

County Matters: Waste

Mid Devon District: Variation of condition 6 of application DCC/3725/2014 (Construction of 2MW Anaerobic Digestion Plant with new access road and weighbridge on land adjacent to existing Abattoir at Lloyd Maunder Road, Willand) to vary the amount and type of feedstock delivered by road; and Variation of Condition 2 of application DCC/3725/2014 to permit a variation in the approved drawings.

Location: Lloyd Maunder Road, Willand, Devon, EX15 2PJ

Applicant: LM Property Holdings Ltd

Application Nos: 16/00049/DCC and 16/00456/DCC.

Date applications received by Devon County Council: 6 January 2016 and 15 March 2016.

Report of the Head of Planning, Transportation and Environment

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

Recommendation: It is recommended that the applications to vary conditions 2 and 6 are approved and permission is granted subject to the revised conditions set out in Appendix II to this report and to the applicant entering into an agreement under s.106 of the Town and Country Planning Act 1990 in respect of the control of the routing of deliveries to the plant.

1. Summary

- 1.1 This report makes recommendations about two separate applications to vary conditions in respect of the same development site. They were submitted at different times but as the proposed alterations are to the same parent consent, it is clearer to deal with all of the issues in a single report.
- 1.2 These applications seek to vary condition 6 which would increase the importation of feedstock deliveries by road from a maximum of 25,000 tonnes per annum to a maximum of 55,000 tonnes per annum and to vary Condition 2 to enable amendments to the previously approved design of the plant.
- 1.3 It is considered that the main material planning considerations in the determination of the proposed changes to the existing consent are the visual impact of the revised plant design, the change to the nature of the feedstock and whether the additional transportation movements would be unacceptable in terms of existing planning policy; on the amenity of the neighbourhood; and on the safety and capacity of the highway network.

2. The Proposal/Background

- 2.1 Planning permission for a 2MW Anaerobic Digester adjacent to the abattoir and a large silage clamp on adjacent land at Burn Rew Farm was granted by this

Committee at the meeting on 15 April 2015. Report PTE/15/25 refers and is available to view on the Council website at:

<http://www.devon.gov.uk/loadtrimdocument?url=&filename=PTE/15/25.CMR&rn=15/WD142&dg=Public>

Members will recall that on the morning prior to the meeting a committee site visit was undertaken, which examined the site and the highway network leading to and from the site.

- 2.2 The application site (shown on Plan 1 attached to this report) is located between an existing abattoir/poultry processing factory and a sewage treatment works. It occupies an area that previously housed a second abattoir and the site was cleared in 2006.
- 2.3 The proposals to vary Condition 2 reflect proposed alterations to the infrastructure and layout which would enable the plant to incorporate the different technologies required to accept a mixture of agricultural and food waste streams as these require different feeding units, mixing systems and retention times. The two processes will operate in parallel and combine at final storage as a homogenous pasteurised digestate fertiliser.
- 2.4 The overall footprint of the proposed development is slightly smaller than the previous permission and the overall volume of the plant is proposed to be reduced. The maximum height of the proposed digestate tanks would be 15m (previously 18.2) and the highest buildings in the new plant would be four Continuous Stirred Reactor (CSTR) tanks at 17.6m which would be slightly lower than the previously permitted highest structures which were 19m in height.
- 2.5 The existing planning permission allows for the overall throughput of feedstock to be 49,000 tonnes. This is based on an input of 25,000 tonnes of poultry waste from the adjacent chicken abattoir and 24,000 tonnes of crops imported by road (silage and beet). The consent was subject to a specific condition restricting the amount of feedstock to be imported by road based on the information on sources of feedstock in the application documents.
- 2.6 This application seeks to increase the total amount of feedstock to be delivered by road to site to 55,000 tonnes per annum. The applicant says that one of the reasons for the proposed change is due to contractual difficulties in securing the full 25,000 tonnes of waste material from the adjacent abattoir/poultry processing abattoir. It is understood that 10,000 tonnes of waste would still come directly from the abattoir giving a total operational capacity of 65,000 tonnes.
- 2.7 The applicant also says that the proposed change in the operational parameters would allow for flexibility in allowing the facility to process other waste streams such as domestic and commercial food waste.
- 2.8 Planning condition 6 of the 2015 consent says:
The amount of feedstock to be delivered by road to this site shall not exceed 25,000 tonnes per annum and no poultry products or wastes shall be delivered to the site.

The applicant seeks to change the wording of the condition and has proposed the following wording:

The amount of feedstock delivered by road to the site shall not exceed 55,000 tonnes per annum. This will be made up of agricultural crops and food wastes but shall exclude poultry products or poultry waste.

