

## REPORT TO THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	20 June 2018
<b>Application Number</b>	17/10554/WCM
<b>Site Address</b>	Calne Quarry, Abberd Lane, Calne, SN11 8TJ
<b>Proposal</b>	Retention and Change of use of Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.
<b>Applicant</b>	Hills Waste Solutions Ltd
<b>Town/Parish Council</b>	Calne Without / Cherhill
<b>Electoral Division</b>	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
<b>Grid Ref</b>	401358 171735
<b>Type of application</b>	County Matter
<b>Case Officer</b>	Jason Day

### Reason for the application being considered by Committee

1. The Head of Development Management considers that this suite of applications should be considered by the committee as they involve matters of strategic significance that have previously been considered by the committee and that have raised matters of public interest that have been contested both at appeal and in the Courts.

### Purpose of Report

2. The purpose of the report is to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that authority be delegated to the Head of Service for Development Management to grant conditional planning permission, subject to the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

### Report Summary

3. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way which deals with the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
4. This reports considers the planning application made for Retention and Change of Use of a Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.

5. The key issues in considering the application are as follows:
  - Principle of the development.
  - Traffic and Transport Assessment
  - Air Quality Impact
  - Noise and Vibration Impact Assessment
  - Landscape and Visual Impact Assessment
  - Biodiversity Impact
6. To date, the application has generated a total of 163 letters of objection from individuals and none in support. This includes additional letters of objection that have been submitted in response to publicity of further environmental information provided as part of the determination process.
7. Calne Without Parish Council objects to the application. Calne Town Council supports the application, subject to provisos.

### **Background**

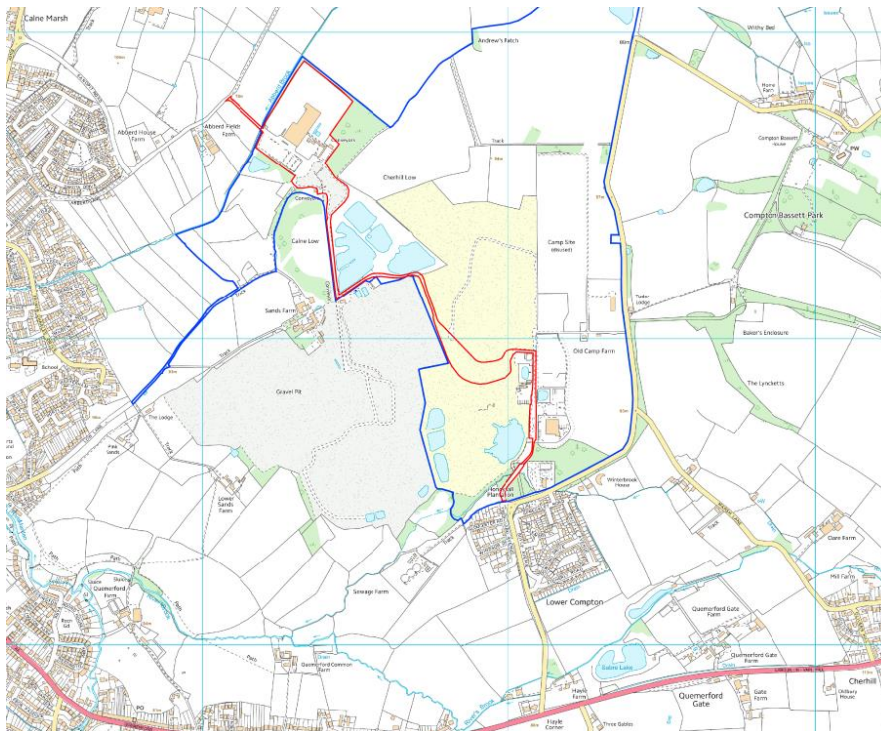
8. In October 2014, Hills Waste Solutions Ltd applied for permanent planning permission (application ref: 14/09744/WCM) to retain and extend the Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development. Existing temporary consent (first granted in 1997) expired on 31 December 2016. In June 2015 the Council's Strategic Planning Committee refused the application.
9. An appeal was made against the refusal to grant planning permission and was heard by an independent Planning Inspector by Public Inquiry. The Inquiry sat for 7 days in September 2016 and February and March 2018. The inspector allowed the appeal and granted planning permission on 12 June 2017.
10. Permission was granted to retain and extend the Materials Recycling Facility, including transfer activities for 119,000 tonnes of waste per annum. The approved development comprised three elements of waste management operations, with a proposed extension to the Lower Compton MRF building to accommodate them:-
  - A Materials Recycling Facility (MRF),
  - A Municipal Solid Waste (MSW) transfer operation; and
  - Green waste transfer;
11. A claim under section 288 of the Town and Country Planning Act 1990 challenging the decision of a planning inspector was made by Wiltshire Waste Alliance Ltd in July 2017.
12. The legal challenge created uncertainty regarding the deliverability of a Materials Recycling Facility that is required to implement Wiltshire Council's new household waste collection service starting on 30 July 2018 and consequently created the need for Hills Waste Solutions to bring forward other options.
13. Rather than take forward the extension to the existing MRF at Lower Compton, Hills Waste is proposing to install the equipment for the co-mingled MRF in the adjacent

former Concrete Products Factory at Sands Farm, Calne and create a link road to join the two sites. The Lower Compton MRF, at its existing size, would be used for the transfer of MSW and the transfer of Green waste.

