the IBAA leaving the site that would be generated from the Hill Barton facility).

3. Consultation Responses

- 3.1. East Devon District Council (Planning): no objections but endorse the comments made by Environmental Health.
- 3.2. East Devon District Council (Environmental Health): no outstanding concerns in relation to the proposal based on the information and commitments provided by the applicant, subject to the inclusion of the noise condition below. The Environment Agency will address the ongoing management requirements for dust and contaminated water throughout the life of the site.

Detailed comments have been made on the following issues:

- Noise – does not agree that the specific noise from the site will diminish to somewhere near negligible at the nearest sensitive receptor. Existing noises occurring on Hill Barton are audible offsite. During the sorting campaign, the machinery is extremely loud (115dB is quoted) and outside the noise level is predicted to be 80dB. Does not agree that this does not matter because it is an

industrial estate. The noise is similar to other operations (wood chipping facility; skip company; proposed EFW) and, taken in combination, these noises are highly likely to contribute to a deterioration in the noise climate in this area. In order to ensure that issues will be addressed, a noise condition in line with that proposed for the EFW site is appropriate. Noise levels currently prevailing within the Hill Barton industrial estate have recently been measured and the appropriate wording of a condition could be:

Prior to first commissioning operation of the development, a Noise Management Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall identify:

- (a) all potential noise sources, including low frequency noise;*
- (b) details of the ways in which noise audible off-site will be mitigated;*
- (c) the frequency of noise monitoring;*
- (d) the mechanism for reporting noise monitoring; and*
- (e) the methods of noise complaint investigation.*

The scheme shall be designed to ensure that the following standards are met:

- (a) The noise generated at the boundary of the nearest residential property at any time shall not exceed Noise Rating Curve 30, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Service Engineers Environmental Design Guide.*
- (b) The noise level measured at 5m beyond the boundary of the application site shall not exceed the current ambient and background noise levels within the Hill Barton industrial estate which can be taken as Laeq 60dBa, (1 hour, daytime), L90 52dBa (1 hour, daytime) and L90 43dBa (1 hour, night time).*

Upon written approval of the noise scheme operations at the site shall be carried out, and thereafter maintained, in accordance with the approved scheme.

Reason: To protect the amenity of local residents, to prevent a deterioration in the prevailing noise climate and to ensure compliance with East Devon's Local Plan policy EN14 (Control of Pollution) and Policy W18 of the Devon Waste Plan.

- Concerned that there may not be a market for the final IBAA product. If there is no market, there should be a commitment that the suppliers of the IBA might need to make other temporary arrangements rather than continuing to stockpile material all over Hill Barton. Perhaps the applicant could commit to a measure such that if the stockpiled amount in total exceeds 50,000 tonnes in emergency situations then the importation of IBA would be temporarily suspended;
- Agrees that no measurable negative impact on air quality locally, given the number of existing haulage uses on Hill Barton, although considers at some point a cap needs to be put on the site as a whole;
- No objection to the working hours;
- The applicant has confirmed that there is no potential for off-site odour;
- The applicant has also confirmed that there is no need for site lighting beyond closing time and this is welcomed;
- Pleased to see that the applicant has committed to ensuring that all vehicles based on site and other vehicles regularly delivering will be fitted with white noise reversing alarms, which of course will have beneficial effects wherever those vehicles operate;
- The applicant has confirmed that the IBA will be tested at source to ensure that it can be classed as non-hazardous. The presence of metals at low levels is still a potential risk to groundwater and the applicant has described the proposed

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arrangements for collecting all surface and run-off waters for pre-treatment and settlement using a “Siltbuster” system. They have also confirmed that treated liquid will be discharged to the foul sewer and that discharge agreements are in place with South West Water. This therefore addresses concerns about the potential for ground water to become contaminated. The Environment Agency are likely to require for tests to be carried out in due course in order to confirm that all water requiring treatment is being collected.

3.3. Farringdon Parish Council: cannot support the application without the following issues controlled with conditions, particularly the noise condition outlined by the EDDC EHO:

- consider there should be a cap on the site as a whole in regard to the impact of air quality, which is essential to protect amenity and health;
- would wish to see a commitment that the suppliers of the IBA would make other arrangements rather than continuing to stockpile material all over Hill Barton;
- dust is a current and ongoing concern for residents, and the high stockpiles are of concern;
- question the need for additional working hours;
- the stockpiles must not have a negative visual impact on our rural environment. Under the East Devon Local Plan Farringdon is deemed as open countryside and a rural environment;
- Farringdon has several properties with private water systems so it is critical for health that the drainage system proposed is effective;
- question why the doors to the building could not be kept closed and this is made a condition;
- the Parish Council note that the expansion of waste operations has resulted in a significant increase in cumulative noise. There is no overall site policy for the cumulative effect of noise. Residents cannot distinguish between unacceptable loud noises from the different operations. Noise is an ongoing and major concern for residents. Consider that applications lack any accurate noise assessment information and, as a consequence, residents are continually reporting noise that affects their amenity. Consider that in reality noise is much louder than applications estimate. Noise should be considered from the outset rather than retrospectively;
- increase in traffic is huge concern to Farringdon and Clyst St Mary residents;
- concerned that the operation will be producing hazardous waste; and
- regular odour problems occur in relation to the current composting facility and it is unacceptable that no information has been provided on odour.

3.4. Bishops Clyst Parish Council: objection. There are anomalies relating to noise, dust and odour, and the council do not expect that the proposal would increase traffic by 0.4%. The A3052 is operating at capacity, and increases in lorries would add unacceptable burdens on existing traffic problems and add significantly to pollution levels within Clyst St Mary. Dispute DCC Highways response that the traffic would be unnoticeable. Support and agree with other concerns and objections made.

3.5. Farringdon Residents Association: objection. Concerned at the cumulative effective of this and other applications. There are concerns over:

- noise – increase in lorry movements and vehicles on site;
- transport – significant movements on the nearby road systems;
- visual impact – 10m stockpiles will dwarf the 3m retaining walls, creating an eyesore;

- dust – strict conditions needed to control dust emissions and hazardous dust. Prevailing wind is towards the village. The use of water on stockpiles is also of concern and the probability of contaminated water runoff;
 - hazardous waste – strict controls will be needed to protect the atmosphere and water environment; and
 - hours of operations – should be limited to 8am – 5pm Monday to Friday.
- 3.6. Plymouth City Council: comment that the North Yard Energy from Waste facility in Plymouth has approval to process 265,000 tonnes of waste per year, generating approximately 60,000 tonnes of IBA per annum. Previous locations to manage the IBA have not been forthcoming and the material is currently sent to the Netherlands for processing. There is a requirement, by condition, for 95% of the IBA produced to be recycled and not sent to landfill, and that procedures are followed to try to secure the use of treated bottom ash as an aggregate for local infrastructure and engineering projects. A method doing this was approved by Plymouth City Council and should be followed at any IBA re-processing facility.
- 3.7. Environment Agency: the development requires a permit and the EA has received application for this. If the permit is issued, the EA would have considered amenity issues, such as noise, odour and dust.
- 3.8. Highways England: no objection. Satisfied that the predicted level of trips is unlikely to adversely impact on the operation of the strategic road network, specifically M5 Junction 30.
- 3.9. Natural England: No objection. Consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 3.10. Devon County Council Ecology: given the size and nature of the proposals, with no vegetation removal or artificial lighting being proposed, there are no ecological comments to make.
- 3.11. Devon County Council Flood Risk Management: although most of the surface water drainage is remaining unaltered, the external areas are proposed to be drained to the Leachate Treatment Plant which will restrict flow. It is understood that the external areas of the existing site drain to the foul sewer unrestricted. A restriction to the flow will cause the surface water drainage system to 'back up'. The applicant has proposed a tank of 30m³ to manage this, but there are concerns that the storage needs to be more than this. The applicant has proposed a 6-inch wall at the front of the development, but calculations should be submitted to demonstrate that this wall will provide enough storage. Surface water from the external areas could be contaminated and should not drain to a watercourse (either directly or via a surface water sewer or highway drain).

The following details are required prior to commencement to confirm the surface water drainage strategy:

- confirm the outfall of the existing filter drain;
- calculations demonstrating the volume of surface water for a 1 in 100 years (+40% allowance for climate change) rainfall event;
- calculations of the available storage within the external areas;
- a scaled plan confirming the levels and gradients of the proposed pipework associated with the drainage of the external areas, as well as the levels of the Leachate Treatment Plant;

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- a statement confirming how surface water from the external areas shall reach the Leachate Treatment Plant; and
 - a scaled plan confirming the designs of the existing surface water drainage system serving the roof.
- 3.12. Devon County Council Waste Policy: in principle, the application is supported as it will achieve sustainable waste management by driving waste up the waste hierarchy. The proposed site is within the area of land identified under Policy W6 of the Devon Waste Plan for energy recovery; however, there is no objection to this as the allocation represents a larger area of search.
- 3.13. Devon County Council Highways: no objection. The increase is unlikely to have any significant impact on the existing highway network as it will most likely be unperceivable to other road users.
- 3.14. Devon County Council Public Health: the findings of the assessment reports for dust, noise, transport and air quality appear to meet national standards and the conclusions state that the impacts are negligible. Recommend that the dampening systems use rainwater to minimise the use of water and that carbon emissions from the transport are off-set.
- 3.15. Local Member (Cllr Ray Bloxham): regards the application acceptable and unlikely to have any amenity impact. Vehicles movements should be considered. On balance and given the previous HGV activity linked to the former use, the increase in movements generated is insufficient to justify an objection.

4. Advertisement/Representations

- 4.1. The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter. As a result of these procedures, six objections have been received, as well as three objections from Clyst St Mary Residents Association. These object on the following grounds:
- Associated traffic – ever increasing industrialisation of Hill Barton and Greendale is having a detrimental impact on local communities, especially in Clyst St Mary and the A3052. Clyst St Mary roundabout is at capacity and it is considered the highway network should be improved before any further large-scale industrial development is approved. Slow-moving HGVs will also cause noise and air pollution. There are inadequate crossings on the A3052. The increase in traffic should be considered cumulatively. Highlight that the composting operations will still be operating alongside the proposal, so both facilities will be using the A3052. Do not agree with DCC Highways response.
 - The application does not include adequate measures to control noise; dust; light pollution; odour and increase in traffic, which are already a problem in an area which is open countryside;
 - The cumulative impacts have not been assessed;
 - The residents' actual experience of noise should be considered alongside the noise report. At night the EMS waste operation can be heard;
 - The planting/screening around the site is not adequate to support the development;
 - No proposals to control hazardous waste effectively;
 - The development of Hill Barton has reduced the wildlife of the area and the landfill has blocked far reaching views.

5. Planning Policy Considerations

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

5.2 **Devon Waste Plan 2011 – 2031 (adopted December 2014)**

Policies W1 (Presumption in favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W5 (Reuse, Recycling and Materials Recovery); W11 (Biodiversity and Geodiversity); W12 (Landscape and Visual Impact); W14 (Sustainable and Quality Design); W15 (Infrastructure and Community Services); W16 (Natural Resources); W17 (Transportation and Access); W18 (Quality of Life); and W19 (Flooding).

5.3 **East Devon Local Plan 2013-2031 (adopted January 2016)**

Strategies 7 (Development in the Countryside); 38 (Sustainable Design and Construction); Policies EN14 (Control of Pollution); EN18 (Maintenance of Water Quality and Quantity); EN22 (Surface Run-Off Implications of New Development; and TC7 (Adequacy of Road Network and Site Access).

- 5.4 Other material considerations include:

**National Planning Policy Framework
National Planning Policy for Waste
Planning Practice Guidance**

6. Comments/Issues

- 6.1. The main material planning considerations in the determination of the proposed development are planning policy considerations; highways; residential amenity; drainage; landscape and visual impact; and other environmental concerns, including climate change.

Planning Policy Considerations

- 6.2. Policy W3: Spatial Strategy of the Devon Waste Plan looks for new strategic recycling facilities - those that could manage a minimum of 40,000 tonnes of waste per annum - to be located within or close to Exeter, Barnstaple or Newton Abbot. This site is approximately 4km east of Exeter and is, therefore, considered to be an acceptable location, in principle, for a strategic waste facility. The site is also utilising an existing building and hardstanding area on a business park which has other waste management facilities.
- 6.3. More specifically, Policy W5: Reuse, Recycling and Materials Recovery states that planning permission will be granted for facilities for storing and recycling of waste, unless material considerations indicate otherwise, where they:
- (a) are co-located at or close to the source of the waste or opportunities for its beneficial after use; and/or
 - (b) achieve the segregation of reusable, recyclable or compostable materials prior to energy recovery or disposal of the residual waste; and/or

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- (c) are co-located with a complementary waste management operation; and/or
- (d) achieve the recycling of incinerator bottom ash and/or other non-hazardous thermal treatment residues arising within Greater Devon.

- 6.4. It is considered the proposal meets points (c) and (d), and potentially meets (a) in that the proposal is for the recycling of IBA, primarily intended to serve the Plymouth facility, which is within Greater Devon. An energy from waste facility is also approved at Hill Barton Business Park which could utilise the proposed facility. It is noted the application makes reference to the Bridgwater energy from waste facility, which is outside of Devon; however, this accounts for small proportion of the IBA to be processed at the site (approximately 17%), and it is considered the primary purpose of the application is to serve facilities in Greater Devon and, therefore, is in general accordance with Policy W5.
- 6.5. The application proposes processing up to 90,000 tonne of material per annum, with this figure derived through the current contracts of the applicant and potential future operations:
- 60,000 tonnes from the Plymouth energy from waste facility – this is currently operational with IBA being transported to the Netherlands;
 - 15,000 tonnes from a Bridgwater energy from waste facility –this facility is consented, and construction has commenced; and
 - 15,000 tonnes from Hill Barton energy from waste facility – this facility is consented.
- 6.6. It is understood that the IBA generated by the Exeter energy from waste facility is currently contracted to be managed in Avonmouth.
- 6.7. It is noted that the proposal is within an area designated for energy recovery by Policy W6: Energy Recovery; however, this allocation covers a larger area and there is still scope for an energy recovery proposal to come forward if required.
- 6.8. Responses have noted that Farringdon is within the open countryside. While the application site and the surrounding rural area are outside of any built-up area boundary, the application site is considered an appropriate location given its position within the existing industrial estate and the use of existing infrastructure.

Highways

- 6.9. The application assumes that 75,000 tonnes of IBA being imported into the site will utilise the A3052 heading to/from the Exeter direction. The remaining 15,000 tonnes, should the facility be forthcoming, will be generated from Hill Barton and these trips would be utilising private access roads.
- 6.10. A number of responses that have been received raise concerns with the level of vehicle movements the application is generating, particularly with regards to the impacts upon Clyst St Mary, including the roundabout and the poorly maintained pedestrian footbridge.
- 6.11. In total, it is anticipated the operations would result in 56 trips per day on the public highway, 50 HGV trips and 6 multi-modal staff trips. The HGV movements can be divided into imported IBA; exported IBAA; exported metals; and sludge. Taken across an 11-hour day, this results in two or three HGVs delivering or collecting material per hour (approximately 4 to 6 trips). These figures would represent a 3.6% HGV increase on public roads, and an overall increase of 0.3% in overall traffic.

- 6.12. Residents have stated that the Clyst St Mary Roundabout is at capacity. It is understood the roundabout does experience queuing in the AM and PM peak; however, it is not considered the movements anticipated with the application (two or three HGVs per hour), or cumulatively with other development, would have an adverse impact of the capacity and functionality of the transportation network, as set out in Policy W17 (Transportation and Access) of the Devon Waste Plan.
- 6.13. Whilst the concerns of the residents are appreciated, the increase in movements is unlikely to have a significant impact on the existing highway network. The applicant has, however, offered to provide a Delivery & Servicing Plan which will set out best practice for the delivery and collection of material to and from the site, including route management, hours of delivery and on-site practices and behaviour in order to minimise any impacts as far as possible. This is recommended to be secured by condition.

Privacy/Noise/Proximity to Residential Properties

- 6.14. The key concerns raised by nearby residents, Farringdon Parish Council and the Farringdon Residents Association are the cumulative impacts of noise, dust and traffic with the other operations taking place at Hill Barton Business Park. Policy W18 (Quality of Life) of the Devon Waste Plan protects peoples' quality of life and amenity from adverse effects of waste management, including any cumulative effects. Development should demonstrate that the light pollution, noise and vibration, dust and other reduction in air quality shall be strictly controlled to avoid any significant nuisance.