- 2.9 The application is accompanied by a Transportation Statement which identifies the likely movements associated with a 'worst case scenario' i.e. all deliveries to be based on agricultural crops.
- 2.10 The application to vary the nature and amount of feedstock has been called in for Committee determination by the Local County Councillor.

3. Consultation Responses

- 3.1 Mid Devon District Council (Planning):
Condition 6 (Initial response) The District Council has some concerns about the Transport Statement which seems to be based on assumptions due to the uncertainty about the feedstock from Lloyd Maunder. Concerns about lack of control over back hauling digestate and lack of control over the enforcement of delivery routes especially by agricultural vehicles.

A second response was received on 12 April following the determination of an appeal against refusal of an AD application dealt with by the District Council at Menchine Farm Nomansland which they appended to their response.

Mid Devon has no comment to make on the physical changes to the AD plant itself but the reasons for the changes are a concern.

- (a). It is not clear whether the capacity of the AD plant (size of CHP) is remaining the same as already approved. If there is an increase in capacity, presumably this would necessitate an increase in feedstock and therefore traffic levels through Willand.
- (b). It is understood that DCC Highways require a legal agreement on transport routes/methods etc. Mid Devon would like to see legal controls over volume of traffic, what's being transported and the type of vehicle, as well as routing. HGVs should all come via the J27 route and the routing of tractors/trailers should also be carefully considered and controlled by s106.
- (c). There is concern that the "other plant material" referred to in the supporting documentation might include slurry which would need to be transported through residential areas. This is a real concern and Mid Devon would want to see included in any conditions a list of products and by-products that can be transported by road to the AD plant.
- (d). As mentioned in Mid Devon's previous response, there is concern over the transport assessment provided for the feedstock application. The Inspector in the recent Menchine Farm appeal decision dismissed the appeal on the level of information in the transport assessment and because the predicted vehicle movements were only theoretical he could not assess the harm to residential amenity through noise and disturbance.
- (e). The AD plant is very well placed for its original intention to deal with waste from 2 Sisters. It is understood that there is no contract for the solid waste from 2 Sisters and that waste will now be exported off-site. There appears to be no contracts in place for dealing with the other food waste mentioned in the transport assessment and no real certainty over traffic movements through the residential areas of Willand. In the case of Menchine Farm, the feedstock has not been sourced from where it was originally intended to be sourced, resulting in a very different scenario from that approved. This appears to have happened here and what looked like a good proposal is now

something very different. Mid Devon are concerned that without the certainty over what is coming from where and how there will be a harmful impact on the residential amenity of residents of Willand.

3.2 Mid Devon District Council Environmental Health:

Condition 2: Not applicable.

Condition 6: No objection.

3.3 Health Protection Agency:

Condition 2: Not applicable.

Condition 6: No comments received.

3.4 Highways England.

Condition 2: Not applicable.

Condition 6: No objection.

3.5 Environment Agency:

Condition 2: No objections but the permit application is likely to be complex and will cover pollution control, emissions, noise, and odour among other matters.

Condition 6: No comment.

3.6 Willand Parish Council:

Condition 2: Views awaited.

Condition 6: The Parish Council recommend refusal of the application and object on the following grounds:

- Adverse cumulative effect on the health and wellbeing of residents and properties within the settlement with relation to increased HGV traffic, road safety hazards and potential detrimental effects of odour.
- Concerns about monitoring or enforcing tonnages or routes and that current experience of other AD sites is that what is permitted is not what actually happens.
- Concerns about the definition of the feedstock in that this might include other wastes such as cow slurry which is used on another site run by the applicant company. The current proposal for taking domestic food waste represents a 10 year contract (not 15 as specified in the application) and there is concern about the nature of feedstock once that contract ends. Waste from the abattoir might not be available and this brings into question the information submitted to support the original application for the plant.
- It is concerned that the information provided in the Transport Statement is not accurate and underplays the impact that the traffic would have upon Willand.
- It considers that the local road network leading to the site is inadequate as it crosses a narrow railway bridge; HGVs having to negotiate busy junctions; and, passing close to a number of residential properties.

4. Advertisement/Representations

4.1 The applications were advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and (for Condition 6) notification of neighbours by letter (including objectors to the original application). As a result of these procedures 2 letters of objection have been received (one from the local District Councillor and the other from a resident of Willand) stating that the application would lead to uncontrolled odour which would have a cumulative adverse effect on residential properties already affected by odour from the Two Sisters Food

Group. Farm trailers used for deliveries are not designed to mitigate odour and farm trailers leaving empty after deliveries would create noise. The transport statement is not fit for purpose due to use of part trips and the proposal should be refused due to potential impact on the road network. There are existing issues in the locality with movement of crops past the school and traffic management agreements elsewhere are not enforced.