14. When the plans for retaining and extending Lower Compton were being considered and applied for, the option of using the former Concrete Products Factory at Sands Farm was not available. The extended period of time that the Lower Compton proposals have been in the planning system has seen a number of changes and the acquisition by Hills of the Sands Farm Concrete Products Factory has allowed this option to come forward.
15. The legal challenge was heard in the Planning Court on 1-2 May 2018 and the judge found the challenge to succeed on two grounds. The Court has ordered that the decision of the planning inspector granting planning permission to retain and extend the MRF at Lower Compton shall be quashed and remitted back to the Secretary of State for redetermination.

### Site Description

16. The application site comprises the decorative Concrete Products Factory building, weighbridge, stock yard and car park situated at Sands Farm Quarry. The main factory building is 9 metres in height with a raised central section to accommodate conveyor elements at 17.2 metres in height. The external material of the building is of profile steel cladding, with side elevations 'olive green' and roof 'moorland green' in colour. The building floor space is 7,533 square metres. The overall site area is 5.8 hectares.



17. The land to the immediate south of the factory is the site of mineral processing plant associated with the Sands Farm Quarry and Landfill, which extends southwards from the site and linked by conveyor to a quarry at Compton Bassett operated by Hills

Quarry Products Ltd. Land to the north and south west of the factory is in agricultural use. The land to the northeast is also agricultural and is allocated in the Wiltshire and Swindon Aggregate Minerals Site Allocations Plan for sand extraction.

18. The application site also includes the line of Sandpit Road which provides a connection between Oxford Road and Abberd Lane and which was purposely constructed to provide access to the Concrete Products Factory. The land to the west of Sandpit Road is occupied by a recent housing development. The land to the east of Sandpit Road is agricultural in use but some of this land and areas off Oxford Road, have received planning permission for housing development.

### **Planning History**

19. The relevant planning history is summarised as follows:

N/88/1828 –	Application for the decorative concrete products factory and stock yard by E.C.C. Quarries Ltd. Permission granted 16 February 1989.
N/90/1721 –	Extension to the sand extraction operations with restoration back to agriculture by the importation of waste. Permission granted October 1992.
N/08/07016 –	Application for the extraction of sand followed by backfilling with clay to original ground levels and restoration to an orchard at Sands Farm for AIUK. Permission granted 5 June 2009.
N/10/03782/WCM –	Variation of condition 11 of N/88/1828 to allow moulding to be undertaken at the concrete products factory. Permission granted 22 December 2010.
N/10/03280/WCM -	Construction of conveyor to link Low Lane and Old Camp Farm mineral extraction to Sands Farm Quarry and retention of processing plant. Permission granted 17 November 2010.
N/12/03244/WCM -	Extension to condition 9 of N.88/1828 to retain concrete products factory to 30 November 2022 or cessation of the processing of sand whichever the sooner. Application was withdrawn March 2013 pending submission of a transport assessment.
N/13/01610/WCM -	Extension to Condition 9 of N.88/1828 (Resubmission of 12/03244/WCM) to retain concrete products factory to 30 November 2022 or cessation of the processing of sand as permitted under planning permission N/10/03280/WCM whichever is the sooner. Permission granted 2 May 2017.