Dust and air quality

- 6.15. Concerns have been raised regard the level of dust that could be generated from the operations and the potential from 'wind-whipping' due to the height of the stockpiles.
- 6.16. The applicant has provided a Dust Management Plan, which highlights a number of processes taking place at the site that have the potential to generate dust including the delivery, exporting and stockpiling of IBA; the movement of IBA around the site; the mechanical processing of the IBA; and windblown dust from area storage and external areas. In order to mitigate any potential for fugitive dust emissions, the applicant proposes a number of measures including covered vehicles being used for delivery and collection; stockpiles dampened using a water spray cannon; internal roadways to be kept clear and dampened when required; processing to take place within the building, with the rear doors remaining closed; and the processing plant to incorporate a sprinkler system. The landfill bund and existing buildings also offer screening to sensitive receptors to the east and west, and the applicant has also stated that the materials are naturally coherent, will be compacted and regularly dampened, and when exposed to the air the material tends to form a crust. The Environmental Health Officer has considered these measures and has no outstanding concerns regarding dust emissions. It is, however, recommended that these measures are conditioned should planning permission be granted.
- 6.17. It should be noted that the Environmental Permit, should it be issued by the Environment Agency, would have conditions related to dust management of the stockpiles and the operations.

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- 6.18. The applicant has provided an Air Quality Assessment which concludes there is a negligible impact on local NO₂, PM₁₀ and PM_{2.5} concentrations. The Environmental Health Officer agrees with this assessment.

Noise

- 6.19. Concerns have been raised at the potential noise to be generated from the operations, with residents suggesting that noise pollution is already too high coming from the site.
- 6.20. The applicant has submitted a Noise Impact Assessment as part of the application, indicating noise is likely to be generated from the campaign processing event and with machinery stockpiling material. This Assessment concludes that the effect of operational noise at sensitive receptors is likely to be negligible. However, the Environmental Health Officer does not agree with this conclusion, in that the noise levels are anticipated to be loud (115db inside and 80dB outside) and comparable to nearby uses. Taken in combination, it is anticipated that these noises are likely to contribute to a deterioration in the noise climate in the area. A condition is proposed to require a Noise Management Scheme prior to operations commencing, to include complaint investigation and ensuring noise limits do not exceed the existing background noise levels in Hill Barton Business Park. Discussions with the Environmental Health Officer have confirmed that noise levels can be measured at 30m from the site boundary, as opposed to 5m, for consistency across the Business Park. This condition is recommended should planning permission be granted.
- 6.21. The applicant has suggested operating hours, including hours for collection and delivery, between 07:00 and 18:00, Monday to Friday. However, operations may need to take place on Saturdays to recover from bank holidays or should there be an operational emergency at one of the source facilities requiring an additional day of offtake. These hours are considered acceptable and it is recommended that these are conditioned, with notification of, and agreement for, any Saturday working to be obtained from the Waste Planning Authority.

Cumulative impacts

- 6.22. A number of responses have referenced the potential cumulative impacts of this development in combination with the existing businesses and operations at Hill Barton, with a particular concern with noise. The reports submitted with the application have considered the current situation at the Business Park and the surrounding environment. The noise condition proposed would require the operations to be below the current background noise levels at the business park and the provision of a noise management scheme to achieve this.

Other

- 6.23. Responses have referred to the impact of the highway movements on the local community. It is considered that the levels of traffic anticipated to be generated by the development, as detailed above, will not have a material impact upon residential amenity.
- 6.24. The proposal does propose any additional lighting and the use of existing lighting will only be during operational hours. This is considered acceptable, but it is recommended this is secured by condition.

- 6.25. Responses have referred to the generation of odour by the operation. The applicant has clarified that the site will be handling materials that have been subject to a high temperature process before arriving, meaning that there will be no biodegradable materials present that have the potential to create odour. This is considered a reasonable conclusion.

Overall

- 6.26. It is considered, with the recommended conditions, the proposal is in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan and Policy EN14 (Control of Pollution) of the East Devon Local Plan.

Drainage

- 6.27. The proposal looks to separate out the management of clean surface water from the roof of the building and surface water collected from external areas and the internal building area. Clean surface water will be directed to the existing surface water drainage system and all other surface water, including from the storage and processing area, is proposed to be directed through a Leachate Treatment Plant. Once treated, the water would be discharged into the foul sewer. South West Water have issued a Trade Waste Consent for this, and the Environment Agency will also consider the drainage as part of the permitting process. Whilst the principle of water management is acceptable in principle, it is considered that final design of the drainage system should be required by a condition. The sludge from the Leachate Treatment Plant will be removed from site for treatment; given this, and the requirement of a condition for information to be submitted demonstrating the above waste management systems, it is considered the proposal will not have a significant adverse effect on the quality of water resources and is in accordance with Policy W16 (Natural Resources) of the Devon Waste Plan.

Landscape and Visual Impact

- 6.28. A response has made reference to the existing planting and screening along Spain Lane not being adequate to support the development. It is considered visibility to the site is limited, as the site is screened by existing buildings within the business park and the landfill bund. Although the stockpiles are proposed to be 10m in height, this is no higher than that the adjacent landfill bund and existing building and, therefore, with a condition controlling stockpile heights, the proposal is considered acceptable and in accordance with Policy W12 (Landscape and Visual Impact) of the Devon Waste Plan in that the scale and design of the development is sympathetic to the landscape setting.

Other Environmental Considerations (Including Climate Change)

- 6.29. Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate”, while Devon County Council has declared a climate emergency and committed to facilitating the reduction of Devon’s carbon emissions to net-zero by 2050. The scope for individual planning applications to contribute to these initiatives will be dependent on the nature and scale of the development being proposed, and relevant considerations are outlined below.
- 6.30. The primary benefit of the application would be the management of a waste material and production of a secondary aggregate within Devon that would reduce the need for land-won aggregates and the use of natural resources, an approach supported by

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the Aggregates Hierarchy in the Devon Minerals Plan. Plymouth City Council require 95% of the IBA produced at the Plymouth energy recovery facility should be recycled to optimise the use of the IBA in the most sustainable way. Details to secure the use of the treated bottom ash as an aggregate for local infrastructure and engineering projects has also been approved by Plymouth City Council, which includes a marketing strategy.

- 6.31. Given these requirements, the application would also allow the IBA to be managed and utilised closer to the source of the waste. It is understood that alternative locations closer to the Plymouth energy from waste facility have been considered but have proved undeliverable. Whilst HGVs will still be required to transport material between the facilities, this is a much shorter distance than the current arrangements which see the IBA from Plymouth shipped to the Netherlands. The applicant has provided a comparison of the estimated CO₂ emissions generated from the transportation to the Netherlands and Hill Barton and this shows that shipping the material to the Netherlands generates approximately 3.5 times as much CO₂ as the road transportation to Hill Barton. This assessment is considered reasonable and would lead to reduction in CO₂ emissions.
- 6.32. The proposal is also making use of existing infrastructure, minimising any development on greenfield/undisturbed land and, whilst there is limited opportunity on site for any biodiversity improvements, the applicant is providing four swift boxes on the south western elevation of the building. One response has suggested the use of rainwater for dust mitigation; the applicant has considered this but, in practice, the misting system requires a pressurised mains connection to be effective, without the potential of suspended solids that could be found in the roof run-off.

Other

- 6.33. Responses have referred to the IBA as being hazardous. The applicant has clarified that the no hazardous materials will be accepted at the site and notes that the contract with the Plymouth energy from waste facility requires that all materials meet non-hazardous specifications.
- 6.34. Concerns have also been raised regarding the storage of IBA/IBAA should there not be a market for the aggregate. The applicant believes there is a market following discussions and experience, and the requirement by Plymouth City Council should also assist in creating need. However, in the event that the market is not strong, the applicant has confirmed it will be their responsibility to find alternative solutions for the IBAA being produced. One option for the applicant is to use the storage facilities within the neighbouring landfill site, or at another suitable site within Hill Barton. Ultimately, should space not be available the applicant will have to resume arrangements to export the material to the Netherlands. The applicant will have to ensure any alternative site has the correct planning permission and Environmental Permit in place, and it is understood that alternative locations would have a sealed surface and dedicated drainage. In order to ensure the application site is limited in the amount of material that is stored on the site, it is recommended a tonnage limit and stockpile heights are conditioned.

7. Reasons for Recommendation/Alternative Options Considered

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

- 7.2 It is considered this proposal delivers sustainable waste management for Devon, and it allows the recycling of a waste that may otherwise be disposed of or processed further afield. The production of a secondary aggregate minimises reliance on natural resources, and there is a commitment to utilise the material within greater Devon infrastructure and engineering projects. The concerns of the local residents are noted, and the recommended conditions are considered to provide adequate control with regards to dust and noise, along with the requirements of any Environmental Permit. Whilst there are concerns regarding the additional traffic, the anticipated movements are not considered to have a significant effect on the highway network. Taking the material considerations into account, it is considered appropriate to grant planning permission in accordance with the recommendation of this report.

Mike Deaton
Chief Planner

Electoral Division: Broadclyst

Local Government Act 1972: List of Background Papers

Contact for enquiries: Emily Harper

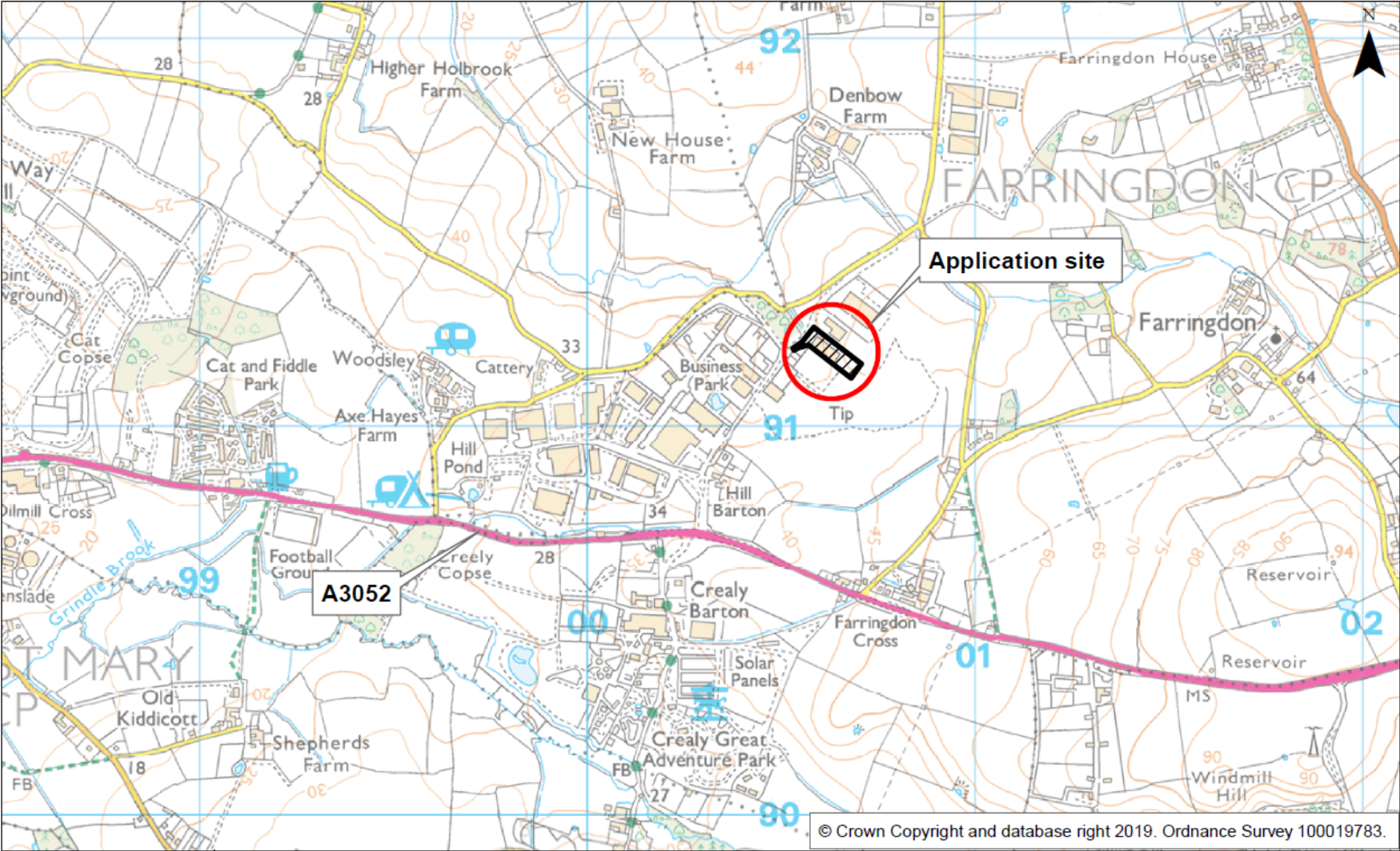
Room No: AB2, Lucombe House, County Hall


Tel No: 01392 383000

Background Paper	Date	File Ref.
Casework File	Current	DCC/4135/2019

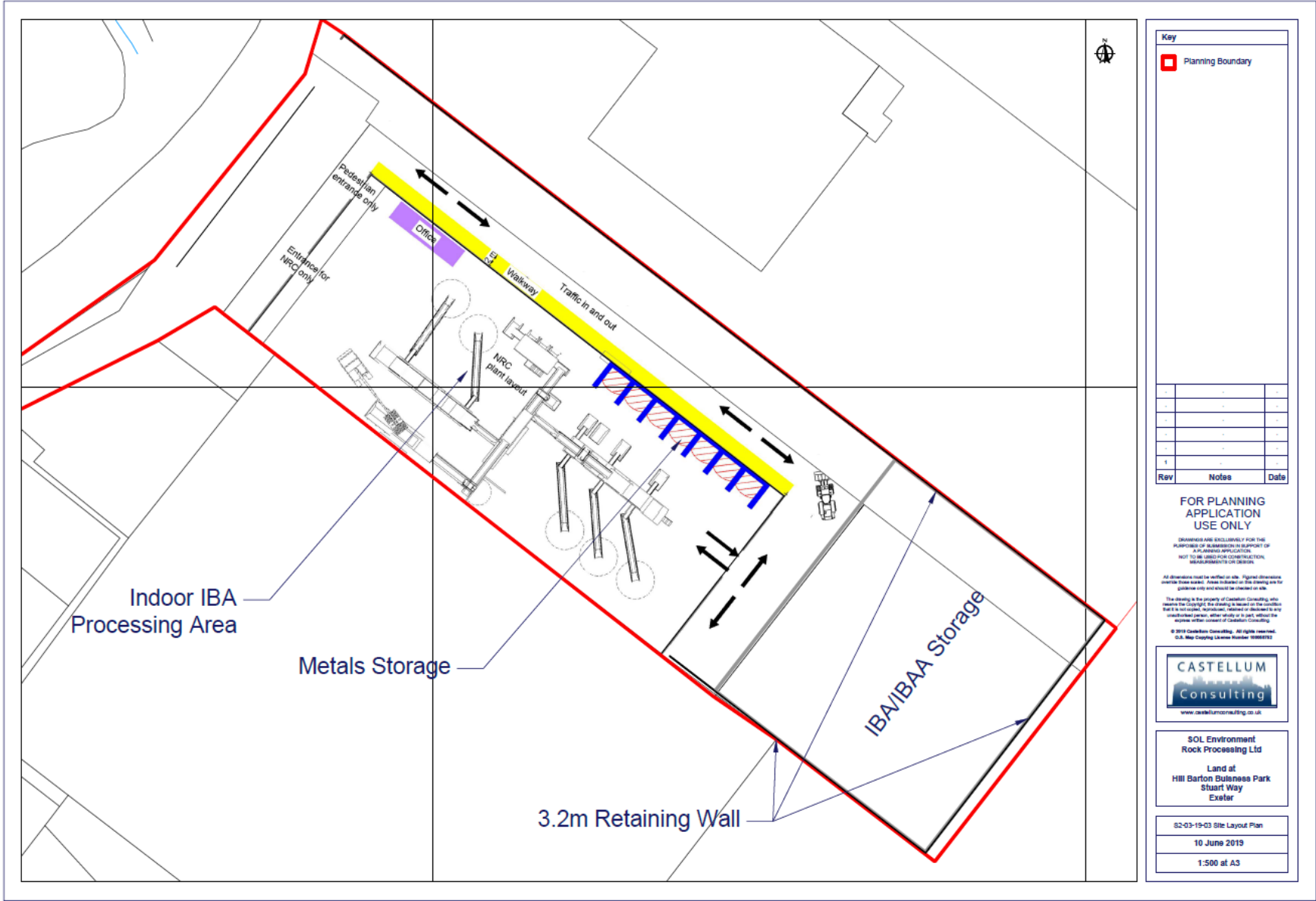
eh041119dma
sc/cr/Change of use from In-Vessel Composting Facility to Recycling Facility Stuart Way Hill Barton Business
Park Exeter
02 181119

Location Plan



	Head of Planning, Transportation and Environment	Development Management Committee County Matter: Waste East Devon District Council: Change of use from In-Vessel Composting Facility to Incinerator Bottom Ash (IBA) Recycling Facility to import and process up to 90,000 tonnes of IBA per annum at Former TEG In Vessel Composting Site, Stuart Way, Hill Barton Business Park, Exeter, EX5 2HU	date	November 2019	scale	1:12,500
			Application No: 16/01969/DCC			

Site Plan



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Appendix I To PTE/19/45

Planning Conditions

COMMENCEMENT

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.