- 4.2 The objectors question statements in the application about the amount of domestic food waste available, the contractual arrangements with the Two Sisters Group; the assumption that dairy farms are moving to arable and the applicant's comments that Willand is strategically well suited as a site to receive food waste contracted from Districts (especially Teignbridge).
- 4.3 The objectors are also concerned about cumulative impacts from large volumes of traffic along the B3181 which already access the industrial estates at Hitchcock Farm and the Mid Devon Industrial Estate (shown on Plan 2) and express the view that the proposal will create a cumulative impact by concentrating agricultural movements in one particular area.
- 4.4 Concern is also expressed that applicant changes their proposals once planning permission has been granted and does not build in accordance with the approved plans.
- 4.5 The objectors also query the veracity of the information on lorry movements and express concerns that the proposals would mean an increase for Willand of over 3,000 movements of HGVs. They also object on grounds of odour, visual impact and noise from transportation.
- 4.6 Copies of the representations are available to view on the Council website under references DCC/3825/2015 and DCC/3850/2016 or by clicking on the following links: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3825/2015> .

5. Planning Policy Considerations

- 5.1 In considering this application the County Council, as Waste Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan policies are summarised in Appendix I to this report and the most relevant are referred to in Section 6 below.
- 5.2 This site was not allocated for waste management uses in the Devon Waste Local Plan, but the decision to grant planning permission for the AD plant made reference to policy W6 (Energy Recovery) which states that proposal for the recovery of up to 80,000 tonnes would be permitted unless material considerations indicate otherwise. It was considered that the permitted plant was compliant with this policy due to its location immediately adjacent to 50% of the input and the consequent removal of existing waste movements from the road network.

It is this change that needs to be considered within the context of the planning policy.

6. Comments/Issues

- 6.1 It is considered that the main material planning considerations in the determination of the proposed development are the visual impact of the revised design and whether the change to the nature and amount of the feedstock and the additional transportation movements would be unacceptable in terms of existing planning policy; on the amenity of the neighbourhood; and on the safety and capacity of the highway network.

The visual impact of the proposed amended design.

- 6.2 The footprint of the proposed development remains within the original red line of the permitted development, and the largest structures would now be 15m in height (with some external pipework on the top) rather than the previously permitted 19m. The reception building remains essentially the same and in the same location and therefore the nature of the plant and its bulk would be very similar although slightly less than that which was previously permitted. Given the nature of the site and the location in front of the Two Sisters Abattoir which remains a large bulky structure on the skyline, it is considered that this plant would not cause an increased landscape impact from the previously approved scheme.

The nature of the feedstock

- 6.3 Willand Parish Council, Mid Devon District Council and objectors have expressed concern that the original permission was based on treating around 50,000 tonnes of waste with 50% from the adjacent abattoir and 50% imported by road and that this proposal represents not only an increase in the use of imported feedstock but an increase in the overall size of the operation.
- 6.4 It is correct that the use of material from the adjacent abattoir was an advantage for the location of the AD facility but the applicant has pointed out that the proposal has been amended due to contractual issues rather than because the feedstock is not available. The current proposal has been presented as a “worst case” scenario in highways terms to enable a determination to be made based on the maximum likely impact from a facility importing all of its feedstock as crops and farm wastes, but it is also made clear by the applicant that they are also seeking food waste contracts from Commercial and Domestic collectors as well as with the adjacent abattoir. This use of “worst case scenario” and the proper assessment of the likely impacts of this would enable the WPA to be confident that the likely impacts have all been properly assessed and that if they are in themselves acceptable then anything lesser would not raise any further planning issues.
- 6.5 Many of the recently permitted AD facilities are in some way competing for various types of feedstock and are bound by the market and various contractual factors. The applicants clearly hope to be in a position to engage with the adjacent abattoir to take larger amounts of their waste, but as this is not a certainty, they are taking steps to ensure alternative feedstock to support their investment. The applicant has stated that they are intending to bid for the domestic food waste contracts which might be topped up by the importation of commercial food waste, but this is a competitive market and so they have also provided a “worst case scenario” where all of the input is from farm products, mostly crops but also an element of waste from dairy farms which would normally be cattle slurry. They have stated that there is no intention to bring in poultry wastes by road which was a concern when the original application

was submitted and which could still be subject to a condition if it were considered to be reasonable and proportionate.