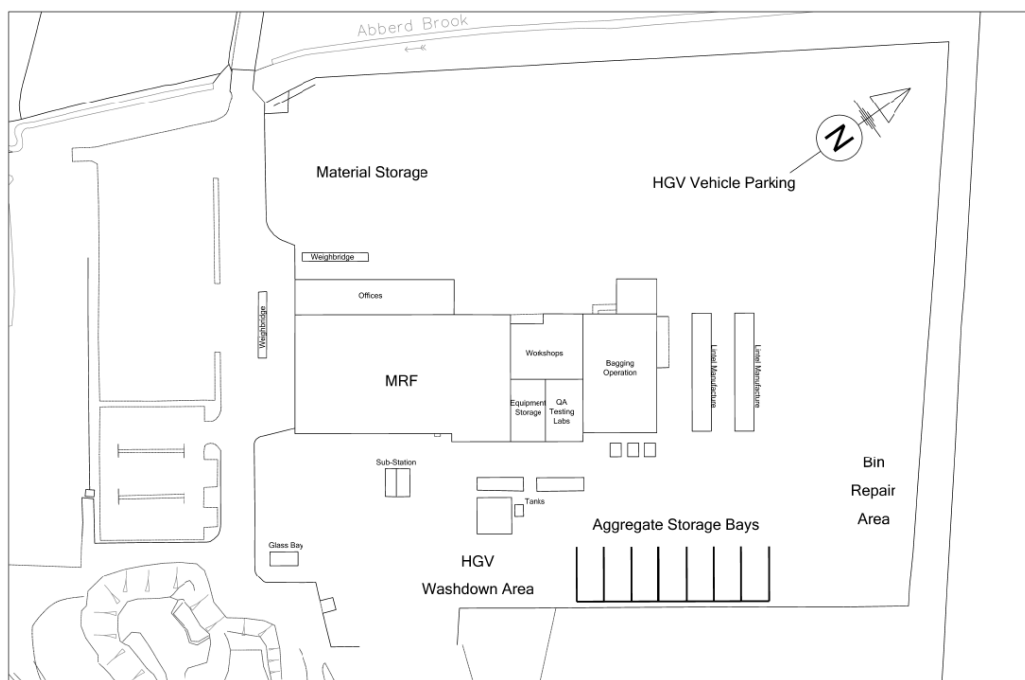
## The Proposal

20. Hills Waste Solutions Ltd has submitted a suite of five planning applications at Lower Compton and Sands Farm which together set out Hills' proposals to manage waste and minerals in a way that it considers to address the concerns raised by the Planning Authority and the local community during the determination of planning application ref: 14/09744/WCM (to retain and extend the existing Lower Compton Materials Recycling Facility, including transfer activities, screening bund and ancillary activities and development).
21. The five applications comprise: -
  - i. HGV Relief Road - The relief road will allow all HGVs associated with Hills operations, mineral, concrete and waste, to access the facilities either from Sands Farm or Lower Compton without using the A4 in the centre of Calne. (Ref No: 17/10550/WCM);
  - ii. **Retention and Change of Use of the Concrete Products factory to a mixed industrial, storage and waste management use. This development would use the HGV Relief Road. (Ref No: 17/10554/WCM);**
  - iii. Change of Use of the existing Lower Compton MRF only for waste transfer (not waste transfer and MRF as consented at Appeal) and to retain the building in its existing configuration, not to extend its size. This development would make use of the HGV Relief Road. (Ref No: 17/10557/WCM).
  - iv. Section 73 application to extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042. This development would utilise the HGV Relief Road. (Ref No: 17/10539/WCM) and;
  - v. Section 73 application to extend the time period for restoration by landfill of the Low Lane site until August 2028. This development would utilise the HGV Relief Road. (Ref No: 17/10543/WCM).
22. Each of the applications includes details of a Traffic Management Plan, the effect of which will be to divert all HGV traffic using the sites around the Air Quality Management Area (AQMA) in the centre of Calne.
23. This reports considers the planning application (ii) made for Retention and Change of Use of a Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses.

24. The planning application seeks to retain the former Concrete Products Factory and use it for a number of mixed uses: -

Waste use – Co-mingled Materials Recycling Facility	Vehicle Depot and Workshop
Vehicle and Bin Wash Down	Relocate the Repair Academy
Aggregate Bagging Plant	Lintel Manufacture
Offices	Staff Welfare and Training
External Storage	Parking for vehicles
Material Testing Laboratory.	

25. No significant changes are proposed to the infrastructure that exists. The building and its associated offices are in the process of being renovated.



26. The Co-Mingled Materials Recycling Facility (MRF) will receive household generated recyclable materials from collections around Wiltshire. The kerbside collections in Wiltshire will generate 44,000 tonnes per annum for the MRF to process. The mixed collections will include paper, card, plastics, steel and aluminium cans. Glass will be collected separately.
27. A co-mingled MRF is a collection of plant and equipment that sorts and separates incoming materials. Collection vehicles would be unloaded within the building and all sorting will take place in the building, with the exception of the glass which will have a dedicated bay in the yard for its storage.

28. Material is loaded from there onto a conveyor system where workers remove any obvious non-recyclable elements as well as anything considered oversized for the process which could damage the equipment. Larger pieces of cardboard are then removed from the mixed material stream, pushed to the top by large sorting discs turning on axles, while heavier material stays beneath. Smaller sets of the disc may then remove smaller pieces of paper and cardboard. The materials are separated further using mechanical screens and optical separators. As materials are separated, they are diverted to separate conveyors for bulking and baling. Powerful magnets separate steel and tin containers, while an eddy current separator is used to draw aluminium cans and other non-ferrous metals from the remaining co-mingled material. Plastic containers may be sorted manually by workers on the conveyor line and additionally, optical sorters are used to identify different polymers and colours.
29. After sorting and separation into its component parts, the recovered materials will either be stored in the stock yard outside the building, or in the building as materials like card and paper could be impacted by the weather. When a sufficient amount has been accumulated it is bulked out of Sands Farm for further reprocessing. A small element (less than 10%) of non-recyclable materials is expected and this will be transferred directly to the Lower Compton site for disposal or energy recovery off site.
30. The co-mingled MRF will be initially established to manage 44,000 tonnes per annum of recyclable materials.
31. The Vehicle Depot and Workshop will service Hills HGVs. This is currently carried out at the Purton depot, which will continue to deal with vehicles based in the north of the County but vehicles based at Calne and elsewhere would no longer have to make an additional trip to Purton. Servicing, repairs and maintenance will be carried out. Additionally, new vehicles will be fitted with the appropriate reversing beepers and any extra specialist equipment required. The workshop will include all the appropriate equipment for managing heavy goods vehicles.
32. The Vehicle and Bin Washdown area will provide a high-pressure water system to keep all vehicles and containers in good order. Contained drainage with silt traps and interceptors will be included to ensure no off-site contamination occurs. Water re-circulation within the washing system will be utilised.
33. The Repair Academy will be relocated to the building. The project recycles and refurbishes white goods and furniture which is collected at the Household Recycling Centres in Wiltshire. It also provides training and work experience to young people, who either have educational needs, are unemployed or on probation. After repair, the items are sold on through a number of local charities. The Repair Academy will operate in a dedicated space within the building with engineers repairing white goods such as washing machines, alongside furniture repair and refurbishment. Currently they occupy part of the Porte Marsh Materials Recycling Facility building, but that use would cease when the co-mingled MRF is operational.