STRICT ACCORDANCE WITH PLANS/DOCUMENTS

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered/titled:
 - S2-03-19-01 Site Location Plan;
 - S2-03-19-03 Site Layout Plan;
 - 1901-02-C Boundary Detail;
 - S2-03-19-05 Site Bird Box Plan;
 - S2-03-19-04 Site Lighting Plan;
 - Section 3 Controls and management procedures of the Dust and Emission Management Plan (dated 25/10/2019)

unless as varied by the conditions below.

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

NOTIFICATION

3. Written notification of the date of the commencement of importing Incinerator Bottom Ash shall be sent to the Waste Planning Authority no later than 21 days prior to importation commencing.

REASON: To enable the Waste Planning Authority to monitor the proposed operations.

PRE-COMMENCEMENT CONDITION

DRAINAGE

4. No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by, the Waste Planning Authority. This detailed permanent surface water drainage management plan shall include, but not be limited to:
 - confirmation of the location of the outfall of the existing filter drain, shown on a scaled plan;
 - calculations demonstrating the likely volume of rainfall which will fall on the site for a 1 in 100 years (+40% allowance for climate change) rainfall event;
 - calculations of the available surface water storage within the external areas. In the event that surface water (for a 1 in 100 years (+40% allowance for climate change) rainfall event) cannot be contained within the external areas, a revised drainage plan shall be submitted to ensure the surface water can

be contained within the external areas. This may require alterations to external features;

- a scaled plan confirming the levels and gradients of the proposed pipework associated with the drainage of the external areas, as well as the levels of the Leachate Treatment Plant;
- a statement confirming how surface water from the external areas shall reach the Leachate Treatment Plant;
- a scaled plan confirming the designs of the existing surface water drainage system serving the roof; and
- details of the proposed pumping to the Leachate Treatment Plant (including a statement confirming how it will be pumped and a plan depicting the location of any machinery for pumping).

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

Reason: To ensure that surface water from the development is managed to reduce the risk of flooding and contamination of water resources in accordance with Policies W18 (Flooding) and W16 (Natural Resources) of the Devon Waste Plan.

PRIOR TO THE COMMENCEMENT OF IMPORTING INCINERATOR BOTTOM ASH

NOISE

5. Prior to the importation of Incinerator Bottom Ash, a Noise Management Scheme shall be submitted to and approved in writing by the Waste Planning Authority. The scheme shall identify:
 - a. all potential noise sources, including low frequency noise;
 - b. details of the ways in which noise audible off-site will be mitigated;
 - c. the frequency of noise monitoring;
 - d. the mechanism for reporting noise monitoring; and
 - e. the methods of noise complaint investigation.

The scheme shall be designed to ensure that the following standards are met:

- a. The noise generated at the boundary of the nearest residential property at any time shall not exceed Noise Rating Curve 30, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Services Engineers Environmental Design Guide.
- b. The noise level measured at 30m beyond the boundary of the application site shall not exceed the current ambient and background noise levels within the Hill Barton industrial estate which can be taken as LAeq 60dB, (1 hour, daytime), L90 52dBa (1 hour, daytime) and L90 43dBa (1 hour, night time).

Upon written approval of the noise scheme, operations at the site shall be carried out, and thereafter maintained, in accordance with the approved scheme.

REASON: To protect the amenity of local residents, to prevent a deterioration in the prevailing noise climate and to ensure compliance with Policy EN14 (Control of Pollution) of the East Devon Local Plan and Policy W18 (Quality of Life) of the Devon Waste Plan.

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DELIVERIES AND COLLECTIONS

6. Prior to the importation of Incinerator Bottom Ash, a Delivery & Servicing Plan shall be submitted to and approved in writing by the Waste Planning Authority. This shall set out best practice for the delivery and collection of material from the site, including route management, hours of delivery and on-site practices and behaviour. Operations shall be carried out in accordance with the approved Delivery & Servicing Plan.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

SITE PREPARATION

7. The boundary wall shown on drawings 1901-02-C Boundary Detail and S2-03-19-03 Site Layout Plan; the surface water drainage management plan approved under condition 4; and the Swift Bird Boxes shown on S2-03-19-05 Site Bird Box Plan shall be fully installed and completed prior to the importation of Incinerator Bottom Ash, and shall subsequently be retained for the duration of the operations hereby permitted.

REASON: To prevent any contamination of water resources and to provide biodiversity improvements in accordance with Policies W14 (Sustainable and Quality Design) and W16 (Natural Resources) of the Devon Waste Plan and Policy EN14 (Control of Pollution) of the East Devon Local Plan.

OPERATIONAL

TONNAGE RESTRICTIONS

8. No more than 90,000 tonnes of Incinerator Bottom Ash shall be imported onto the site in any calendar year, with no more than 75,000 tonnes of this imported using the public highway. The operator shall maintain records of all waste entering the site and make them available to the Waste Planning Authority at any time upon request. The records shall contain details of all deliveries including the date, tonnage of waste and source of waste.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

STORAGE RESTRICTIONS

9. Incinerator Bottom Ash and Incinerator Bottom Ash Aggregate shall only be stored within the area marked 'IBA – IBA-A Storage' on drawing 1901-02-C Boundary Detail. No more than 35,000 tonnes of Incinerator Bottom Ash and/or Incinerator Bottom Ash Aggregate shall be stored within the area marked 'IBA – IBA-A Storage' at any one time. Stockpiles of Incinerator Bottom Ash and Incinerator Bottom Ash Aggregate shall not exceed a height of 10m.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

MATERIAL RESTRICTIONS

10. No waste or processed materials other than Incinerator Bottom Ash; Incinerator Bottom Ash Aggregate; and metals and sludge arising from the processing operations shall enter, be treated or be stored at the site. Wastes and processed materials shall only be stored in their respective designated areas shown on drawing 1901-02-C Boundary Detail and the drainage details approved under condition 4.

REASON: To enable the Waste Planning Authority to monitor the proposed operations and that the purpose of the development remains to achieve the recycling of Incinerator Bottom Ash in accordance with Policy W5 (Reuse, Recycling and Materials Recovery) of the Devon Waste Plan.

HOURS OF OPERATIONS

11. The site shall only operate (including deliveries, processing, stockpiling and collections) between the following hours:
- 07.00 to 18.00 Mondays to Fridays
 - The site shall not operate on Saturdays unless agreement has been obtained from the Waste Planning Authority. The operator shall submit a request and justification to the Waste Planning Authority at least 5 days prior to the proposed Saturday working. Any operation carried out on a Saturday shall be between the hours of 08.00 and 17.00.
 - No operations shall take place on Sundays or Public Holidays.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

PROCESSING RESTRICTIONS

12. All processing activities shall take place within the building shown on drawing S2-03-19-03 Site Layout Plan. Doors on the north eastern and south eastern elevations shall remain closed during processing except when transporting material to and from the stockpiles. Processing shall only take place:
- during three events in any calendar year; each event shall be up to a maximum of 8 weeks;
 - in accordance with the operating hours set out in Condition 11.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

PLANT AND MACHINERY

13. No vehicle, plant, equipment and/or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer where appropriate to meet the standards set out in Condition 5. All vehicles, plant, equipment and/or machinery shall be maintained in accordance with the manufacturer's specification at all times.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

Agenda Item 4

PLANT AND MACHINERY

14. No permanent vehicles or mobile plant used shall be operated within the permission area unless they have been fitted with and use “white noise” alarms. Where possible, delivery and collection vehicles shall be fitted with and use “white noise” alarms.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

DELIVERIES AND COLLECTIONS

15. All vehicles delivering or collecting unprocessed or processed Incinerator Bottom Ash shall be sheeted at all times other than during loading or unloading.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

LIGHTING

16. All lighting shall be operated in accordance with the details shown on S2-03-19-04 Site Lighting Plan. No additional lighting shall be installed or operated at the site.

REASON: To minimise the impact of the development on the local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

PTE/19/46

Development Management Committee
27 November 2019

County Matter: Waste

South Hams District: Change of use from vehicle depot (Class B8) to a waste transfer station (sui generis) including land previously used as a Household Waste Recycling Centre, with building works to include demolition of an existing storage building, and construction of a waste transfer station building and associated litter netting, Ivybridge Council Depot, Ermington Road, Ivybridge

Applicant: FCC Recycling (UK) Limited

Application No: 2519/19/DCC

Date application received by Devon County Council: 25 July 2019

Report of the Chief Planner

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 I this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Member).

1. Summary

- 1.1 This application relates to a change of use from an existing vehicle depot, together with an area of land previously used as a Household Waste Recycling Centre, to a waste transfer station, with the demolition of an existing storage building and construction of a new waste transfer building. The new facility will be used for the reception and bulking up of household recyclable waste materials.
- 1.2 The main material planning considerations in this case are the impacts upon local working and living conditions; impacts upon ecology and the local landscape; flooding and drainage; pollution of watercourses; the economy; and impacts on the highway and the Public Right of Way.
- 1.3 The planning application, representations received, and consultation responses are available to view on the Council website under reference DCC/4139/2019 or by clicking on the following link:
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4139/2019>

2. The Proposal/Background

- 2.1 The site is located between the A38 and the Ivybridge slip road off that highway. There are several commercial and industrial units in the area, as well as the new purpose-built Ivybridge Recycling Centre (located south of the slip road about 100m away), a sports club and a sewage treatment works. The nearest residential properties are located around 125m away on the northern side of the A38.
- 2.2 The application site previously accommodated a household waste recycling centre, prior to the construction of the new facility nearby, together with a vehicle depot for South Hams District Council.

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- 2.3 The proposal seeks to develop a waste transfer station to store pre-sorted, kerbside collected household waste for onward transfer, and would be operated by the contractor for the District Council. Recyclable materials including paper, card, glass, food waste, plastic, and cans would be bulked up and sent for reprocessing elsewhere. The total throughput of waste anticipated per annum would be 13,200 tonnes, split into 3,500 tonnes per annum (tpa) of paper; 2,000 tpa of card; 3,500 tpa of food waste; and 900 tpa of plastic cans. The site has the capacity to hold a maximum of two days' worth of waste deliveries, so it is anticipated that waste will generally be stored on site for no more than two days, but food waste would be stored on site for a maximum of seven days.
- 2.4 The existing storage building on the site would be demolished and a purpose-built waste transfer facility constructed, measuring 23m in length, 15m in width and with a height of 8.57m (7m to the eaves). There would be a 2m standoff distance from the communication mast on site. The building would be a steel frame construction with a mono-pitch roof, with external blue painted cladding. Roller shutter doors on the building would be opened to receive deliveries of waste and for despatch of the bulked-up materials, and downward facing lights and CCTV cameras would be installed on the building. Within the building the waste materials would be stored in separate bays, with a sealed skip container located outside to store food waste. Litter netting with a height of 3m is proposed around the perimeter of the site, and palisade fencing would also be installed along the site boundary that runs along the southern edge of the site.
- 2.5 The existing storage units on the west side of the site, which are currently used for grounds maintenance, would be relocated to the eastern end, and the staff welfare building/office, located toward the eastern end of the site, would remain in the same location. Wash down and refuelling of the fleet vehicles will continue to take place in the same location as it currently takes place, and this will require an above ground red diesel storage tank in addition to the existing underground white diesel storage tank.
- 2.6 Access to the site would be from Bridge Court, a no through road off the junction of the A38 slip road and the Ermington road. Staff parking for 12 cars is proposed together with parking for eight lorries.
- 2.7 The proposed hours for site operations are Monday to Saturday between 06:00 and 17:00.

3. Consultation Responses

- 3.1 South Hams District Council (Planning): declares its interest in the site as the landowner with a contractual agreement with the applicant (FCC) for the delivery of waste services, and this application is directly related to the Council's own waste strategy.

In its role as statutory consultee, the District Council raises no objection subject to ensuring adequate measures are put in place to manage and mitigate highway and environmental impacts including a recommendation for a green travel plan condition, consideration of the adequacy of the proposed car parking provision and resolution of the objection from DCC as Lead Local Flood Authority.

- 3.2 South Hams District Council (Environmental Health): recommend a limit to the hours of construction to minimise impacts from the generators to: 08:00 – 18:00 Monday to Friday; 08:00 – 13:00 on Saturday; and no construction works audible beyond the site boundary on Sundays and Bank Holidays.
- 3.3 Ivybridge Town Council: objects to the scheme in relation to the following elements:
- (a) increase in vehicle movements by larger vehicles/lorries and the associated timings of these, with particular concern about the combined impacts, with other existing users, and in particular, with the planned 1,000 new homes for the town and those in Modbury;
 - (b) traffic impact on Saturdays, when football matches take place;
 - (c) concerns about visibility, and parking on the access road should be restricted as a consequence;
 - (d) impact upon safety of users of the Erme/Plym Trail that runs across the site entrance from vehicles accessing the site;
 - (e) Policy INP7: Traffic and Movement, of the adopted Ivybridge Neighbourhood Plan advises that developments proposals should improve cycling and walking opportunities “especially along the river corridor”;
 - (f) there are not enough parking places, contrary to Policy DEV 29: Specific Provision Relating to Transport of the Joint Local Plan;
 - (g) existing problems with on street parking in the vicinity;
 - (h) the potential to pollute the River Erme due to the use of diesel on the site and the proximity to the river;
 - (i) impacts upon nearby residents from odour from the food skip; vibration, dust and light pollution from other processing of waste at the site; and noise associated with the diesel generators on site;
 - (j) alternative sites should be investigated such as the derelict site at the Woodpecker at South Brent and the recently purchased employment land owned by the District Council at Sherford; and
 - (k) the current industrial activity is of a much lesser scale than this proposal.
- 3.4 Environment Agency: the previous use of the vehicle depot presents a high risk for contamination during construction works, particularly in relation to the River Erme, and a planning condition should be used to require the submission of a remediation strategy to address any potential contamination issues.
- 3.5 Highways England: no objection.
- 3.6 Natural England: no comments.
- 3.7 Devon County Council Highways: note the level of traffic proposed as set out in the submitted Transport Statement and has no objections. The plans indicate the vehicle crossing at the access will be resurfaced in tarmac construction, which will require a S184 licence following any planning approval unless the applicant is not adjusting the surfacing at the access.
- 3.8 Devon County Council Waste Management: no objections as Waste Disposal Authority.

Agenda Item 5

- 3.9 Devon County Council Historic Environment: assessment of the Historic Environment Record and the details submitted by the applicant do not suggest that the scale and situation of this development will have any impact upon any known heritage assets.
- 3.10 Devon County Council Public Health: no objections as satisfied that the proposal achieves the following:
- (a) provides increase in employment at the site;
 - (b) has environmental permit that controls against adverse effects to air, water and land;
 - (c) is near the main road, reducing heavy goods vehicles travelling through built up areas; and
 - (d) no loss of trees or hedges at the site and enhancements made to the ecology of the site.
- 3.11 Devon County Council Ecology: no objection subject to conditions requiring compliance with the submitted ecological appraisal; implementation of wildlife enhancement measures; control of lighting to avoid spill onto wildlife habitat; and submission of a Construction Environmental Management Plan.
- 3.12 Devon County Council Lead Local Flood Authority: no objection following submission of additional information to address initial concerns and achieve a betterment in runoff rates.
- 3.13 Devon County Council Landscape Officer: the proposals can be integrated into the landscape without resulting in significant harm to the distinctive character, special qualities and features of the landscape affected subject to securing suitably worded conditions covering the following:
- (a) protection of adjacent surrounding trees during construction to BS5837:2012;
 - (b) implementation of proposals for wildflower area creation and ongoing management;
 - (c) all proposed external lighting to be shrouded to avoid upward light pollution; and
 - (d) samples of building cladding and roofing colour/materials to be approved prior to installation.

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 13 neighbours were consulted, but no responses have been received.

5. Planning Policy Considerations

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

- 5.2 **Devon Waste Plan** (adopted December 2014)
Policies W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W5 (Reuse, Recycling and Materials Recovery); W11 (Biodiversity and Geodiversity); W12 (Landscape & Visual Impact); W14 (Quality Design); W15 (Infrastructure and Community Services); W16 (Natural Resources); W17 (Transportation and Access); W18 (Quality of Life); and W19 (Flooding).
- 5.3 **Plymouth and South West Devon Joint Local Plan** (adopted March 2019)
Policies SO7 (Maintaining a Strong Network of Main Towns); SO10 (Maintaining a Beautiful and Thriving Countryside); SO11 (Delivering High Quality Development); SO12 (Delivering Infrastructure and Investment); SPT 9 (Strategic Principles for Transport Planning and Strategy); SPT 12 (Strategic Approach to the Natural Environment); DEV23 (Landscape Character); DEV 26 (Protecting and Enhancing Biodiversity and Geological Conservation); and DEV 29 (Specific Provisions Relating to Transport).
- 5.4 **Ivybridge Neighbourhood Plan** (October 2017)
Policies INP7 (Traffic and Movement) and INP8 (Historic and Natural Environment).
- 5.5 Other material considerations are the National Planning Policy Framework, National Planning Policy for Waste and Planning Practice Guidance.