- 6.6 With a variety of potential feedstock, the principal issues are whether there would be an unacceptable impact on the highway network and whether the transportation of food waste would present an unacceptable amenity impact on local residents either from the number of vehicle movements or the nature of the feedstock. The Transport Statement supporting the application sets out a worst case scenario as far as highways issues are concerned but the likelihood is that highway impacts would be less if food-waste contracts can be achieved.
- 6.7 The concerns raised by objectors about the company changing its proposals once permission has been granted are noted and although the plant is already under construction, the operator has submitted revised drawings and an application to vary condition 2 which specifies the approved drawings and which is also a part of this report for determination. The NPPF makes it clear that a retrospective application should be considered in the same manner as any other application in terms of the policy context and the likely environmental effects.

Odour and Residential amenity

- 6.8 Odour from vehicles carrying food waste or digestate is clearly a concern to local residents but the applicant has stated that both food waste and digestate would be transported in “duoliner” vehicles which can be used to carry both solid and liquid waste. As such, they are sealed units and therefore are unlikely to present an odour problem. The use of sealed containers or tankers to transport odorous material would be a condition of the permission if granted and this would then cover the delivery of farm slurry should it be a part of the feedstock.
- 6.9 It is clear that in this location, odour is already a concern to residents and there have been past complaints about odour from the abattoir. The site is also adjacent to the Sewage Treatment Works, but clearly the perception of existing odour issues cannot be attributable to the applicant’s plant which is not yet operational.
- 6.10 As a part of the original planning application the applicant stated that there would be negative pressure in the tipping hall and therefore if this is properly adhered to then there should not be any “spill” of odour from the buildings. The AD plant will be subject of a bespoke Environmental Permit which would deal with emissions from the process and National Planning Policy Framework guidance is clear that consenting regimes should not duplicate the requirements of the Permit. Odour from the process would therefore be an issue for the Environmental Permit and planning conditions could be used to deal with the transportation of waste and to preclude outside storage of materials.
- 6.11 In terms of the likelihood if the proposed development increasing the odour problem in this area, the applicant has stated that the 10,000 tonnes of waste from the abattoir would delivered to the reception hall and fed to the digesters through an enclosed feeding system. The waste is currently handled in the open air at the abattoir treatment works before being removed from the site; the proposed process should therefore reduce odours in the locality.
- 6.12 Additionally, the applicant has provided an odour and bioaerosol risk assessment which concludes that under normal operating conditions and with maintenance and mitigation measures implemented (negative pressure in delivery hall; good housekeeping) there is a very low risk of loss of amenity due to odours although as

with any AD plant, there could be significant short term impacts if there were to be a failure in the systems and this would be a matter for the Environment Agency in its regulation of the Environmental Permit.

Highways Issues

- 6.13 The application to vary the planning condition was supported by a Transport Statement which had been the subject of pre-application advice by the Highway Authority. The proposal seeks to increase the amount of material imported to the site from the originally permitted 24,000 tonnes of material delivered by road to 55,000 tonnes of material delivered by road.
- 6.14 Assuming that there is no input from the adjacent abattoir, the main differences between this proposal and the permitted scheme are the increase in the number of vehicle movements on the local highway network associated with this operation, the likely routing of those movements and the potential impact on the surrounding area of the transportation of farm crops and food wastes.
- 6.15 The potential impact on the road network is discussed below. In terms of amenity, the routing of vehicles carrying food waste would be directly from the nearest junction with the M5 and following the lorry routing to the adjacent industrial estates. [See Plan 2 for lorry routing].
- 6.16 In terms of amenity impact from the proposed HGV movements, the worst case scenario is that there might be 33 movements per day from the operation if the entire feedstock was to be crops delivered in part by duoliner (backhauling digestate) and tractor and trailer from the silage clamp at Burn Rew Farm, which is on the adjacent farm holding and was permitted as a part of the original consent.
- 6.17 The route that has been identified to access the site for food waste utilises the M5 corridor and the B3181 from Junction 27. These roads are suitable to accommodate the increase in the traffic identified in the application.
- 6.18 The applicant has stated that traffic movements for agricultural feed stock would happen in any case and they are already on the highway network with only the final destination being different. In addition these figures have been shown as average figures which by their nature are shown as part movements when viewed as a daily average. This methodology has been accepted by the Highway Authority to demonstrate movements.
- 6.19 The Planning Authority has asked the applicant to comment on complaints that there are already increased tractor and trailer movements in the area and in particular around the school. The applicant has stated that the development has not commenced and they are not moving material in the locality.
- 6.20 It has been argued by objectors that there are no part movements, and this is correct to some degree in that it would not be commercially viable to deliver a part load and in reality only full loads will be delivered the material making up the part load retained at source until such time as a full load is available. Therefore where the loads are indicated as part loads e.g. for the 10,813 tonnes of Feedstock with 4.6 loads per day average, the week will be made up of 5 days of 4 movements and one day of 5. To up lift each days part load to a full load is equally erroneous as to discount the part loads.