34. A Bagging Plant is used to create 25kg plastic bags of aggregate which can be sold direct to merchants. It will be located within the building with its products stored temporarily in the external yards. Aggregate bays to serve the plant will be external to the building. A loader will be used to fill the hopper of the bagging plant which then automatically drops precise amounts into plastic bags which are sealed as part of the process. It is estimated that the bagging plant will produce 15,000 tonnes per annum sourced from the existing production at adjoining quarries.
35. Lintel Manufacture is the forming of pre-stressed concrete beams for use in construction. Concrete from the Lower Compton concrete batching plant will be poured into moulds which include pre-stressed reinforcement. After approximately 18 hours curing the mould is released and the lintels stacked and stored until there is a sufficient quantity to be taken off site.
36. Offices, Staff Welfare and Training Facilities will be accommodated within the offices which already exist in the building.
37. A Material Testing Laboratory will be developed to keep in-house various elements of the verification of concrete products, sampling and analysis of the various aspects of the Hills business. This can include materials testing for the concrete, grading for the aggregates, as well as water and leachate analysis associated with the waste management business.
38. Parking for cars associated with employees at the SFF and for HGVs, which will primarily be associated with the collection of waste, will be provided. Those HGVs are currently located at the Lower Compton site. Parking of HGVs has been estimated at 30, but will fluctuate.
39. The mixed uses to be carried out at Sands Farm would bring together a number of existing operational and service elements of the Hills Group wider business interests which will effectively utilise an existing substantial building and be the driver in securing the HGV relief road which will take the related traffic from Calne Town Centre. The proposal would create an estimated 10 new jobs, as well as protecting over a hundred others.
40. The following hours of operation are proposed:-



Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> <li>Monday to Friday</li> <li>Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day)</li> <li>The Saturday immediately following: <ul style="list-style-type: none"> <li>- Good Friday</li> <li>- Easter Monday</li> <li>- May and August bank holidays</li> <li>- Any additional bank holidays issued in a given year</li> </ul> </li> <li>The two consecutive Saturdays immediately following New Year's Day</li> </ul>	07:00 to 20:00*
	<ul style="list-style-type: none"> <li>Saturday (except those listed above)</li> </ul>	07:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> <li>Christmas Day</li> <li>Boxing Day</li> <li>New Year's Day</li> </ul>	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	13:00 to 20:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> <li>Monday to Friday</li> </ul>	07:00 to 18:00
	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	08:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	No operation
Internal link road	<ul style="list-style-type: none"> <li>Monday to Sunday</li> </ul>	06:00 to 20:00*
<p>*usually work at the facility will be completed by 15:00, however on some occasions (for example special occasions or extreme bad weather), operation may continue to 20:00. Use of the link road on Sundays will be occasional only.</p>		

## Environmental Impact Assessment

41. The application is accompanied by an Environmental Statement (ES) which reports the results of an Environmental Impact Assessment (EIA) undertaken of the proposed development, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
42. The scheme assessed by the Environmental Statement (ES) is subject of two planning applications: -
  - Retention and change of use of Concrete Products Factory to mixed employment, Industrial, Waste and Ancillary Uses' [application ref: 17/10554/WCM], and;
  - Application for an internal road linking the Sands Farm Facility to Lower Compton' - this will link the Facility at Sands Farm with the landfill site at Lower Compton [application ref: 17/10550/WCM].

43. The ES includes assessments of environmental effects relating to:
- Reasonable Alternatives studied
  - Landscape and Visual Impact Assessment
  - Noise and Vibration Impact Assessment
  - Traffic and Transport Assessment
  - Air Quality Impact
  - Biodiversity Impact\*
44. \*Based on the outcome from detailed ecological investigations, ecological impacts associated with the reuse of the Sands Farm buildings have been 'scoped out' from the ES. Instead, ecological Impacts associated with the reuse of the Sands Farm Facility are addressed in a non-EIA Ecological Impact Assessment submitted as part of the planning application documents.
45. Following a request from the Council, the applicant provided further information to extend the study area for the Transport Assessment of the ES to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.
46. A further version of the ES Traffic and Transport Assessment has also been proved to describe the environmental impacts in the case where a legal challenge against the previous permission (ref: 14/09744/WCM) granted on appeal in June 2017 was successful.