6. Comments/Issues

- 6.1 The main material considerations in the determination of the proposed development are discussed below.

Policy Context

- 6.2 The site has been identified as there is a need for additional storage and handling of municipal waste collections from the South Hams and West Devon area (specifically for the waste transfer facilities at Haye Down and Torr Quarry). In terms of the provision of a new site, which will enable the re-use and recycling of material, this will help move waste up the waste hierarchy in line with the Waste Strategy for England and the Devon Waste Plan. In terms of Policy W5 (Reuse, Recycling and Materials Recovery) this would then contribute towards targets for re-use and recycling of 61% for 2021, and 64% for 2026. This policy states that permission will be granted where developments:
- (a) *are located at or close to the source of the waste or opportunities for its beneficial use; and/or*
 - (b) *achieve the segregation of reusable, recyclable or compostable materials prior to energy recovery or disposal of the residual waste; and/or*
 - (c) *are co-located with a complementary waste management operation.*
- 6.3 This site would be strategically well-located for waste arising in the South Hams area and would contribute to the re-use and recycling of materials, and the development is considered to support part a) of Waste Plan Policy W5.
- 6.4 The development also complies with Policy W3 (Spatial Strategy), as a non-strategic facility which enables reuse and recycling, as it is located close to Ivybridge.
- 6.5 As a brownfield site, the Waste Plan also encourages this type of use in line with Policy W16 (Natural Resources).

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Impact upon Living and Working Conditions

- 6.6 The construction and operation of the site would generate some level of increased noise, and potentially some odours associated with the transfer of food waste in particular. It is considered very unlikely that dust would be generated at the site, or mud left on the highway, as the site is surfaced with tarmac or concrete. It is also very unlikely that impacts from vibration resulting from the construction, or operation of the site would be generated, as the only likely sources would be from mobile plant or vehicle unloading and loading waste.
- 6.7 The nearest residential properties are found on Marshall Drive to the north east and Park Street to the north-west, both beyond the A38 and, at their nearest, around 125m away. The proposal is not considered to result in direct impacts upon the living conditions of these residential properties, due to the distance from the properties, and the fact the A38 acts as a barrier between the two.
- 6.8 The main impacts are upon the surrounding businesses and these, in relation to both the construction period and operation of the proposed facility, are discussed below.

Noise

- 6.9 It is expected that increased noise will be generated during the 26 weeks construction period, and there will be some noisy activities associated with the operation of the facility.
- 6.10 The noise assessment accompanying the application identifies that the highest increase in noise levels would be during the construction phase, with a worst case scenario assessment predicting that noise levels could reach 55dB throughout the duration of a working day. It is recommended that, to avoid potential significant adverse effects, construction site noise levels (averaged over the duration of the working day) do not exceed 65dB LAeq,T at any residential dwelling. It is also recommended that this is checked routinely throughout the construction period to determine if further control measures are necessary. The operator has put forward the hours for construction as between 07:00 to 19:00 Monday to Friday and on certain Saturdays between 09:00 and 17:00. In line with the recommendations of the Environmental Health Officer, and to minimise impacts upon surrounding businesses, these hours should be restricted to the following periods: - 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday and no construction works audible beyond the site boundary on Sundays and Bank Holidays.
- 6.11 Impacts from the operational phase are considered likely to be limited, with noise mainly expected from vehicle deliveries, loading of lorries adjacent to the waste transfer building, use of plant within the site to move waste, and from the deposition of glass at the site. These activities would be between the hours of 06:00 to 17:00 on Mondays to Saturdays. A number of mitigation measures are set out in the application to minimise and manage noise levels during the operating hours, including adhering to the proposed operating hours, maintaining plant and machinery, and the management of vehicles at the site to minimise noise. The operator has also stated that they propose to limit any particularly noisy operations (such as cutting with saws or breaking up concrete) to between 09:00 to 17:00 on Mondays to Fridays.
- 6.12 It is considered that noise from construction and operational stages can be kept to a satisfactory level and would not result in significant or unacceptable adverse impacts upon the nearest residential properties. To ensure this, and to minimise

impacts upon surrounding businesses, it is recommended that conditions are used to limit noise levels for the construction phase; require a noise management plan to minimise impacts and deliver the mitigation measures included in the noise assessment, and limit the hours of construction to those recommended by the Environmental Health Officer and the hours of operation.

Odour

- 6.13 The main source of odour is expected to be generated by the food waste skip, during the operation of the development when this is opened and closed. This skip will be located outside a building at the western end of the site, adjacent to storage buildings by the main entrance. It is proposed that this would be emptied every two days with food stored on site for a maximum of seven days, and this can be controlled through a condition.
- 6.14 If the above mitigation is carried out it is considered that any adverse impacts from noise and odour can be adequately controlled in accordance with Waste Plan Policy W18 (Quality of Life)

Highways, Parking and Traffic Issues

- 6.15 The current vehicle depot accommodates 18 vehicles, mainly refuse collection vehicles, smaller box vehicles and road sweepers, leaving the site between 06:45-07:00 and returning around 15:00, resulting in a total of 36 one-way movements per day.

Construction Phase

- 6.16 Approximately 12 construction staff cars will be on site per day during the construction period and, during the first two weeks of the construction period, an additional 10 lorries will visit the site to deliver plant and machinery. Following this it is anticipated that two to three vehicles per day will visit the site when a specific construction activity is taking place, such as pouring concrete for foundations for the waste transfer building. On other days there will be no deliveries.
- 6.17 It is considered that these vehicle movements will not result in a severe impact upon the highway and can be satisfactorily accommodated on the existing highway network. The hours for deliveries/operation during this period should be conditioned as part of a Construction Management Plan to limit impacts.

Operational Phase

- 6.18 The introduction of the waste transfer facility will see the refuse and street collection fleet based at the site reduce to 13 vehicles, with these continuing to leave the site between 06:45-07:00 and returning around 15:00 (Monday to Saturday). An additional 12 vehicles will be added to the fleet in association with the new waste transfer operation, and these will leave the depot between 06:45-07:00, return between 10:00-11:00 for unloading, and then return again between 14:00 and 15:00 for a second round of unloading. This will result in 74 one-way daily movements, all outside the peak hours on Monday to Saturday.
- 6.19 In addition to the movements associated with the facility's fleet, articulated lorries will collect bulked up waste four times per day, resulting in additional eight one-way movements. This results in a total of 82 one-way movements per day, representing an increase of 46 additional one-way movements in comparison with current

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operations (excluding staff car movements). When not in use, the vehicles will be parked at the western end of the site.

- 6.20 The application indicates that there is sufficient visibility at the entrance to the site and that current collision data do not raise any specific concerns. The Highways Officer does not object to the increase in traffic movements, as these are predominantly outside the peak hours and the site access is acceptable. It is, however, important to limit the hours for deliveries through a condition to ensure that the operator complies with these time periods and to limit the maximum throughput of material at the site in any year.
- 6.21 Policy W17 of the Devon Waste Plan seeks to minimise the distance that waste is transported, and the development is considered to deliver this by providing a facility close to the sources of waste.

Staff Parking

- 6.22 The number of operatives at the site will increase from 40 to 56, and one additional member of staff is anticipated (an additional 17 in total). The application includes provision for 19 staff car parking spaces, and also includes provision for some cycle parking, but no details are included other than an indicative location. The application notes the good walking and cycling links with Ivybridge town centre and the bus services that stop within 400m of the site that operate between Plymouth, Exeter and Torbay.
- 6.23 Policy W17 (Transportation and Access) of the Devon Waste Plan permits development that would not have an adverse effect on road safety, capacity and functionality of the transportation network for all users, and on public rights of way. As set out above the development does not raise road safety or capacity concerns as the development is considered to mainly impact the off-peak hours. As staff travel by car is more likely to impact upon the highway network, it is considered that a Green Travel Plan should be required, to ensure staff are encouraged to use the most sustainable modes of transport in their travel to work. A condition should also set out the number of secure cycle parking spaces required, with details of design to be submitted. A minimum cycle parking provision for 14 bicycles is expected in line with the calculations of modal split set out in the Transport Statement.
- 6.24 Subject to these requirements, the proposal would accord with Policy DEV 29 (Specific Provision Relating to Transport) of the Plymouth and South West Devon Joint Local Plan 2014-2034, together with Policy W17 of the Devon Waste Plan.

Public Right of Way

- 6.25 The Erme/Plym Trail, a Public Right of Way, starts in Ivybridge and links to Plymouth running along the same road that provides access to the site. The trail starts further north in the town, travels under the A38, then runs along a pavement on the opposite side of the road to the application site. It then follows a path under a road bridge, alongside the River Erme. The proposed development is not considered to raise pedestrian safety concerns, as users would not be crossing the access to the site but would instead be using the pavement on the opposite side of the road. The proposal is considered to accord with Policy W17 (Transportation & Access) of the Devon Waste Plan and Policy Dev 29 (Specific Provision Relating to Transport) of the Plymouth & South West Devon Local Plan by avoiding adverse impacts upon the right of way &.

Nature Conservation

- 6.26 The River Erme, located 23m from the site boundary, flows into the Erme Estuary Site of Special Scientific Interest (SSSI) approximately 3.8km south of the site, and the Start Point to Plymouth Sound & Eddystone Special Area of Conservation is located approximately 8.8km from the site. Drew/Westover Woods, defined as Ancient Woodland, are located 200m south west of the site.
- 6.27 The proposal states that no felling of trees is proposed, but any trees/hedges that overhang the site would be cut back where necessary. The proposal includes the ecological enhancement through provision of two swift nest boxes fixed to the new building, and an area in the east of the site will be planted with wildflowers.

Impact upon the River Erme Estuary SSSI

- 6.28 Due to the proximity of the river which is linked to this SSSI, there is potential for pollution events to occur during construction and operation. The site management measures put forward within the submitted Environmental Risk Assessment should be conditioned along with a Construction Environmental Management Plan to limit any risk of pollution events occurring.

Impact upon species and habitats

- 6.29 The site has been identified as having the potential to impact upon bat and bird species and their associated habitats. Species rich hedgerow is located adjacent to and overhanging the northern boundary, and a semi natural woodland strip is located adjacent to the south-eastern and south-western boundaries.
- 6.30 The Ecological Appraisal concludes that there is negligible bat roosting potential associated with the existing buildings on site but identifies low roosting suitability from the trees just outside the boundary. It also notes that this boundary could be used by bats for both foraging and commuting. Extensive cutting back or felling of trees, or use of lighting that isn't sensitive to bats, could cause harm to these protected species.
- 6.31 Both the species rich hedgerow and woodland strip are suitable habitats for nesting and foraging for a range of bird species, but no nests or species were noted during the ecological survey. As a precautionary measure, a condition should be used to prevent any clearance or cutting of trees and shrubs within the bird nesting season.
- 6.32 To ensure that the development aligns with wildlife legislation and policy, in particular Policy W11 (Biodiversity & Geodiversity) of the Devon Waste Plan, it is recommended that the conditions are included in any permission for a Construction Environmental Management Plan, a lighting plan to prevent light spill into the surrounding vegetation, and compliance with the ecological documents submitted with the application.
- 6.33 Following screening under the Habitats Regulations, it is concluded that this development will not, alone or in-combination with other projects, have a likely significant effect on any European nature conservation site.

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Flooding and Drainage Issues

- 6.34 The access into the site is designated as Flood Zone 2 as well as an Area at High Risk of Surface Water Flooding. The site is also noted as being within 100m of a Critical Drainage Area, situated to the north of the A38.
- 6.35 Due to the sensitivity of the site, it is essential that there is a betterment, in runoff rates in line with the Devon Sustainable Urban Drainage Guidance (2017), so that the site does not add to surface or river flooding. This has been demonstrated in run-off calculations provided with the application, and compliance with the drainage proposals will be conditioned as part of any grant of permission.

Groundwater & Land Contamination

- 6.36 Due to the proximity of the site to the River Erme, it is critical that construction and ongoing operations do not result in any contamination of this watercourse. The Environment Agency are satisfied that this issue can be addressed through agreement of a remediation strategy to deal with risk of contamination, and this should form a condition of the permission to ensure it aligns with Policy W16 (Natural Resources) of the Devon Waste Plan.

Landscape

- 6.37 The site is not located within a statutory landscape designation but is located within the Landscape Character Type LCT7- Main Cities and Towns within the Plymouth and Modbury Farmlands Devon Character Area. In addition, the site falls within the setting of Dartmoor National Park, the boundary of which lies just over 1km to the north.
- 6.38 It is considered that the character and scale of the proposals are consistent with the urban industrial land uses and buildings, which typify the area where the proposal is found. There is limited visibility into the site, although it is noted that this is mainly as a result of the surrounding trees and vegetation, which are outside the applicant's control but which should be protected during construction works.
- 6.39 The greatest visual impacts are considered to be during the construction period for those using the Erme Plym Trail, although these impacts are considered to be temporary (26 weeks) and minor. During operation, the increased activity and larger waste transfer building would result in an adverse impact, but this is considered to be minor considering the existing impact from buildings in the area.
- 6.40 From Dartmoor National Park, the site is likely to be seen as part of the wider urban landscape of Ivybridge. It is noted that the building will be relatively high, standing at 8.57m at its highest, although there are higher buildings in the surroundings as well as the A38. To reduce visual impacts and ensure that the proposal does not detract from the quality of views, a condition should be included regarding the colour and materials of the waste transfer building and to agree lighting associated with the site to ensure it is shrouded to avoid upward light pollution.
- 6.41 It is considered that the proposals can be integrated into the landscape without resulting in significant harm to its distinctive character, special qualities and features, subject to mitigation secured through suitable conditions to ensure accordance with Policy W12 (Landscape and Visual Impact) of the Devon Waste Plan.

Economy

- 6.42 The vehicle depot currently employs 44 members of staff, 40 operatives and 4 site staff, and the application states that the new waste transfer operations will generate a minimum of 17 additional full-time jobs, which are likely to be local. The development would therefore support the Plymouth and South West Devon Local Plan Policy SP2 (Spatial priorities for development in Ivybridge).

Other Environmental Considerations (Including Climate Change)

- 6.43 Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate”, while Devon County Council has declared a climate emergency and committed to facilitating the reduction of Devon’s carbon emissions to net-zero by 2050. The scope for individual planning applications to contribute to these initiatives will be dependent on the nature and scale of the development being proposed, and relevant considerations are outlined below.
- 6.44 Recyclable waste materials collected within South Hams and West Devon are currently managed at two waste transfer sites near Tavistock and Kingsbridge. Development of an additional facility at Ivybridge, located centrally within the two council areas, will reduce the distances that collection vehicles will need to travel and, as a consequence, reduce emissions. The proposal will assist in with moving the management of waste up the waste hierarchy, and the site is well located to help in reducing the need for staff travel by car.
- 6.45 The application has been screened as part of the Environmental Impact Appraisal process. It is considered that the proposed development is unlikely to result in significant environmental impacts and therefore does not amount to ‘EIA development’.

7. Reasons for Recommendation/Alternative Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 It is considered that the benefits associated with the application to move waste up the hierarchy and reduce transportation distances outweigh the potential adverse impacts, which it is considered can be mitigated against through the recommended conditions.