- 6.21 The only seasonal crop is that which is being delivered to the silage clamps at Burn Rew Farm and this already has permission in association with this proposal, as well as a requirement for a highways improvement. All other crops are intended to remain at source and brought to the plant on a steady state movement. The applicant has taken a conservative approach to the development by showing the worst case scenario with all indications being that this level of movement would not be the case. The figures demonstrated by the applicant are accepted for traffic over the greater highway network, but there will be increased traffic over the immediate local network and the importance of adhering to the identified delivery routes are of paramount importance to mitigate any impacts on the local amenity and school front safety.
- 6.22 The Highway Authority has advised that the applicant should submit and have approved a traffic management plan which indicates the routes to be taken, keep a log of the vehicles entering and leaving the site, their destinations and routes taken. The Highway Authority while it accepts that such measures are generally a best endeavour approach, has asked the applicant to undertake a s.106 agreement in respect of routing and should include in the traffic management plan any punitive measure it will take to those suppliers who breach the agreed delivery routes. This agreement has been received from the applicant and the routing will avoid the centre of the village completely.
- 6.23 The NPPF states that any impact should be “severe” before it is used as a reason not to permit what would otherwise be “sustainable development” and in respect of overall movements, the Highways Authority does not consider this to be the case with relation to this application.

Overall Sustainability Considerations

- 6.24 An increase in vehicle movements to import food and agricultural wastes might reduce the overall sustainability of this project. The previous use of abattoir waste from the adjacent site was however an unusually sustainable proposal and the site is still well located to take those wastes should they become available. The abattoir has itself received planning permission for the installation of a smaller AD plant to take some of its by products and so the overall amount would need to be made up from other products in any case and the use of the domestic and commercial food waste in this AD plant connected directly to the gas grid could be seen as a more sustainable approach to the management of the county’s waste than incineration or landfill.
- 6.25 The applicant has stated that the increased throughput, combined with a higher calorific source of feedstock would provide a range of 3.8-4.2Mw (electrical equivalent output) depending on the quality and calorific value of feedstocks. The waste materials and crops are already produced and therefore would be moved to an end user in any case. The proposed increase in throughput and alterations to the feedstock could therefore significantly increase the amount of energy from the original 2MW proposal.

7. Reasons for Recommendation/Alternatives Options Considered

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

- 7.2 In terms of land use planning, the site already has permission to operate an AD plant, it was previously an abattoir, and as such is a brownfield site, located in close proximity to the major highway network. It is possible to impose operating conditions that would control odour from the transportation and storage of materials and the process itself is the subject of an Environmental Permit and therefore a matter for the consideration of the Environment Agency who has raised no objection to the application. The proposed height and bulk of the amended plant would not be greater than that already approved and so in the absence of any highway objection there is no policy reason to refuse the use of alternative materials to provide the feedstock for this plant.
- 7.3 The increase in the amount of throughput is from 49,000 tpa. to 65,000 tpa does not increase the size of the facility so significantly that the proposal would not comply with Policy W6 of the Devon Waste Local Plan; in that it will deliver gas directly into the National Gas grid, will manage waste (and crops) arising in Devon and is well located with relation to the strategic road network.
- 7.4 The NPPF is clear that the use of planning conditions should be necessary and precise; it should be made clear that the proposed variation would not preclude the importation of slurry (so long as it is kept in sealed trailers or containers). As odour is the concern expressed in association with the movement of the material it is considered that the application of this condition is necessary and proportionate.