### **Statement of Community Involvement**

47. The applicant provided details of consultations with key stakeholders and local community representatives on this alternative proposal to the development of a Material Recycling Facility (MRF) and Waste Transfer Station (WTS) at Lower Compton. A document has been produced setting out details of planning applications and illustrated on a pull-out site plan and map.
48. Groups consulted regarding the plans include members of the Calne Area Board, Calne Area Parish Forum, members of Calne Without / Cherhill / Compton Bassett Parish Councils, the Lower Compton Community Liaison Group and representatives of Wiltshire Waste Alliance. Presentations, site tours and meetings have been provided.

## Planning Policy

49. The following Development Plan documents and policies have been considered for this planning application:

### ***Wiltshire Core Strategy, January 2015***

- Core Policy 8: Calne Community Area;
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape;
- Core Policy 55: Air Quality;
- Core Policy 60: Sustainable Transport;
- Core Policy 61: Transport and Development;
- Core Policy 62: Development impacts on the Transport Network;
- Core Policy 65: Movement of Goods

### ***Calne Community Neighbourhood Plan 2016-2026 (Made February 2018).***

- Policy GA2 – Highway Impact
- Policy WS1 – Employment
- Policy NE2 – Setting of Calne and Calne Without
- Policy NE3 – Biodiversity

### ***Wiltshire and Swindon Waste Core Strategy 2009***

- Policy WCS1: The Need for Additional Waste Management Capacity and Self Sufficiency
- Policy WCS2: Future Waste Site Locations
- Policy WCS3: Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility

### ***Wiltshire and Swindon Waste Site Allocations Local Plan, February 2013***

- Policy WSA1: Presumption in Favour of Sustainable Development

### ***Wiltshire and Swindon Waste Development Control Policies DPD 2009***

- Policy WDC1: Key criteria for ensuring sustainable waste management development
- Policy WDC2: Managing the impact of waste management
- Policy WDC7: Conserving Landscape Character
- Policy WDC8: Biodiversity and Geological Interest
- Policy WDC10: Restoration of Waste Management Sites
- Policy WDC11: Sustainable Transportation of Waste

## **National Planning Policy context.**

50. The following documents are also material to the consideration of the planning application:

- The National Planning Policy Framework (March 2012)
- The National Planning Policy for Waste (October 2014)

## Summary of consultation responses

51. The application has been the subject of three periods of consultation in response to initial and further submissions by the applicant. The following summary represents the position of consultees following the outcome and conclusion of the consultation exercises and is not intended to be a full detailed description of all comments submitted during each of the consultations undertaken.

52. **Calne Without Parish Council** – objects to this application on following grounds:

As a rural location, Sands Farm is not the right place for such a large industrial complex with a large number of associated HGV movements as it is remote from much of the County. This is in contravention of Wiltshire Council's adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles should be avoided.

The vehicle movements that would result from the proposals would give rise to unnecessary environmental damage and significantly impact the safety of road users and residents near the proposed HGV routes.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for the applicant who has an existing facility on the Hopton Industrial Estate in Devizes that is more sensibly located.

The proposed routing for HGVs would send an additional 118 HGV trips per working day, which could be as many as 236 movements allowing for return journeys. In either case this would result in an unacceptable number of HGV movements passing through the three villages of Sandy Lane, Derry Hill and Studley causing noise, air pollution, visual intrusion and severance of parts of the communities.

Much is made of the impact of reducing the HGV movements through the Air Quality Management Area (AQMA) in the centre of Calne. Air quality in Calne has been improving steadily in recent years, in fact, only two of the 7 sites monitored within the Calne AQMA still exceed the 40 µg/m<sup>3</sup> limit for NO<sub>2</sub>. Of the two sites exceeding the limit (Curzon St and New Road) the New Road site will experience reduced HGV traffic resulting from the applicant's plans to re-route their HGVs from the north and west. However, none of the three most polluted sites would receive any benefit by diverting the 118 HGV trips a day from the south as they currently do not use these roads. The only benefit of re-routing this traffic from the south would be to further reduce HGVs on London Road and Silver St which have not exceeded the NO<sub>2</sub> limit

The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county. The proposed route through the villages of Sandy Lane, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality

levels for 5 years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.

The Council supports the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton by removing 185 HGVs

The Council believes it is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.

53. **Calne Town Council** – resolved to consider the five applications together. The Town Council will support the applications subject to:

Appropriate conditions which require the creation, implementation and operation of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments.

Appropriate signage around the town to advise drivers of the approved routes to access and exit the sites (provided by way of a S106 agreement).

Appropriate conditions to manage the wheel washing and canopying of loads.

Financial contribution to the setup and delivery of an education programme to address road safety in local schools.