Mike Deaton
Chief Planner

Electoral Division: Ivybridge

Agenda Item 5

Local Government Act 1972: List of Background Papers

Contact for enquiries: Hayley Stokes

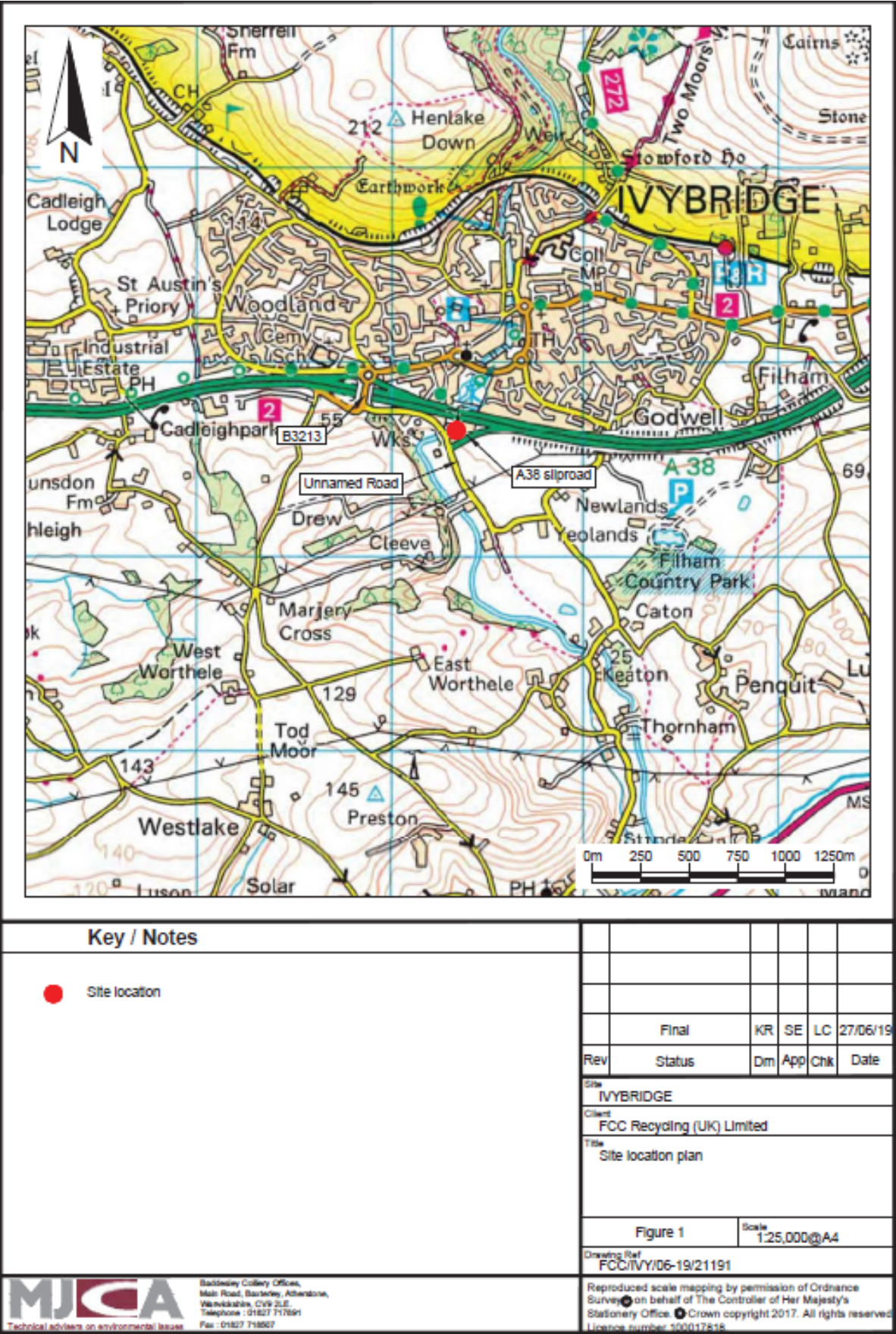
Room No: AB2, Lucombe House, County Hall

Tel No: 01392 383000

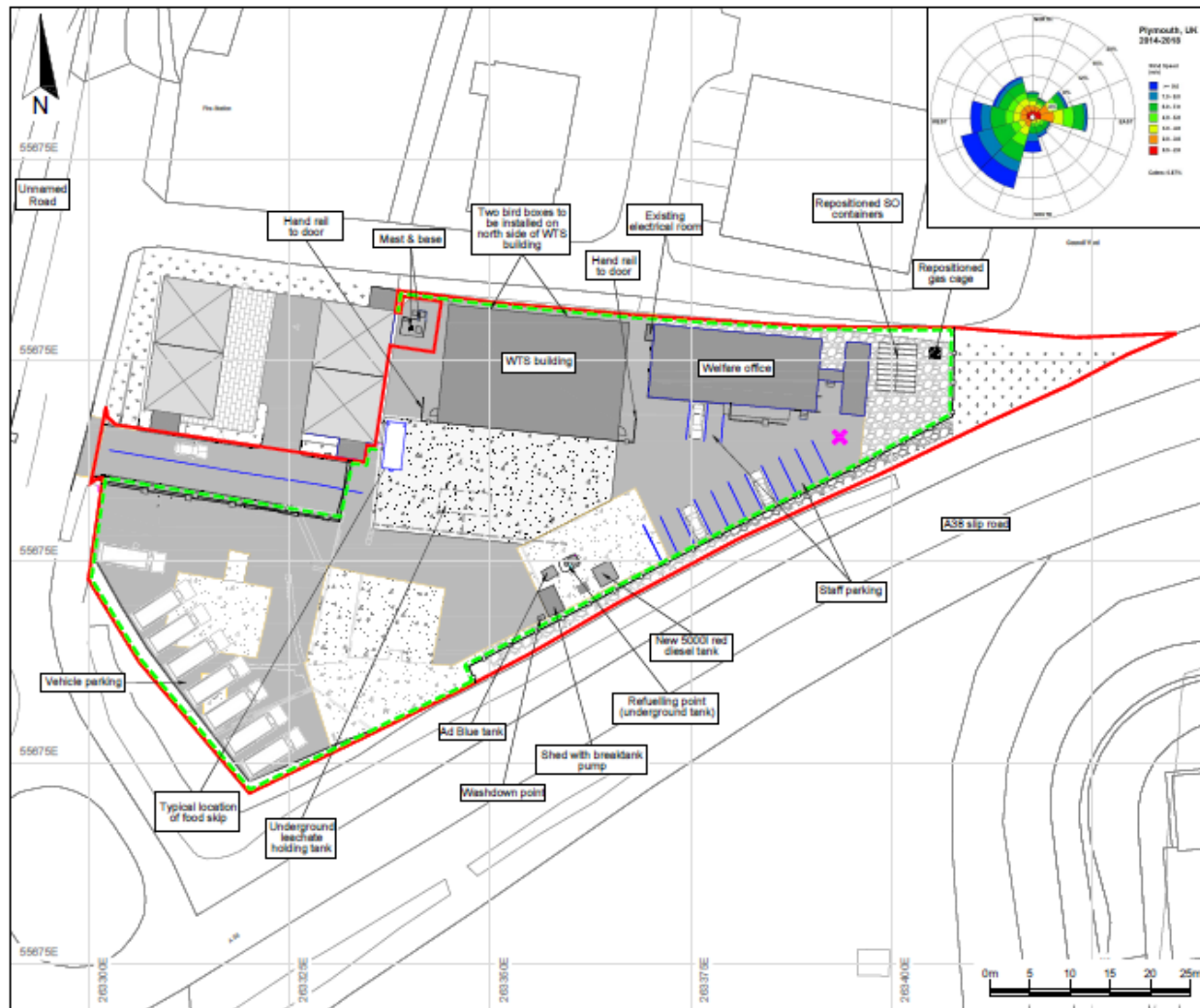
Background Paper	Date	File Ref.
Casework File	Current	DCC/4139/2019

hs011119dam
sc/cr/Change of use from vehicle depot to a waste transfer station Ivybridge Council Depot Ermington Road
Ivybridge
02 181119

Location Plan



Site Plan



Key / Notes

- Planning application boundary and land under the control of FCC
- Palisade fence line
- Gate
- Tarmac
- Concrete hardstanding
- Grass areas/soft ground
- Block paving
- Gravel
- Proposed concrete slab
- Proposed wild flower planting
- Litter fencing
- Approximate location of a cycle rack

Note:
Based on FCC Environment drawing reference EC-18005 S10 002 dated 27 June 2019

Rev	Status	Drn	App	Chk	Date
C	Updated skip location	HM	SE	SE	25/07/19
B	Updated base plan	KR	SE	LC	23/07/19
A	Addition of cycle rack	KR	SE	LH	15/07/19
	Final	KR	SE	LC	27/06/19

Site: IVYBRIDGE
Client: FCC Recycling (UK) Limited
Title: Proposed site layout plan

Figure 6 Scale: 1:500@A3

Drawing Ref: FCC/IVY/07-19/21196revC
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MJCA
Technical advice on environmental issues. Tel: 01272 738071

Appendix I To PTE/19/46

Planning Conditions

STANDARD COMMENCEMENT

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.

STRICT ACCORDANCE WITH PLANS

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered and entitled FCC/IVY/06-19/21191, OSCJ1911502-P-1, FCC/IVY/06-19/21193, FCC/IVY/06-19/21194, FCC/IVY/06-19/21197 revision B, FCC/IVY/06-19/21198 revision A, FCC/IVY/08-19/21356, FCC/IVY/09-19/21196 revision E, ST17560/112T1 Proposed Surface Water Contributing Areas & Drainage Strategy; Preliminary Ecological Appraisal (06/06/2019); Preliminary Environmental Assessment October 2019, Wildflower Planting Document, unless varied by the conditions below.

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

PRE-COMMENCEMENT CONDITIONS

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

3. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Waste Planning Authority. The Plan shall provide details of:
 - (a) days and hours of building operations and deliveries associated with the construction of the development, which shall be limited to the hours of 08:00-18:00 on Mondays to Fridays and 08:00-1300 on Saturdays; and other time limits for specific operations shall be set out in the CEMP;
 - (b) timetable/programme of works;
 - (c) measures for traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles];
 - (d) location of contractor compound and facilities;
 - (e) provision of boundary fencing/hoarding; including any tree and hedgerow protection, in accordance with BS5837:2012 'Trees in relation to design, demolition and construction. Recommendations';
 - (f) any temporary surface water management measures;
 - (g) details of any temporary lighting;
 - (h) parking of vehicles of site personnel, operatives and visitors;
 - (i) wheel washing; and
 - (j) any habitat protection measures or species mitigation measures including requirements for Natural England Licences.

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

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REASON: To ensure adequate access and associated facilities are available for the construction traffic and to minimise the impact of construction on nearby residents/businesses and the local highway network in accordance with Policies W11 (Biodiversity & Geodiversity), W12 (Landscape & Visual Impact), W17 (Transportation & Access) and W18 (Quality of Life) of the Devon Waste Plan.

WATER PROTECTION AND POLLUTION CONTROL

4. No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site, has been submitted to, and approved in writing by, the Waste Planning Authority. This strategy will include the following components:
 - (a) a preliminary risk assessment which has identified:
 - (i) all previous land uses;
 - (ii) potential contaminants associated with those uses;
 - (iii) a conceptual model of the site indicating sources, pathways and receptors; and
 - (iv) potentially unacceptable risks arising from contamination at the site.
 - (b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - (c) the results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
 - (d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and Policies W16 (Natural Resources); W11 (Biodiversity & Geodiversity), W12 (Landscape & Visual Impact), of the Devon Waste Plan.

NOISE

5. Before the development commences a Noise Mitigation and Management Scheme shall be submitted to and agreed in writing with the Waste Planning Authority. The development shall be carried out in accordance with the approved scheme, unless otherwise agreed with the Authority.

REASON: To minimise the effect on the living conditions of local residents and working conditions of local businesses in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

CONDITIONS DURING CONSTRUCTION

MATERIALS

6. The cladding for the waste transfer building, shown on drawing number FCC/IVY/06-19/21197 Rev B' - Proposed Elevations shall not be installed until the details (including colour) and samples of the materials to be used in the external surface have been submitted to and approved in writing by the Waste Planning Authority. The development shall be carried out in accordance with these approved details.

REASON: To ensure the development is in keeping with the character and appearance of the area in accordance with Policy W12 (Landscape & Visual Impact) of the Devon Waste Plan.

LIGHTING

7. The external lighting shall be designed, located, installed and operated in such a way that the lateral and upwards light overspill is minimised. No new lighting shall be installed on site until the lighting details have been submitted to and agreed in writing with the Waste Planning Authority. This shall include the following:
 - (a) a layout plan;
 - (b) design of lighting fixtures and mounting height;
 - (c) beam orientation and spread;
 - (d) identify the area of any light spill, detail mitigating measures, and assess the impact of light spill on the receptor
 - (e) controls (which should include movement sensors, and/or timers where practical to reduce energy consumption); and
 - (f) hours of use.

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

REASON: To minimise the visual impact of the site in accordance with Policies W11 (Biodiversity & Geodiversity), W12 (Landscape and Visual Impact) and W18 (Quality of Life) of the Devon Waste Plan.

CYCLE PARKING

8. The proposed facility shall not be brought into use until details of the secure cycle storage facilities indicated on plan numbered and entitled 'Proposed Site Layout Plan - FCC/IVY/09-19/21196 Rev E' have been submitted to and approved in writing by the Waste Planning Authority. This shall include a minimum of 14 cycle spaces which shall be in place prior to use of the site. The development shall be implemented in accordance with the approved details.

REASON: To promote sustainable travel to Ivybridge and the surrounding area in accordance with Policy W17 (Transportation and Access) of the Devon Waste Plan.

GREEN TRAVEL PLAN

9. The proposed facility shall not be brought into use until a Green Travel Plan, including a programme of implementation, has been submitted to and approved in writing by the Waste Planning Authority. The Travel Plan shall be implemented in accordance with the approved implementation programme.

Agenda Item 5

REASON: To ensure safe and sustainable travel to the proposed Waste Transfer Facility in accordance with Policy W17 (Transportation and Access) of the Devon Waste Plan.

LANDSCAPING AND TREES

10. The wildflower planting shown on the Proposed Site Layout Plan - FCC/IVY/09-19/21196 Rev E, and set out in 'Schedule 1 - document numbered FCC/IVY/SE/1733/01 (July 2019), shall be carried out in the first seeding or planting season (as appropriate) following commencement of the development, and shall be maintained in accordance with these approved details. Once established, the wildflower area shall be protected and maintained as such for the lifetime of the development. Any wildflowers that are removed, uprooted, or otherwise destroyed within five years of the date of establishment shall be replaced with the same or similar species in the same location.

REASON: To protect and enhance biodiversity and the character and appearance of the local landscape in accordance with Policies W11 (Biodiversity and Geodiversity) and W12 Landscape and Visual Impact) of the Devon Waste Plan.

NOISE

11. The construction site noise levels (averaged over the duration of the working day) shall not exceed 65dB LAeq,T at any residential dwelling. The Waste Planning Authority shall be notified within one working day of any exceedances. Any necessary actions required as a result of the exceedance, shall be carried out in accordance with the recommendations of the Waste Planning Authority.

REASON: To minimise the effect on the living conditions of local residents in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

OPERATIONAL CONDITIONS

HOURS OF USE

12. The site shall operate only between the hours of 06:00 to 17:00 Mondays to Saturdays with no operation on Sundays or Public Holidays, except as varied by the subsections below:
 - (a) delivery and export of materials shall only take place between the hours of 06:00 to 08:00 and 09:00 to 16:45 on Mondays to Saturdays, with the exception of a maximum of two vehicles leaving or arriving at the site, between 08:00 and 09:00 Mondays to Saturdays. No delivery or export of materials shall take place on Sundays or Public Holidays;
 - (b) emergency maintenance work may take place outside of the operating hours.

REASON: To minimise the impact of the development on the local businesses in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

WASTE RESTRICTIONS

13. Food waste shall not be stored at the site for any longer than seven days.

REASON: To limit impacts associated with food waste stored at the site, in accordance with Policy W18 (Quality of Life) of the Devon Waste Plan.

14. No more than 20,000 tonnes of waste materials shall be delivered to the site in any calendar year.

The operator shall maintain monthly records of all waste entering the site and make them available to the Waste Planning Authority at any time upon request.

The records shall contain details of all deliveries including date, vehicle registration, type of vehicle, type of waste, tonnage of waste and source of waste.

REASON: To minimise the impact of the development on the local residents and the local highway network in accordance with Policies W17 (Transportation and Access) and W18 (Quality of Life) of the Devon Waste Plan.

PTE/19/47

Development Management Committee
27 November 2019

County Council Development

Teignbridge District: Outline application for the construction of a 630 place primary school and 750 place secondary school, provision for a road access and a bridge over the A379, Vacant agricultural site, near the A30, Exminster, Exeter

Applicant: Devon County Council

Application No: 19/01280/DCR3

Date application received by Devon County Council: 27 June 2019

Report of the Chief Planner

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 I of this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Member).

1. Summary

- 1.1 The applicant is seeking outline planning permission for an 'education campus' to include a secondary school and primary school, together with an early years' facility, along with associated access and linking pedestrian bridge.
- 1.2 The main material planning considerations in the determination of this application are: community use of the artificial turf pitch; impact upon Public Rights of Way; archaeology; ecology and the landscape; air quality and noise; waste prevention; use of agricultural land; highways and traffic; and climate change.
- 1.3 The planning application, representations received, and consultation responses are available to view on the Council website under reference DCC/4136/2019 or by clicking on the following link:
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4136/2019>.

2. The Proposal/Background

- 2.1 The proposed education campus site will form part of the South West Exeter urban extension that is allocated through Policy SWE1 of the Teignbridge Local Plan. Outline planning permission (15/00708/MAJ) was granted to Bovis Homes Ltd by Teignbridge District Council in November 2018 for the urban extension including 1,350 dwellings, an 'all-through' school, business and community development and a footbridge over the A379. A legal agreement accompanies this outline permission which includes some key elements relevant to this application: artificial turf pitch [ATP] provision and management details including dual use provisions for school and community use; provision of district heating; provision of land and financial contributions for a pedestrian/cycle bridge; and hedge removal covenants.