Dave Black
Head of Planning, Transportation and Environment

Electoral Division: Willand & Uffculme

Local Government Act 1972: List of Background Papers

Contact for enquiries: Sue Penaluna

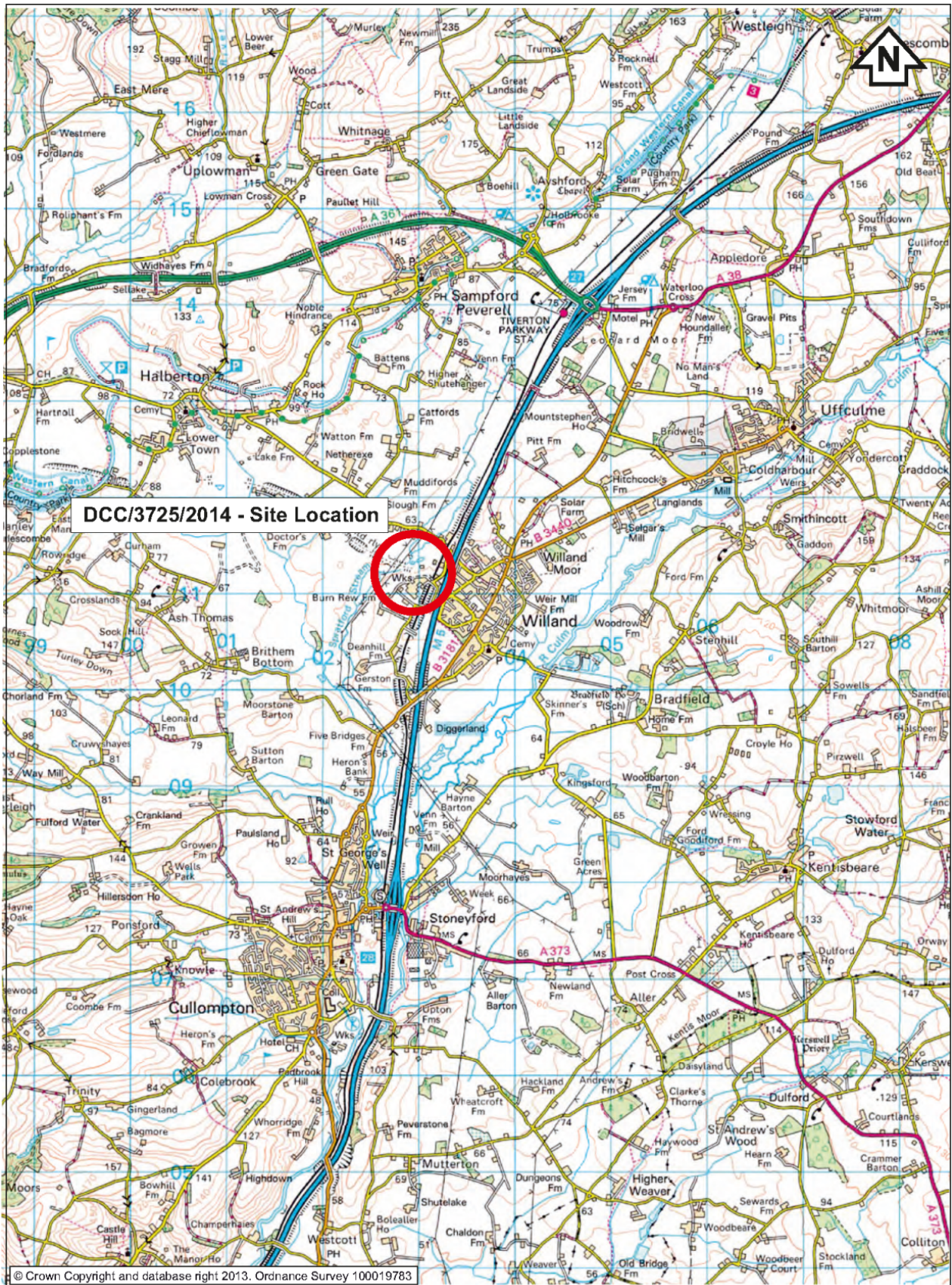
Room No: AB2, Lucombe House, County Hall

Tel No: 01392 383000

Background Paper	Date	File Ref.
Original Application	12 January 2015	DCC/3725/2014
Casework File	6 January 2016	DCC/3825/2015
Casework File	21 March 2016	DCC/3850/2016

sp110216dma
sc/cr/AD plant Lloyd maunder road willand
05 180416

Location Plan



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Head of Planning,
Transportation
and Environment

Development Management Committee

County Matter: Waste
Mid Devon District: Variation of condition 6 of application DCC/3725/2014
(Construction of 2MW Anaerobic Digestion Plant with new access road and
weighbridge on land adjacent to existing Abattoir at Lloyd Maunder Road,
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date