54. **Environment Agency** - no objection to the application, but request that an informative be added to any permission granted regarding the need for a permit to carry out any works associated with the access route crossing the Abberd Brook. Has reviewed the submitted Ecological Appraisal document and have no concerns regarding the ecological impacts of this development as long as the recommendations outlined in the report are adhered to.
55. **Natural England** – no objection. The site is immediately adjacent to the North Wessex Downs AONB and as such advises that national and local policies, together with local landscape expertise and information, are used to determine the proposal. Advise that the relevant AONB Partnership or Conservation Board be consulted.
56. **Historic England** – do not wish to offer any comments.
57. **North Wessex Downs AONB Partnership** – no comments received.
58. **Wiltshire Council Archaeology** – no comment.

59. **Wiltshire Council Highways Officer** – the additional information received in respect of a junction assessment for the A342/A4 junction, based on traffic counts undertaken in April 2018, indicate the junction operating at 21% of capacity with virtually no queuing. This would confirm that there would not be an instance of two HGVs queuing to turn right at the A342/A4 junction.

Whilst I have reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, I would have to accept the assessments by WYG of the capacity of the junction and potential for queuing HGVs. In this regard, and given the A342 is the local HGV route, I would not be able to substantiate an objection, as this route would be in accordance with the Wiltshire Freight Strategy. It should be noted, however, that WYG have not assessed the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads, but restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement.

Having regard to the change in the routing of vehicles from the current pattern, I would recommend that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement. There should also be consideration of some mechanism to secure alterations to the routing, such as a split usage of the A3102 and A342 routes, if the results of the monitoring indicate a safety issue, together with the provision of additional signage around the town, if required.

In the event that the applications are permitted, I would recommend that a legal agreement be required to secure the following:

- the routing arrangement for HGVs into and out of the Lower Compton and Sands Farm sites via the highway network
- the submission of regular vehicle logs to inform the origin, destination and route of HGVs
- the provision of the Hills Relief Road within the combined sites
- the provision of additional signage around the town to advise drivers of the approved routes to access and exit the sites, if required

I would also recommend the following conditions:-

1. The total tonnage of material delivered to the Materials Recycling Facility and Waste Transfer Facility shall not exceed (insert tonnage amounts for appropriate application) in any twelve month period.

2. A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

3. Operations, including vehicles entering and leaving the site as shown on drawing reference (insert drawing Numbers for appropriate application) shall be restricted to the following durations:

07:00 to 20:00 hours Monday to Friday

07:00 to 13:00 hours Saturday and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)

07:00 to 20:00 hours Saturdays following Bank Holidays

07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day

13:00 to 20:00 Saturday receipt of wastes from household waste recycling centres

07:00 to 18:00 Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

4. Prior to the use of the Hills Relief Road, the improvement of the site access road at Lower Compton and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented.

5. Prior to the commencement of the development, an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016) shall be submitted to and approved in writing for both the Lower Compton and Sands Farm sites. The access road shall be maintained at all times in accordance with the approved details.

6. Prior to the commencement of development, a Travel Plan/Statement shall be submitted and approved in writing, and shall be implemented within 3 months of the date of permission.

7. Prior to the commencement of development, a Construction Management Plan for the Hills Relief Road, shall be submitted and approved.

8. Prior to the commencement of development, an Operational Plan shall be submitted to, and approved in writing, and shall include details of the origins and destinations of HGVs, and the timings of leaving and arriving at each site.

Furthermore, I would recommend that suitably worded conditions be imposed relating to wheel wash facilities within the site, and for appropriate dust management, in order to ensure dust and detritus is not discharged out onto the highway network.

60. **Wiltshire Council Environmental Health Officer** – recommends that conditions be attached to any approval covering hours of operation to ensure there is no significant adverse impact on residential amenity.

61. **Wiltshire Council Ecologist** – A thorough ecological appraisal of this site has been undertaken by Johns Associates, which has identified all potential ecological impacts and set out mitigation measures to avoid harm to wildlife species during the necessary constructional changes and residual effects on local biodiversity. If this application were to be approved, I would request a condition to ensure that the mitigation recommended by Johns Associates is implemented within the development. On this basis I do not object to this proposal as an individual application.
62. **Wiltshire Council Landscape Officer** – no objections. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the above applications and forms part of the Environmental Statement. It has been prepared following current best practice methodology published by the Landscape Institute and IEMA, the ‘Guidelines for Landscape and Visual Impact Assessment’ 3rd Edition (2013).

The assessment has been undertaken with regard to relevant policies and guidance including

- NPPF & PPG
- Wiltshire and Swindon Waste Core Strategy Development Plan Document (July 2009)
- Wiltshire and Swindon, Waste Development Control Policies Development Plan Document (Sept 2009)
- Wiltshire and Swindon Waste Site Allocations Local Plan
- North Wiltshire Local Plan 2011
- LDF Wiltshire Core Strategy
- North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2009-2014

#### Baseline

For the purpose of the LVIA it is assumed that the baseline condition for the SFF is ‘greenfield’ because following the expiration of extant permissions the site is expected to be restored thus.