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- 2.2 While a new school can be delivered through the Bovis planning permission, a related reserved matters application would be subject to any pre-commencement conditions relating to the whole development site. The submission of this new outline planning application separates the school proposal from the wider development with the aim of expediting the planning process at the reserved matters stage.
- 2.3 The site of the proposed schools is located between the A30 to the South and the A379 to the north west, on a greenfield site currently in agricultural use. This land is enclosed by hedgerows to the east and west, with sporadic trees running south alongside the A30. A hedgerow bisects the site running diagonally, from east to west.
- 2.4 The proposal is for an education campus comprising a three-form entry primary school (630 places), and a secondary school with 750 places. Although all matters including access, layout, scale and appearance are reserved for later approval, the indicative layout plan shows the footprint of a primary school at the western end of the site and a secondary school in the centre. Road access to both schools is proposed through one access, on the north side of the site, linking to the A379 between housing and a proposed new community centre. The outline location of a pedestrian bridge is identified as going over the A379 to the north west of the proposed primary school.
- 2.5 The secondary school (gross area of approximately 6,000m²) is identified as three storeys, while the primary school (3,000m²) is proposed to be two storeys. The illustrative plans also indicate the layout for parking and the internal road network at the front of both schools, with some associated tree planting. The site will require a degree of levelling out to create flat platforms for buildings and sports pitches.
- 2.6 Revised plans submitted as part of this application illustrate an artificial turf pitch available for community and school use, indicatively located at the south eastern end of the site.
- 2.7 The application has been screened as part of the Environmental Impact Assessment [EIA] process. It is considered that this development in principal has not changed since the screening, scoping and production of an Environmental Statement as part of the wider Bovis outline application.
- 2.8 An Environmental Statement is not required for this new application, as the project has already been assessed for significant environmental impacts under the EIA Regulations, including any assessment of in combination and cumulative impacts. Any proposed mitigation measures from this original assessment that relate to the school site, should be conditioned as part of this development.

3. Consultation Responses

- 3.1 Teignbridge District Council (Planning): no objections, the importance of the artificial turf pitch and sports facilities for community use is highlighted, and it is requested that it be a condition of the application to require the submission of a Community Use Agreement. Teignbridge are also reviewing whether the school campus could host district heating network facilities which may include possible buildings and it is important that this is considered within any layout going forward.
- 3.2 Teignbridge District Council (Environmental Health): no comments received.

- 3.3 Exminster Parish Council: object to the application as no means of direct access to the artificial turf pitch as it would require access through the school site; no changing rooms or facilities indicated near the pitch; no provision for parking near the pitch; and lack of formal/legal contract in place securing community access (as per the requirement in the S106 agreement).
- 3.4 Environment Agency: no objection but recommend a condition is used to ensure foul drainage is disposed of appropriately.
- 3.5 Historic England: no objection to the proposals despite the proximity to the Peamore Cottage monument as a result of the intervening A30 which, in this instance, has already heavily impacted upon the setting of the monument. Consider that the application meets the requirements of the NPPF, in particular paragraph 189.
- 3.6 Natural England: no comments to make on the application.
- 3.7 Sport England: object to the application as it conflicts with Objective 3 in that it does not provide opportunities to meet the needs of current and future generations. They raise concern about the lack of detail or reference to the 3G Artificial Grass Pitch [AGP] and ancillary facilities identified for the site in the existing Section 106 Agreement and supported by the Teignbridge Playing Pitch Strategy, which supports the need for a new full-size football and rugby compliant 3G AGP in South West Exeter.

Sport England refer to their consultation with the Football Association, Football Foundation, Rugby Football Union, English Cricket Board, Lawn Tennis Association and England Hockey, and advise that the following requirements should be provided:

- an AGP to International Match Standards and of a minimum size of 100m x 64m plus run off areas, with appropriate construction, testing, maintenance and pricing arrangements;
- floodlighting;
- a pavilion providing changing rooms, toilet and catering facilities to specified standards; and
- a community use agreement agreed with Sport England and Devon FA.

In the event that the County Council is minded to approve the application contrary to Sport England's objection, it is requested that conditions be attached to the permission requiring:

- a detailed assessment of ground conditions to identify any constraints which could affect playing field quality and a written specification of soil structure, drainage, cultivation and turf establishment;
- playing field and pitches to be constructed to specified standards;
- preparation of a community use agreement in consultation with Sport England, to include details of pricing policy, hours of use, access by non-educational users, management responsibilities and a review mechanism; and
- use of the playing field to be limited to outdoor sport and play.

- 3.8 Exeter Airport: no safeguarding objections to this development provided there are no changes made to the current application.
- 3.9 Devon & Cornwall Police (Designing out Crime Officer): recommends defining a clear boundary with security fencing (at least 2m high); safe walking routes and parking provision for school buses; ensuring supervision of the access through design; shared facilities used out of hours should be designed so they are

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segregated from the school; the reception area should provide supervision over the main entrance and access; CCTV should be used on the site (with a passport to Compliance document); a monitored intruder alarm is installed; the building should be designed to prevent climbing onto roofs; and vehicle and pedestrian access beyond the main school entrance area and car park into the school grounds should be restricted and controlled to reduce the significant risk of casual intrusion or of children absconding from the premises.

- 3.10 Devon County Council Highways Development Management: acknowledge that the access plans have been approved through the wider outline permission 15/00708/MAJ and are being delivered through the HIF project. It is recommended that a condition is used to secure a Construction Management Plan.
- 3.11 Devon County Council Ecology: the development is acceptable subject to submission of: a tree constraints plan and tree protection plan; a Construction Management Plan and Landscape and Ecological Management Plan; proposals for retained and new landscaping including an implementation and management plan; results of the required Phase 2 protected species surveys as detailed in the submitted Ecological Appraisal Report; details of the required ecological mitigation and enhancement measures, as detailed in the submitted Ecological Appraisal Report); and details of external lighting.
- 3.12 Devon County Council Historic Environment: A programme of archaeological work is being undertaken within the footprint of this proposed school development, implemented through a condition applied to the consent granted for application 15/00708/MAJ. This work has revealed the presence of prehistoric settlement and funerary activity, which is currently being investigated and recorded. Given that these archaeological mitigation works are being implemented under planning application 15/00708/MAJ, the Historic Environment Team have no comments to make on this new outline planning application. However, I would advise that any reserved matters or full planning application for this development should be supported by proposals for dissemination and interpretation, within the school, of the results of the archaeological mitigation work already undertaken.
- 3.13 Devon County Council Flood Risk Management: no objection subject to conditions on: details of the permanent, (as well as the construction period) surface water drainage management system; details of exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard; and full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system.
- 3.14 Devon County Council Landscape: no objection as the principal of the development, and the resulting wider landscape impacts, are acceptable as already granted through the outline permission. Recommends conditions covering landscape and visual assessment; tree protection plan; design guidance and framework; construction environmental management plan; landscape and ecological management plan; a public arts strategy; detailed lighting proposals; and details of sustainable drainage.
- 3.15 Devon County Council Public Rights of Way: no objection to the proposal subject to the provision that no development, insofar as it affects the footpath, shall commence unless and until the necessary legal order to divert the footpath has been made, confirmed and brought into effect. It is understood that outline permission has been granted by Teignbridge DC for development of the site under ref 15/00708/MAJ and that Teignbridge, as the relevant planning authority, are currently processing an

application to divert the footpath under S257 of the Town and Country Planning Act 1990. If that is approved, the legal alignment of the public right of way will change and, therefore, any subsequent diversion as may be necessary if permission is granted for this application would need to be revised accordingly.

If permission is granted, the following footnotes should be included in the decision notice:

- The alignment, width, and condition of public rights of way providing for their safe and convenient use shall remain unaffected by the development unless otherwise agreed in writing by the Public Rights of Way Team.
- Nothing in this decision notice shall be taken as granting consent for alterations to public rights of way without the due legal process being followed.

- 3.16 Devon County Council Public Health: no objection comment that the application has some positive aspects from a Public Health perspective including the creation of 100 jobs for employment and the encouraging travel plan promoting active and sustainable travel.

However, the application does not clearly identify how the schools will provide access to the wider community. Presumably the schools will have green spaces that could contribute towards health and wellbeing of the pupils and the wider community. Additionally, we would expect a secondary school to make provisions for community use. We support the comments made by Sport England and would recommend that the applicant provides information that addresses the challenges made to date.

- 3.17 Local Member (Exminster & Haldon): objection:

“I am concerned to learn that the new planning application from Devon County Council for this much needed new school will not protect and preserve the vital community access benefits achieved in the original consent through the S106 agreement with the developer.

This is, in my view, a significant flaw in the proposal and will be a huge detriment to the social and community amenity of the new development serving both Teignbridge and Exeter,

I regard the absence of the community use to be so significant that I would ask that this application is referred to the council's Development Control committee for decision.

In my conversations with officers, I had understood the County Council was making this application to expedite the delivery of the school. I was not aware, unfortunately, that the hard won community access was not part of the county council's application.

I am aware of the recent correspondence with Exminster Parish Council which is, and has been, a significant Party in supporting the South West Exeter development to deliver the best possible community arrangements and has a Neighbourhood Development Plan in place.

An application for a school which does not protect the community access which has been at the foundation of the SWE development principles is, in my view, a seriously

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retrograde step and believe this now needs the most urgent consideration of officers and that the application should now be a matter for the planning committee.”

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 eight neighbours were consulted, but no responses have been received.

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 below and the most relevant are referred to in more detail in Section 6.

Teignbridge Local Plan 2013 - 2033 (adopted May 2014)

Policies EN2 Landscape Protection and Enhancement; EN3 Carbon Reduction Plans; EN4 Flood Risk; EN6 Air Quality; EN7 Contaminated Land; EN8 Biodiversity Protection and Enhancement; EN09 Important Habitats and Features; EN11 Legally Protected and Priority Species; EN12 Woodlands, Trees and Hedgerows; S1 Sustainable Development Criteria; S1A Presumption in favour of Sustainable Development; S2 Quality Development; S5 Infrastructure; S7 Carbon Emission Targets; S9 Sustainable Transport ; S10 Transport Networks; S11 Pollution; SWE1 South West of Exeter Urban Extension; WE11 Green Infrastructure.

Devon Waste Plan 2012 – 2031 (adopted December 2014)

Policies W4 (Waste Prevention) and W21 (Making provision for Waste Management).

Exminster Neighbourhood Plan (made March 2015)

Policies EXM1 Community Sports & Leisure Facility; EXM3 Quality of Design and EXM4 Use of Community Infrastructure Levies.

- 5.2 Other material considerations in the determination of this application are:

National Planning Policy Framework [NPPF]

National Planning Policy for Waste

Planning Practice Guidance

South West Exeter Development Framework (July 2014)

Teignbridge Playing Pitch Strategy (2018-2023)

6. Comments/Issues

- 6.1 The material planning considerations in the determination of this application are: planning policy considerations; community use of sports facilities; impact upon Public Rights of Way; nature conservation; landscape; traffic, parking and access;

residential amenity; flooding and drainage; archaeology; loss of agricultural land; waste prevention; and climate change.

Planning Policy Considerations

- 6.2 Policy SWE1 'South West of Exeter Urban Extension' of the Teignbridge Local Plan includes the application site within a much wider 92 hectares allocation for an urban extension to include at least 2,000 homes together with formal and informal open space, two primary schools and one secondary school (or one primary school and one all-through school), community facilities, public transport and highway improvements and a district heating system. The Local Plan's Policies Map indicates that the current application site would include a park and ride site, community facilities and housing.
- 6.3 The non-statutory South West Exeter Development Framework (July 2014) was produced to amplify and clarify the requirements of Policy SWE1 and facilitate phased delivery of infrastructure and development. This Framework revised the educational requirement for the urban extension to "serviced land for a single campus educational facility comprising pre-school, primary school and secondary school provision", to be located adjacent to the A30 and served by a new pedestrian and cycle bridge over the A379. Provision of an artificial turf pitch is stated in the Framework to be located adjacent to the school campus and/or sports provision.
- 6.4 Provision of a campus comprising primary (including early years/nursery) and secondary schools in the location applied for accords with the requirements of Policy SWE1 as amended through the Development Framework. Justification for the proposed school capacities of 625 primary pupils and 750 secondary pupils is on the basis that:
- (a) primary school provision is not intended to account for any existing basic need requirement as primary schools within Exeter have already expanded to meet accommodation needs;
 - (b) existing primary schools closest to the development, at Alphington and Exminster, are already at or very close to their net capacity prior to any impact from the dwellings proposed at South West Exeter;
 - (c) the need for secondary provision is generated from within Exeter (300 pupils) as well as from South West Exeter (375 pupils), with very little capacity available within the existing Exeter secondary schools; and
 - (d) the trend for Exminster pupils to 'migrate' to Exeter for secondary education is predicted to continue.

Community Use of Sport Facilities

- 6.5 The need to provide an artificial grass pitch [AGP] for community use as part of the school development has been highlighted by Teignbridge District Council, Exminster Parish Council and Sport England, with the latter raising an objection to the absence of an AGP and associated facilities including a pavilion and floodlighting.
- 6.6 The existing Bovis outline planning permission is accompanied by a Section 106 Agreement that requires provision of an AGP on the Education Land, to be available by the public during non-school hours. This Agreement also requires operation of an online booking system for the AGP, controls over external hire charges, an annual limit on the use of the AGP for school events, and ongoing maintenance of the pitch.

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- 6.7 The drawings originally submitted with this planning application made no reference to an AGP or other external sports facilities, but a revised layout drawing includes the indicative location of a shared school and community AGP in the south east corner of the site. It is envisaged that the detailed location and design of the AGP would be addressed through the reserved matters submission that would follow an outline permission. There is no reference in the application documents to provision of floodlighting or changing facilities in association with the AGP.
- 6.8 Policy SWE1 of the Teignbridge Local Plan does not specify the location or form of formal sports provision, while the Development Framework for South West Exeter seeks provision of an AGP adjacent to the school campus. However, the Bovis outline planning permission, through its Section 106 Agreement, requires development of the education campus to include provision of an AGP for school and community use, and it is considered reasonable to expect that any further outline permission for the education campus should make a similar commitment to community use of the AGP.
- 6.9 As Devon County Council is the applicant for this planning application, as well as the determining planning authority, a Section 106 Agreement is not an appropriate mechanism for securing community use arrangements. An alternative mechanism would be the use of a 'Grampian' condition requiring submission and approval of a community use agreement prior to the development being brought into use, which would be binding on any party that may implement the permission.
- 6.10 Sport England are seeking delivery of additional infrastructure in the form of a pavilion to include changing rooms and catering facilities, together with floodlighting. While the current application does not specifically include these facilities, it is open to the applicant to identify them as part of a reserved matters submission, subject to consideration of any associated impacts, notably the relationship of floodlights with protected species and landscape impacts. Given that this additional infrastructure was not required through the Bovis outline permission, it is considered unreasonable to introduce additional requirements through this new application.

Impact upon Public Rights of Way

- 6.11 Two Public Rights of Way [PROW] would be affected by the scheme, Routes 13 & 22. Of most importance is Route 13, which traverses across the site between the A379 and the top of Trood Lane, and links to Route 22 which is just outside the site.
- 6.12 Paragraph 98 of the NPPF requires that PROWs and access, should be protected and enhanced with opportunities sought to provide better facilities for users by adding links to existing networks. Devon County Council's Rights of Way Improvement Plan policy states that, working closely with Local Planning Authorities, opportunities will be sought for improvements to the rights of way network through planning obligations for new developments.
- 6.13 It will be essential to divert Route 13, as a PROW cannot pass through the proposed school campus for safeguarding reasons. A Diversion Order associated with relocating the footpath is currently being processed by Teignbridge District Council and should be approved in the near future. The diversion of the footpath is covered by separate legislation, although in this case if a Diversion Order is not successful, this could prevent the development from being delivered. Consequently, it is recommended that a 'Grampian' condition is used to require that the development should not commence until a Diversion Order is complete.