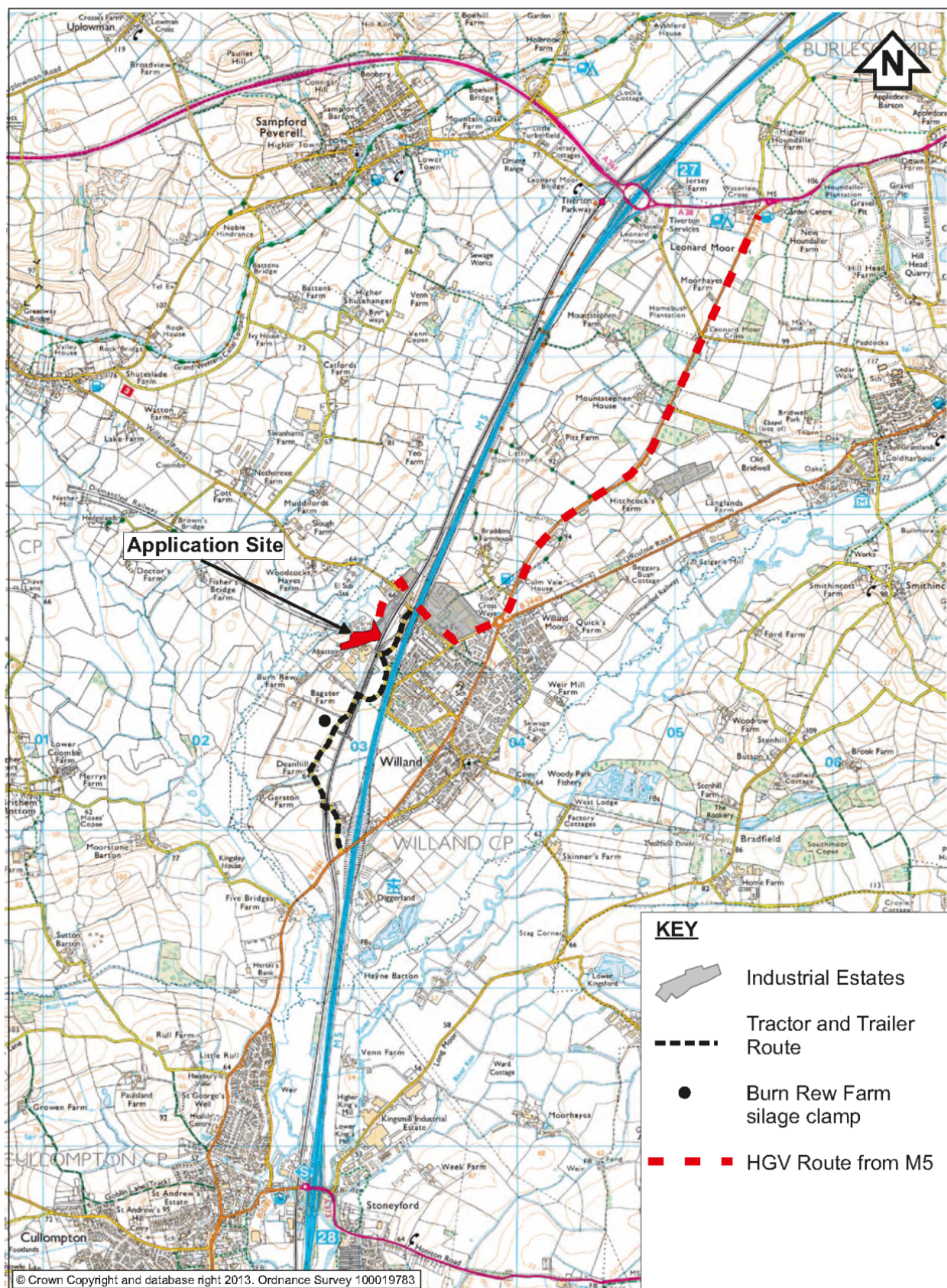
April 2016

scale

NTS

Application No:
16/00049/DCC

Routing of Food Waste and digestate



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Head of Planning,
Transportation
and Environment

Development Management Committee
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Planning Policy Considerations

Devon Waste Plan: Adopted 11 December 2014

Policies: W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W5 (Reuse, Recycling and Materials Recovery); W6 (Energy Recovery); W15 (Infrastructure and Community Services); W17 (Transportation and Access); and W18 (Quality of Life).

Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007):

Policies: COR01 (Sustainable Communities); COR05 (Climate Change); COR07 (Previously Developed Land); COR08 (Infrastructure Provision); COR09 (Access); and COR10 (Strategic Transport Networks).

**Appendix II
To PTE/16/24**

Planning Conditions (Amendments or additions to Permission DCC/3725/2014 in bold)

Schedule of Conditions – Mid Devon District Council Application No. 16/0049/DCC and 16/00456/DCC