The assessment of effects is therefore theoretical, and is against the existing structures including the main building, associated hard stand, weighbridge, lighting and lagoons etc. It is noted that the SFF site is almost entirely enclosed by vegetation and that none of the structures appear above the height of the existing vegetation.

The baseline of the contextual setting of the proposals is described as ‘a working landscape that is being progressively restored’. The site is not within a designated landscape but lies within the setting of North Wessex Downs Area of Outstanding Natural Beauty (AONB). The proposals are contained within a valley and ‘behind the wire’ with little physical or visual influence on the AONB or neighbouring landscape character areas.

#### Mitigation



The proposal makes use of existing infrastructure where possible. Retention of existing vegetation around the SFF provides screening. Reinstatement works, new native planting and ecological features provide adequate compensation and fit well into the long term restoration of the site.

#### SFF Landscape and Visual Impacts during construction & operation

The assessed effects of the construction of the SFF is a theoretical exercise however it is noted that there would not be any significant landscape or visual effects largely due to local topography and existing screening vegetation. There will be some partial residential views into the site during operation (at worst moderate to minor negative) however this should decrease as the mitigation planting develops. PROWs on the higher ground to the W, N & NE continue to overlook the site although it is well contained by existing vegetation. The proposed development is largely obscured in views from the AONB, considered to be at worst of negligible significance.

#### Cumulative effects

Cumulative landscape and visual effects have been assessed against proposed residential/commercial development at Calne and Freeth Farm ROMP. The permanent loss of green field sites to development will have a moderate to minor negative significance on local land use but overall cumulative effects are not judged to be significant on landscape receptors or the landscape character of the wider countryside. No significant cumulative or additional visual effects are predicted although proposed residential development may give rise to new receptors with minor negative significance.

63. **Wiltshire Council Rights of Way Officer** – no comments received.

#### Publicity

64. The application was publicised by Newspaper notice, Site notice, Neighbour notification, Publication to the Council's website and Weekly lists of applications, and notification to the Town and Parish Councils in the locality. As noted above, the application has been the subject of three separate periods of consultation in response to initial and further submissions by the applicant.
65. 163 objections have been received. The following is a summary of matters raised:
- All five applications should be put on hold until there has been a much broader investigation into the impact these applications have not only on those in the vicinity of Lower Compton and Sands Farm, but also neighbouring areas.
  - There is a need for some integrated planning, not piecemeal, not planning by creepage, to resolve the issues in Calne, taking into account the inadequate road infrastructure in Wiltshire, the impact on people and on property in the greater surrounds and not just the locality of the application(s). It is not acceptable to try and resolve one issue by simply moving it elsewhere.

- In combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.
- Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.
- Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.
- There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.
- There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.
- The town, its road system and the HGV route for North Wiltshire are not suitable for this scale of operations and a more suitable area should be chosen.
- Object to the rerouting of Hills HGV traffic from the the south of the county. The proposed route through the villages of Sandy Land, Derry Hill and Studley is a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The only benefits are to provide further reductions in HGVs and negligible additional environmental benefits on Silver St and London Road in Calne, neither of which have exceeded permitted air quality levels for some years and would no longer qualify to be part of an Air Quality Management Area (AQMA). There is a corresponding environmental disbenefit to villages along the proposed route.
- Support the rerouting of Hills HGVs from the north and west as they would use the most direct and shortest routes, reducing mileage and removing all Hills HGV traffic (185 HGVs) from Calne Town Centre and the only parts of the AQMA where pollution exceeds permitted levels. Rerouting their traffic from the north and west also brings some benefits to London Road and Quemerford and Lower Compton
- It is important to disaggregate the implications of rerouting the HGVs from the south from the undoubted overall benefits derived from rerouting the Hills traffic from the north and west.
- A number of letters have been received following the same template as the objection submitted by Wiltshire Waste Alliance set out below.

66. **Wiltshire Waste Alliance (WWA)** – WWA was a main party involved in the planning appeal for application ref: 14/09744/WCM and brought the legal challenge against the decision of the planning inspector. WWA objects to the three applications referenced 17/10554/WCM [Retention and Change of Use of the Concrete Products factory], 17/10557/WCM [Change of Use of the existing Lower Compton MRF] and 17/10550/WCM [HGV Relief Road].

Consider that in combination these proposals for a large complex of industrial activities will have a disproportionate effect on residents of a rural location.

Lower Compton/Sands Farm is not the right place for a large complex waste facility with a very large number of associated HGV movements. This is contrary to Wiltshire Council's various adopted policies which require that waste transport should be sustainable and that unnecessary waste transport miles are avoided.

Neither the Lower Compton nor the Sands Farm sites are included as allocated future MRF/WTS sites in the Waste Core Strategy. There are numerous alternative MRF/WTS sites identified in the adopted plan that should be used in preference as they minimise waste transport miles.