Nature Conservation

- 6.14 The Exe Estuary is located 1.7km to the east of the site, and is protected through European designations, 'Special Protection Area' (SPA) and a 'RAMSAR' site, as well as a nationally designated Site of Special Scientific Interest (SSSI), due to its international importance for wading birds. Following screening under the Habitats Regulations, it has been concluded that this development will not, alone or in-combination with other projects, have a likely significant effect on any European site or result in any damage to this SSSI.
- 6.15 Trood House Wood, defined as an 'Other Site of Wildlife Interest' and lying 200m to the south east, is also noted for its ecological importance, with a number of County Wildlife Sites within the vicinity of the site, the nearest, the Farm (Exminster), being located 610m to the south east.
- 6.16 Within the site itself, there are a number of species rich hedgerows, particularly along the boundary of Trood Lane, which is also valued as a 'dark corridor'. This is the line of trees and vegetation that encloses the lane and which has potential to be used for foraging and as a navigation route for nocturnal species, especially bats, and also links to other habitat. Other parts the site accommodate species poor hedgerow, dense scrub, pasture and arable fields.
- 6.17 Species that are inhabiting or understood to visit the site include common dormouse, nesting birds, West European Hedgehog and Brown Hare. The site is considered to offer low to moderate potential for foraging by bats, with the semi-natural habitats within the site being of some value, but the Trood Lane corridor is a key bat commuting and foraging area.
- 6.18 The applicant's ecological appraisal proposes a range of mitigation measures including:
- (a) retention of the species-rich hedge and tress along the eastern (Trood Lane) boundary and a length of species-poor hedge on the northern boundary;
 - (b) additional mitigation for loss of dormouse habitat to be secured through a European Protected Species Mitigation Licence;
 - (c) re-survey of badger activity prior to development commencing, in order to identify any new setts or badger activity;
 - (d) removal of woody species to be outside of the bird nesting season;
 - (e) realignment of the existing species-rich hedge within the site to form a new boundary between the primary and secondary schools;
 - (f) new hedge planting to connect with existing hedges; and
 - (g) planting of trees within buffer zones on sections of the eastern, southern and western boundaries to strengthen landscape connectivity.
- 6.19 In the event that the new schools are to be provided with floodlighting for sports pitches or external lighting on buildings, it will be necessary for an Artificial Lighting Plan to be produced to address the potential impacts of lighting on sensitive species and habitats.
- 6.20 The ecological appraisal also identifies opportunities for biodiversity enhancement, which would assist in meeting the requirement of the NPPF for biodiversity net gain, including installation of bird and bat boxes and bee bricks; development of a wildlife area with pond, reptile hibernaculum and wildflower grassland; and production of a Landscape and Ecological Management Plan.

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- 6.21 While development of the education campus will result in some loss of habitat, it is considered that sufficient mitigation and enhancement can be delivered through the details that will need to be submitted at the reserved matters stage and that the proposals accord with biodiversity requirements of national and local planning policy. Suitable conditions are proposed in Appendix I to achieve this mitigation, including tree protection measures, submission of a Construction Environmental Management Plan and Landscape and Ecological Management Plan, and provision of detailed measures for further surveys, landscaping, mitigation and enhancement measures and lighting.

Landscape

- 6.22 The site is located within the Haldon Hills Area of Great Landscape Value, defined through the Teignbridge Local Plan, and falls within the Exe Estuary Farmlands Landscape Character Area. All trees within the site are also protected by a Tree Preservation Order (TPO).
- 6.23 As indicated above, the site already has permission for school use, and is set within a wider masterplan that will change the local vicinity and this edge of Exeter site from an area typified by open farmland, to an urban extension of the city. It is considered in this case that the proposed details as they stand, are deemed acceptable development in terms of the wider changes to the landscape.
- 6.24 Nonetheless it is clear that the overall development, including the schools, will have major impacts upon the landscape, and these could potentially be adverse if not appropriately mitigated. In particular, the proposal to introduce a new bridge across the A379 together with two large buildings, in a prominent elevated position clearly has potential to result in adverse visual impacts. It is critical in this case that a Landscape and Visual Assessment is carried out and informs any detailed design for the school campus as well as setting out a design strategy for either mitigation (to minimise visual impact) or possibly for a landmark building.
- 6.25 To align with the mitigation measures set out as a result of the overarching Environmental Statement, the development should provide for a visual and acoustic barrier between the surrounding major road network and the school site itself. This could be in the form of a substantial woodland belt which could also help with improving air quality and limit the spread of light pollution. Mitigation and future designs should retain as many hedge banks and trees as much as possible and also incorporate existing hedge lines/vegetation where feasible. Lighting must be carefully designed to reduce light spillage, and surface water drainage should be designed into the landscape. As the school is not a Public Open Space, the site does not need to form part of a wider Public Art Strategy.
- 6.26 To ensure that the proposed development achieves an acceptable form of development, conditions are proposed requiring that any reserved matter application should include the following: a Landscape and Visual Assessment to inform detailed design of the proposed development; approval of details (layout, scale, landscaping and appearance) (to include a woodland belt); tree & hedgerow protection plans; Construction Environmental Management Plan to ensure trees and hedgerows are monitored and managed during construction; a Landscape and Ecological Management Plan (setting out the longer-term management of the local landscape within the site); details of any external lighting and an overarching Lighting Strategy; and sustainable drainage proposals.

- 6.27 Subject to these proposed conditions, it is considered that the development will achieve compliance with Teignbridge Local Plan Policies S1 (Sustainable Development), S2 (Quality development), EN2A (Landscape Protection and Enhancement), WE11 (Green Infrastructure), EN12 (Trees, Hedgerows) and SWE1 together with supplementary guidance on 'Trees and development' and the Teignbridge Design Guide published in 2018.

Highways and Parking Issues

- 6.28 The combined traffic generation impacts upon the existing highway network and junction capacities have already been assessed as part of the urban extension development. It has been concluded that the educational facilities provided on the site will not generate any further trips over and above what has already been captured within the residential trip rate and the junctions will operate within capacity.
- 6.29 Vehicle parking provision comprises 44 spaces for the primary school and 64 spaces for the secondary school, and it is considered that this would meet standards and accommodate the parking needs of both sites. For cyclists, 105 cycle parking spaces are proposed for the primary school and 80 spaces for the secondary school, to be provided in a covered and secure area. It is considered that additional provision for cycle parking should be provided at the secondary school site to promote cycle travel by pupils and staff to the school, and this should be set out in the reserved matters application along with the details of the cycle parking.
- 6.30 It will be critical to support ongoing cycling to the school, as well as traveling by foot, and a School Travel Plan should be produced that will be monitored and updated so that the most sustainable forms of transport are promoted. This will help contribute toward carbon reduction targets (Policy S7). It is also important that a safe crossing of the A379, either the proposed pedestrian bridge and linking footpaths, or an interim surface level crossing, is brought forward and constructed in advance of the school opening, and this will form a condition of the planning permission. The development would then align with Policies S7 (Carbon Reduction Targets), S09 (Sustainable Transport) and SWE1 (South West Exeter Urban Extension) of the Teignbridge Local Plan.

Residential Amenity

- 6.31 The nearest residential properties to the site are found along Trood Lane, around Heavitree Brewery in particular, and these are located around 120m from the north east boundary of the site. There is potential for impacts from air quality, particularly associated with dust, and from noise, during the construction works. In terms of noise, it is noted that both the A30 and A379 create higher than average noise levels at the school site, and mitigation measures to reduce the impacts of these within the education campus will be important.

Air Quality

- 6.32 Dust will be generated during the construction phase from earthworks (as the site will require some levelling out); building operations; and the layout of tracks. In terms of impacts upon surrounding sensitive properties, these are considered to be major adverse in relation to dust soiling, but negligible in relation to human health (and impacts from particulates). Mitigation measures will be necessary to limit any impacts, and these should be set out within a Dust Management Plan and/or Construction Environmental Management Plan, and shall include the following

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measures as appropriate: erecting barriers around dusty activities; planning the site layout during the construction phase so that machinery and dust causing activities are located away from sensitive properties; recording of all dust and air quality complaints, taking appropriate measures in discussion and agreement with the local authority.

- 6.33 Both Nitrogen Oxide (NO₂) levels and PM₁₀ (Particulates), associated with air pollution emitted from vehicles, are anticipated to increase as a result of the development and the wider urban extension, which would be within and outside designated Air Quality Management Areas within Exeter. However, the proportion of the increase associated with NO₂ levels is considered to be negligible as there are only between 0.1 to 0.9 (µg/m³) at the existing receptors sites, and for PM₁₀ a 'small' change in concentrations 0.5 µg/m³, are anticipated, which fall 'well below' the objective with the development in place. In this case the significance of the effect is considered to have a negligible effect on local air quality at both human receptors. In this case no mitigation measures are proposed.

Noise

- 6.34 A site-specific noise assessment has not been carried out for this development, but the Bovis outline application included an assessment of noise for the site, including specific consideration of the school, and recommendations for mitigation measures.
- 6.35 During the construction period, the site will generate increased noise levels from initial earthworks; piling; the construction of the school buildings; and those associated with construction vehicles. Assessment of noise impacts from construction across the whole South West Exeter site concludes that these will be temporary, moderate adverse to major adverse, prior to mitigation.
- 6.36 It is understood that the surrounding proposed housing will be built at the same time as the school, so impacts from noise upon these properties would be limited as they are unlikely to be occupied at the time of the school's construction.
- 6.37 As noted above, the A30 and A379 generate relatively high noise levels which already impacts upon the site of the proposed education campus. The school development in combination with the wider South West Exeter development will result in a slight increase in these current levels, as a result of the growth in traffic generated from the developments.
- 6.38 It will be important that the design of the schools incorporates features which help to act as barriers with the surrounding roads, and acoustic fencing and dense woodland planting could provide this function. It will be key that any reserved matters application include a noise assessment and mitigation measures which demonstrate how noise levels will be reduced as much as possible on the site, and that impacts upon any surrounding properties are mitigated against.

Flooding and Drainage

- 6.39 The site is not located within Flood Zones 2 or 3 but, due its area, requires a site-specific Flood Risk Assessment. It is critical in this case that surface water at the site is dealt with appropriately to prevent problems with flood risk further downstream, and it is expected that surface water is managed to the same standard as the surrounding development, with a maximum of 10 litres per second run-off rates. It would be preferable that rainwater harvesting is explored as part of detailed design to

maximise re-using rainwater within the school, and it is also recommended that green roofs and living walls should be explored at the design stage.

- 6.40 In order to ensure appropriate run off rates at the site, conditions are required to agree the final details of the surface water drainage management systems during the construction phase and the permanent design, including plans for their maintenance.
- 6.41 The Environment Agency has requested as part of the application process that a scheme to dispose of foul drainage, and this should be requested through any reserved matters application.

Archaeology

- 6.42 Two Scheduled Monuments are situated within close proximity to the site. The first, just under 30m away, (to the SW over the A30) is the 'Enclosures, NE of Peamore Cottage' Scheduled Monument, which is understood to be a defended small-scale settlement or farmstead. Of less significance is the linear barrow cemetery at Castle Park Alphington, as this is more than 300m away.
- 6.43 The Historic Environment Record has also noted 12 features of archaeological importance at the site. As a consequence, a programme of archaeological work has already been carried out at the site as required by the outline permission (15/0078/MAJ), and this has discovered the presence of prehistoric settlement (likely to be Iron Age), and Bronze Age barrow cemetery at the western end of the site. Artefacts include a flint arrowhead and tools, and cremation urns, have already been exhumed from the site and are being recorded.
- 6.44 No further investigative works are required, but any reserved matters application should be supported by proposals for dissemination and interpretation, within the school, of the results of the archaeological mitigation work already undertaken.
- 6.45 Subject to this requirement, the development is considered to accord with Policy EN5 (Heritage Assets) of the Teignbridge Local Plan and paragraph 199 of the NPPF.

Loss of Agricultural Land

- 6.46 The site is currently used for agricultural purposes, with the land valued as Grade 2 (Very Good). As indicated above, the site has been allocated for development in the Teignbridge Local Plan and an outline permission has already been granted, so the principal of the loss of this valued land is already accepted.
- 6.47 As part of a Construction Environmental Management Plan, procedures should be put in place to retain the soil resource for future use, requiring careful storage of soils and timings of landworks in recognition of the value of the land.

Waste Prevention

- 6.48 As a 'major' development it is expected that a Waste Audit Statement is provided through submission of the reserved matters to accord with Devon Waste Plan Policy W4 (Waste Prevention). This will demonstrate how the demolition, construction and operational phases of the development will minimise the generation of waste and provide for the management of waste to help move waste up the Waste Hierarchy.

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Other Environmental Considerations (Including Climate Change)

- 6.49 Paragraph 148 of the National Planning Policy Framework requires that “the planning system should support the transition to a low carbon future in a changing climate”, while Devon County Council has declared a climate emergency and committed to facilitating the reduction of Devon’s carbon emissions to net-zero by 2050. The scope for individual planning applications to contribute to these initiatives will be dependent on the nature and scale of the development being proposed, and relevant considerations are outlined below.
- 6.50 In line with Policy SWE1 of the Teignbridge Local Plan, it will be important that any school proposal provides connection to a proposed District Heating Facility within the South West Exeter Development. This should form a condition of the permission, subject to the proviso that an area wide facility goes ahead.
- 6.51 The planning application includes a commitment to an environmental design philosophy that includes: good levels of insulation, minimal air infiltration rates and thermal mass to provide night time cooling; use of renewable energy technologies such as photovoltaics; minimising energy consumption through passive design techniques; maximising daylight whilst avoiding unwanted solar gain; use of highly energy efficient plant and distribution services to minimise carbon emissions; flexibility of layout; BREEAM rating of excellent; sustainable drainage to mitigate against any increased flood risk; finishes and materials to the BRE Green Guide to Specification; minimising construction waste; and an ecologically diverse landscape.
- 6.52 Delivery of these aspirations will be achieved through appropriate conditions, including a requirement for a Carbon Reduction Plan to be submitted with any reserved matters application demonstrating how the detailed design of the development can reduce the carbon emissions associated with the construction of the school buildings. This will ensure the development meets the requirements of Local Plan Policy EN3 (Carbon Reduction Plans).

7. Reasons for Recommendation/Alternative Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 In conclusion it is considered that the principle of the development has already been accepted through the previous outline permission (15/0078/MAJ). The report has addressed the material planning issues raised by the proposal for an education campus, in line with the details submitted, setting out appropriate mitigation measures that can be conditioned through a reserved matters application. It is considered the development should be approved subject to the conditions set out in the Appendix.

Mike Deaton
Chief Planner

Electoral Division: Exminster & Haldon

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

Casework File

Date

Current

File Ref.

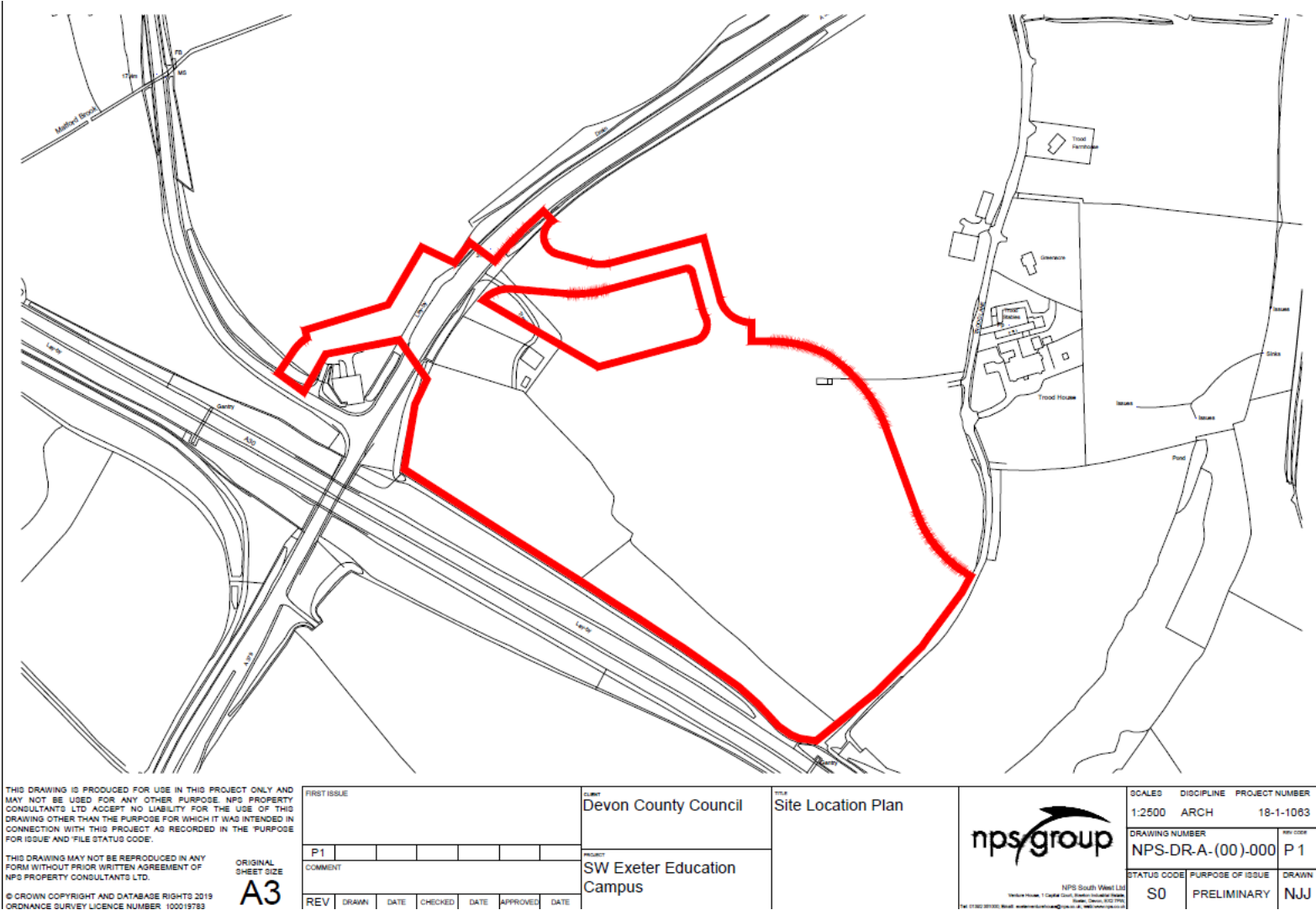
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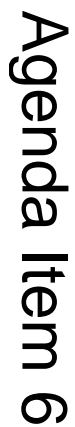
sc/cr/630 place primary school and 750 place secondary school a bridge over the A379 near the A30 Exminster
Exeter

02 181119

Location Plan



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Planning Conditions

SUBMISSION OF RESERVED MATTERS

1. Approval of the details of access, appearance, landscaping, layout and scale of the proposed development ('the reserved matters') shall be obtained from the County Planning Authority before any development is commenced. Application for approval of the reserved matters shall be made to the County Planning Authority no later than the expiration of three years from the date of this outline permission. The development shall be carried out in accordance with the approved reserved matters details.