Devon County Council Ref. DCC/3825/2015

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

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

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered: WIN01_Willand_SLa_002 (Figure 1a: Site Location); WIN01_Willand_SLb_001 (Figure 1b: Site Location); **Plan 20160308 GFLE-Willand Phase 3 Planning v04-32- Site Plan**); **Figure 3a Elevations shown with existing buildings (WIN01_WIL4_EIEx_001)** (Figure 3 - Elevation - Silage Clamps); WIN01_Willand_CSa_003 **Figure 4 Cross Section (20160308 GFLE-Willand Phase 3 Planning v04-35-Cross Section A-A)** (Figure 6 - Silage Clamp Cross Section - Overview); WIN01_Willand_CSb/c_002 (Figure 6 - Cross Sections B-B and C-C); WIN01_Willand_CSD-D_002 (Figure 8 - Planting Specification for a screening bund); WIN01_Willand_PP_01 (Figure 9 - Planting specification for Willand Anaerobic Digester); WIN01_Willand_Flg10_001 (Figure 3 - Individual Structures - site overview); WIN01_Willand_Flg10_001 **Figure 10 Individual Structures (20160308 GFLE-Willand Phase 3 Planning v04 1-36 – Structures 1-6; 13854-SC001 (Access Track Long Section);A3-002 (indicative Road Transverse Sections A&B)**); except as varied by the conditions below.

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

3. **The development hereby permitted shall be constructed in accordance with the construction traffic management plan approved on 22 July 2015 under Article 30 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.**

REASON: In the interest of highway safety and the efficient operation of the M5 motorway and its junctions

4. No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-
 - (a) details of the drainage during the construction phase;
 - (b) details of the final sustainable drainage scheme;
 - (c) provision for exceedance pathways and overland flow routes;
 - (d) a timetable of construction;
 - (e) a construction quality control procedure;

- (f) a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

5. No material shall be imported for storage at the clamps at Burn Rew Farm until such time as the highway improvement shown on drawing DCC/01 shall have been carried out.

REASON: In the interests of highway safety.

6. **The amount of feedstock delivered by road to this site shall not exceed 55,000 tonnes per annum and no poultry products shall be delivered by road to this site.**

REASON: To ensure that the impacts on the public highway network and on odour management as set out in the supporting Transportation Statement and Planning Supporting Statement are not exceeded in the interests of local amenity and highway safety.

7. The external materials for the cladding of the proposed buildings and digestate tanks shall be RAL 7038 (Goose wing grey) and the security fencing shall be RAL 6005 (Dark green) unless otherwise agreed in writing by the Waste Planning Authority

REASON: To ensure the chosen materials for this development minimise its impact on the character and appearance of the landscape in accordance with policy W12 of the Devon Waste Local Plan.

8. No vehicle or mobile plant used (other than visiting road lorries) shall be operated within the permission area unless they have been fitted with and use "white noise" alarms.

REASON: In the interest of protecting the local environment and community from adverse impact of noise generated at the site and to comply with policies of the Development plan: in particular policies W02 of the Devon Waste Local Plan and Policy COR01 of the Mid Devon Local Plan.

9. The landscaping scheme shown on plans: WIN01_Willand_PP_002 (Figure 8 - Planting Specification for a screening bund) and WIN01_Willand_PP_01 (Figure 9 - Planting specification for Willand Anaerobic Digester) shall be carried out in the first planting and seeding seasons following completion of the development. The approved scheme shall be maintained for a period of five years. Any trees, plants or grassed areas, or replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the local landscape in accordance with policy W12 of the Devon Waste Local Plan.

10. The applicant shall implement the habitat enhancement and ecological mitigation measures as set out in the report dated 26 March 2015 (Appendix 11).

REASON: To ensure that proposed development minimises the impact on species and habitats and delivers the proposed mitigation and enhancement proposed in support of the proposal in accordance with Policy W02 of the Devon Waste Local Plan.

11. **Prior to the importation of any feedstock to this operation, the applicant shall submit to and have approval in writing from the Waste Planning Authority a Traffic Management Plan (CMP) including:**
- (a) Official delivery routes;**
 - (b) Actions to be taken against those in breach of the delivery instructions;**
 - (c) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:30 am to 9.30 am and 3.00pm to 4.00pm Mondays to Fridays to safeguard school pick up and drop off;**
 - (d) the number, sizes of vehicles, and origin and destination of vehicles visiting the site in connection with the development and the frequency of their visits should be logged for Planning Authority inspection;**
 - (e) details of proposals to promote car sharing amongst staff in order to limit staff vehicles parking off-site.**

On approval the applicant shall take all reasonable steps to implement the approved plan.

REASON: In the interests of highway safety.

12. **The applicant shall keep records of the amount and nature of the deliveries to the site and such records shall be made available on written request to the Waste Planning Authority.**

REASON: To ensure that the proposed vehicular movements are maintained within the levels set out in the Transportation Statement in the interests of highway safety and public amenity.

13. **All waste feedstock delivered to this site and digestate leaving it by road shall be transported in sealed containers or tankers.**

REASON: To prevent odours from the transportation of waste feedstock causing detriment to the amenity of residents along the delivery routes.

14. **There shall be no external storage of waste materials or soiled containers.**

REASON: To prevent odours from this site affecting the amenity of nearby property.