REASON: To enable full and proper consideration of the proposed development. The application is in outline only and these details remain to be submitted and approved.

COMMENCEMENT OF DEVELOPMENT

2. The development shall be commenced before the expiry of three years from the date of final approval of the reserved matters.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

ACCORDANCE WITH PLANS

3. The development shall be carried out in general accordance with the details shown on the approved drawing numbered NPS-DR-A-(00)-000 revision P1 and the Phase 1 Ecological Appraisal (Ecological Surveys Ltd, September 2019), except as varied by the conditions below or any plans and documents that may be approved through submission of the reserved matters.

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

SCOPE OF THE RESERVED MATTERS

CARBON REDUCTION PLAN

4. The submission of reserved matters for appearance, landscaping and layout shall be informed by a Carbon Reduction Plan that shall have been submitted to and approved in writing by the County Planning Authority. This Plan shall include the following measures: consideration of materials, construction methods, design, energy use, water, waste management and carbon offsetting.

The development shall be designed and implemented in accordance with any approved actions.

REASON: To contribute toward reductions in carbon emission, in accordance with Policies EN3 (Carbon Reduction Plans) and S7 (Carbon Emissions Targets) of the Teignbridge Local Plan.

PROVISION FOR SPORT

5. The submission of reserved matters for layout shall include details of all outdoor sports provision for the education campus, including any associated facilities. For natural or artificial turf pitches this shall include:
- (a) an assessment of ground conditions, including drainage and topography, of the land proposed for sports pitches which identifies constraints that could adversely affect playing field quality; and
 - (b) a detailed scheme with measures to address any identified constraints and including a written specification of the proposed soil structure, drainage measures, means of cultivation and other operations associated with establishment and future maintenance of a natural or artificial turf pitch.

The approved scheme for outdoor sports provision shall be implemented in accordance with the details approved under this condition prior to the proposed schools first being brought into use and thereafter maintained in accordance with the approved details.

REASON: To ensure the quality of pitches is satisfactory and form part of the development to accord with Policy SWE1 (South West of Exeter Urban Extension) of the Teignbridge Local Plan and the Teignbridge Sports Pitch Strategy.

LANDSCAPING/TREES

6. The submission of reserved matters for landscaping shall include:
- (a) a detailed Landscape and Visual Appraisal which should appraise the effects on the landscape and views to and from the development and proposed mitigation measures.
 - (b) a Landscaping Scheme which shall include:
 - (i) finished contours of the site;
 - (ii) means of enclosure in and around the site;
 - (iii) hard surfacing materials to be used;
 - (iv) treatment and retention of existing landscape features including trees and hedgerows;
 - (v) structures including furniture, play equipment and signs;
 - (vi) written specifications, including methods of cultivation and other operations associated with plant and grass establishment;
 - (vii) schedules of plants/grass detailing species, planting sizes and proposed numbers and densities.

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

- (c) a Landscape and Ecological Management Plan (LEMP) which shall include:
 - (i) method statements for the maintenance and management associated with the proposed landscaping scheme, along with a timetable/schedule.
 - (ii) ongoing maintenance and management of sustainable drainage features;

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- (iii) an annotated map(s) illustrating the measures to mitigate/enhance ecology and landscape on the site.

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

REASON: To conserve the character of the local landscape, to ensure that ecological mitigation is built into landscaping requirements, in accordance with Policies S1 (Sustainable Development Criteria), EN2 (Landscape Protection and Enhancement), EN8 (Biodiversity Protection and Enhancement), EN9 (Important Habitat Features) and EN12 (Woodlands, Trees & Hedgerows) of the Teignbridge Local Plan.

PRE-COMMENCEMENT CONDITIONS

SURFACE WATER DRAINAGE

- 7. No part of the development hereby permitted shall commence until the detailed design of the proposed surface water drainage management system, which will serve the development site for the full period of its construction, has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

The development must be carried out in accordance with the approved details.

REASON: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area. A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure. In accordance with policy EN4 (Flood Risk) of the Teignbridge Local Plan.

- 8. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the County Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system should be in accordance with the principles of sustainable drainage systems, and those set out in the South West Exeter Primary & Secondary Schools Sustainable Drainage Statement (Ref. 19-1-1073 SuDS/CSB; dated 25th October 2019). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided, in accordance with the approved details, and the drainage infrastructure shall be retained and maintained for the lifetime of the development.

REASON: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems, in accordance with Policy EN4 (Flood Risk) of the Teignbridge Local Plan.

- 9. No part of the development hereby permitted shall be commenced until details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system have been submitted to, and approved in writing by, the Local

Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

REASON: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage management system is safely managed. In accordance with Policy EN4 (Flood Risk) of the Teignbridge Local Plan.

10. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

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

REASON: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development. These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above.

FOUL DRAINAGE

11. No development shall commence until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the County Planning Authority. Prior to occupation of any part of the development hereby approved, it shall be demonstrated to the County Planning Authority that relevant parts of the scheme have been completed in accordance with the details and agreed timetable. The scheme shall thereafter be managed and maintained in accordance with the approved details.

REASON: To protect water quality in accordance with Policy S11 (Pollution) of the Teignbridge Local Plan.

ECOLOGY

12. No development shall commence until the following measures have been submitted to and approved in writing by the County Planning Authority:
 - (a) results of the Phase 2 Protected Species surveys proposed in the submitted Phase 1 Ecological Appraisal Report (Ecological Surveys Ltd, September 2019); and
 - (b) details of the required ecological mitigation and enhancement measures proposed in the submitted Phase 1 Ecological Appraisal (Ecological Surveys Ltd, September 2019).

REASON: To ensure that protection of species and habitats in accordance with policies S1 (Sustainable Development Criteria) EN8 (Biodiversity Protection and Enhancement) EN9 (Important Habitat Features) EN12 (Woodlands, Trees & Hedgerows) of the Teignbridge Local Plan.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

13. Before any part of the development commences, a Construction Environmental Management Plan shall be submitted to, and approved in writing by, the County Planning Authority. The Plan shall provide details of:

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- (a) timetable/programme of works;
- (b) measures for traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles];
- (c) days and hours of building operations and deliveries; including any further restrictions on noisy operations;
- (d) location of loading, unloading and storage of plant and materials;
- (e) location of contractor compound and facilities;
- (f) provision of boundary fencing/hoarding;
- (g) parking of vehicles of site personnel, operatives and visitors;
- (h) wheel washing;
- (i) dust management and mitigation measures; including complaints procedures and notification, inspections, screening, site layout and liaison meetings;
- (j) detailed proposals and method statement for soil stripping, storage, handling and reinstatement, and any re-use of soils on site (to align with 'Good practice guidance for handling soils and the Construction code of practice for sustainable use of soils on construction sites');
- (k) tree and hedgerow protection which should be carried out in accordance with BS5837; this shall include a tree protection plan and separate monitoring plan for the duration of the construction period;
- (l) other habitat protection measures including control of invasive species;
- (m) species mitigation measures including requirements for Natural England Licences; and
- (n) any lighting control measures for the construction phase.

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

REASON: To minimise the impact of construction on nearby residents, ecology, landscape and local highway network in accordance with Policies EN2 (Landscape Protection and Enhancement), EN8 (Biodiversity Protection and Enhancement), EN9 (Important Habitats and Features), EN11 (Legally Protected and Priority Species), EN12 (Woodlands, Trees and Hedgerows) and EN6 (Air Quality) of the Teignbridge Local Plan.

NOISE

14. Before any part of the development commences, a Noise Impact Assessment and Noise Mitigation and Management Scheme, covering the construction phase and the occupation of the development, shall be submitted to and approved in writing by the County Planning Authority.

REASON: To minimise the effect on the living conditions of local residents and to ensure an appropriate level of amenity for occupiers of the proposed development in accordance with Policies S1 (Sustainable Development Criteria), EN2 (Landscape Protection and Enhancement), EN8 (Biodiversity Protection and Enhancement), EN9 (Important Habitat Features) and EN12 (Woodlands, Trees & Hedgerows) of the Teignbridge Local Plan.

WASTE MANAGEMENT

15. Before the commencement of the development, a Waste Audit Statement for waste arising from the construction of the development shall be submitted to, /and agreed in writing by, the County Planning Authority. The statement shall include:
- (a) methods to reduce the amounts of waste materials;
 - (b) methods to re-use the waste materials within the development;

- (c) methods for the reprocessing and/or final disposal of excavated materials, including locations where such activities will take place (which should hold appropriate planning permission, Environmental Permits and/or Exemptions);
- (d) estimated quantities of excavation/demolition materials arising from the site;
- (e) evidence that all alternative methods of waste management have been considered prior to use of disposal;
- (f) evidence that the distance travelled when transporting waste materials to their final management or disposal point have been kept to a minimum;
- (g) measures for the segregated storage of recyclable and non-recyclable wastes.

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

REASON: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 (Waste Prevention) of the Devon Waste Plan.

PUBLIC RIGHTS OF WAY

16. No part of the development hereby approved shall commence until a Public Path Diversion Order is complete for Public Footpath 13, as indicated by the dashed pink lines on plan numbered 02 Revision P10 'Development Boundaries'.

REASON: To ensure that the Public Right of Way is diverted before the development commences. In accordance with Policy SWE1 (South West Exeter Urban Extension) of the Teignbridge Local Plan.

PRE-OCCUPATION CONDITIONS

PHASING

17. The road access to the site, the bridge over the A379 or an interim surface-level crossing of the A379, and linking footpaths outside of the school boundary, shall be completed in advance of the use of the proposed schools.

REASON: To ensure access can be made to the site by the most sustainable modes of transport in accordance with Policy S9 (Sustainable Transport) of the Teignbridge Local Plan.

LIGHTING

18. No external lighting shall be installed in any part of the site until a Lighting Strategy has been submitted to, and approved in writing by, the County Planning Authority. The Lighting Strategy shall include the following details:
- (a) a layout plan showing the location of all external lighting;
 - (b) design of lighting fixtures and mounting height;
 - (c) beam orientation and spread (including any vertical illumination of the Dark Corridor along Trood Lane);
 - (d) controls including movement sensors and/or timers, where practical, to reduce energy consumption;
 - (e) hours of use; and;
 - (f) identification of the area of any light spill, details of mitigation measures, and assessment of the impact of light spill on all receptors including wildlife species.

Installation of any external lighting shall be carried out in accordance with the approved details.

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REASON: To protect the amenity of local residents, and to protect the landscape and protected species and habitats in accordance with Policies S1 (Sustainable Development Criteria), EN2 (Landscape Protection and Enhancement), EN8 (Biodiversity Protection and Enhancement), EN9 (Important habitat features) and EN12 (Woodlands, Trees & Hedgerows) of the Teignbridge Local Plan.

COMMUNITY ACCESS AGREEMENT

19. No part of the development hereby approved shall be brought into use until a Community Use Agreement (prepared in consultation with Sport England) has been submitted to, and approved in writing by, the County Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports facilities and playing fields to be made available for community use, and include details of pricing policy, hours of use, access by non-educational users, management responsibilities and a mechanism for review.

The development shall not be used otherwise than in strict compliance with the approved agreement.

REASON: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy SWE1 (South West of Exeter Urban Extension) of the Teignbridge Local Plan.

ARCHAEOLOGY

20. Before the proposed schools are first occupied, the results and interpretation of the archaeological investigation works that have already taken place at the site, shall be made available within the school, in a format that shall first have been approved in writing by the County Planning Authority.

REASON: To ensure that an appropriate record, dissemination and interpretation of archaeological evidence found at the site is made available within the school for educational purposes in accordance with Paragraph 199 of the National Planning Policy Framework (February 2019).

SCHOOL TRAVEL PLAN

21. Before any part of the development is brought into use, a School Travel Plan shall be submitted and approved in writing by the County Planning Authority. The School Travel Plan shall include:
- (a) provision of infrastructure that will promote healthy and sustainable travel to school through walking, cycling and use of public transport, e.g. cloakrooms and lockers for pupils to store books, equipment and bags;
 - (b) provision of sufficient, suitable and secure cycle storage;
 - (c) provision of safe and secure access and exit to the school site;
 - (d) a maximum of 108 car parking spaces across the campus and no other spaces on site, unless the need for more spaces is identified in the School Travel Plan;
 - (e) measures for encouraging and educating children about safe and sustainable travel to the school; and
 - (f) an implementation programme.

The School Travel Plan shall be implemented in accordance with the approved implementation programme.

REASON: To ensure safe and sustainable travel to in accordance with Policies S09 (Sustainable Transport) & S7 (Carbon Emission Targets) of the Teignbridge Local Plan.

CYCLE PARKING

22. Secure cycle parking facilities shall be constructed prior to any part of the development hereby permitted being brought into use, in accordance with details that shall have been submitted to, and agreed in writing by, the County Planning Authority. A minimum of 185 cycle parking spaces shall be provided.

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

REASON: To promote sustainable travel to the school, in accordance with Policies S9 (Sustainable Transport) and SWE1 (South West Exeter Urban Extension) of the Teignbridge Local Plan.

DISTRICT HEATING FACILITY

23. The development hereby approved shall be connected to the District Heating Facility for the South West Exeter Urban Extension prior to any part being brought into use, unless it can be demonstrated to the reasonable satisfaction of the County Planning Authority prior to commencement of the development that such connection would not be viable or feasible or would unreasonably delay construction.

REASON: To help reduce energy use in accordance with Policies SWE1 (South West of Exeter Urban Extension) and S7 (Carbon Emissions Targets) of the Teignbridge Local Plan.

INFORMATIVE NOTES

It is expected that the proposal for the school will be consistent with the policies and aims for the wider masterplan for the South West Exeter Urban Extension. In advance of the submission of any reserved matters, a Landscape and Visual Assessment, Tree Protection Plan, and Design Guidance and Framework Plan that align with the wider masterplan should be agreed with the County Council and used to inform development of the design, appearance, scale and layout of the proposed development.

The grant of planning permission does not grant the right to close, alter or build over a public right of way, even temporarily, including, for example, a change in its surface, width or location. Nothing should be done to divert or stop up a public right of way without following the due legal process, including confirmation of any permanent diversion or stopping-up order and the provision of any new path. In order to avoid delays this should be considered at an early opportunity.

If a temporary closure is required during construction works, e.g. for safety reasons, the applicant would need to apply to the County Council for a [Temporary Traffic Regulation Order](#)."

Development of proposals for playing fields should comply with the relevant industry Technical Guidance, including 'Natural Turf for Sport' (Sport England, 2011).

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It is expected that proposals for any external lighting will be consistent with Lighting Strategy associated with the wider urban extension (as per condition 18 of consent 15/00708/MAJ)

In developing proposals for the management of surface water, the applicant should refer to Devon County Council's Sustainable Drainage Guidance.

It is expected that the Landscape and Ecological Management Plan required by this permission will be consistent with Landscape and Ecological Management Strategy associated with the wider urban extension (as per condition 11 of consent 15/00708/MAJ)

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PTE/19/48

Development Management Committee
27 November 2019

Delegated Schedule – 27 November 2019 – Summary

District	Location	Application Number	Proposal	Electoral Division	Decision
Torridge District Council	Anvil Corner Recycling Centre, Road from Anvil Corner to Beaconsfield Cross, Holsworthy, EX22 6NR	DCC/4144/2019	Variation of planning condition 2 of planning permission 01/28/1722/92, to extend operating hours	Holsworthy Rural	Conditional Approval
East Devon District Council	Uplyme Quarry (Shapwick Quarry), Shapwick Grange, Uplyme, DT7 3SP	DCC/4147/2019	Variation of conditions 1, 2, 19, 20 and 21 of 14/3018/CM to extend the end date of mineral extraction and restoration	Axminster	Conditional Approval
Mid Devon District Council	Broadpath Landfill Site, Road From Down Farm Cross To Hillhead Quarry, Burlescombe, EX15 3EP	DCC/4148/2019	Emplacement of ISO container for storage	Willand & Uffculme	Conditional Approval