There is no compelling rationale for the co-location of HGV maintenance facilities other than it is operationally convenient for Hills.

There is no compelling rationale for the adjacent location of the proposed Municipal Solid Waste and Green Waste Transfer operations. A more suitable location closer to the source of waste arisings, particularly those from West Wiltshire would further the concentration of overall HGV movements.

The 17/10543 application states that sand extraction will be at a reduced rate due to low demand but that the landfill rate will remain unchanged. The reduced rate of extraction means that landfill will catch up with the available void volume such that landfill should be complete sooner than stated.

If permissions for activities such as the concrete plant operations are strictly time limited to the expiry of sand extraction (currently 2029) and the landfill restricted to 2030/31, then residents of Sand Pit Road and Derry Hill might at least look forwards to further reduction of HGV movements more acceptable than that proposed. This would leave Hills with a large permanent MRF facility for co-mingled waste; a white goods repair facility; and HGV overnight parking but would reduce the total HGV movements to more acceptable and sustainable levels.

67. **CPRE Wiltshire** – considers this proposal merely moves the problem of HGV traffic along the A4 through Calne or along the A3102 Silver Street, to Sand Pit Road and Oxford Road. This may avoid the HGV's going through the Calne AQMA, which is highly desirable in itself, but in a few years' time there could be up to 1,000 new households living on either side of both Sand Pit Road and Oxford Road and the same conflict between perceived, or real, traffic danger and a new area of air pollution affecting the households, will exist. The number of HGV's using the road from either a new MRF or the concrete plant, plus other subsidiary activities will amount to a figure of around 300 HGV's daily. Combine this with the commuter and daily traffic generated by the new estates plus Porte Marsh Industrial Estate and journeys to the new Tesco and it is clear that the proposal is simply re-creating what presently exists along the A4 at Quemerford down into the White Hart junction.
68. **North Wiltshire Friends of the Earth** - Object. Consider this a repeat of the previous application for the Compton Bassett site which was rejected earlier by the Council. In essence therefore the situation and considerations which pertained relating to this previous rejected application also apply to this present application, and should therefore predispose the Council to rejection of this present application. The essential difference is that the HGV movements, around 300 daily, will follow a different route of access. This new proposed access via Oxford Road and Sandpit Lane will place a huge inconvenience upon the residents of this area in terms of noise, air pollution and loss of general amenity. The use of the Compton Bassett site as currently proposed by Hills Waste was never a part of the current Wiltshire and Swindon Waste Core Strategy, and therefore has no legitimacy in planning terms. For it to succeed, therefore, this application must result in benefits to this section of the local community. There are no benefits that we can discern, only deterioration in their quality of life, and so the planning application clearly merits rejection.

### **Planning Considerations**

69. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
70. The EIA Regulations require that before determining any EIA application, the local planning authority must take into consideration the information contained in the Environmental Statement (ES) (including any further information), any comments made by the consultation bodies, and any representations from members of the public about environmental issues.

### **Principle of development**

71. This planning application for the 'Sands Farm Facility' comprises the retention and change of use of the existing large building and storage yards originally permitted as a Decorative Concrete Product Factory to a variety of industrial, manufacturing, storage and waste management uses.

72. The area to the east of Calne has a long history of sand workings commencing prior to the introduction of the modern planning system in 1948. Planning Permission for a Decorative Concrete Products Factory on part of the Sands Farm mineral site was granted in 1989. The life of this permission was 25 years, or the exhaustion of the companies adjoining sand resources. This permission also required the construction of an access road - now known as Sandpit Road – connecting Oxford Road and Abberd Lane for the purpose of ensuring that HGV traffic avoided the use of routes that involved travelling through the centre of Calne. Sandpit Road has subsequently been adopted as a public highway.
73. Mineral Planning Guidance in force at that time of that decision (MPG2, July 1988) advised that it was: *“usually desirable to require that buildings, plant and machinery needed in connection with minerals development are eventually removed, either for amenity reasons or as part of the reclamation of the site. However, removal can be a difficult and expensive operation and should be required only where justified when considered in relation to the benefits which would be obtained. Account should be taken for example of any possible subsequent use of the buildings or the need to preserve buildings of special interest. The removal of buildings, plant and machinery can be achieved by conditions requiring that they be removed within a specified period of when the development authorised by the permission has ceased”*.
74. The permission for the Concrete Products Factory and Stockyard was granted subject to a number of conditions. Planning Condition Number 9 required: *‘The building and products stock yard hereby permitted shall be removed, the use thereof shall be discontinued and the land reinstated to its former condition at or before the expiration of a 25 year period from the date of the granting of this permission or the exhaustion of the companies adjoining sand resources, whichever is the sooner’*.
75. The effect of this condition was to make the permission temporary, but for a period that tied in with the then estimated timescales for mineral working in the area – 25 years. Mineral extraction is a temporary use of land, although the length of time for some sites can extend to several decades.
76. Since then planning permission has been granted, in 1992, to extend the sand quarry and restore to agriculture by importation of waste over a 30-year period. Additional local sand reserves have been released through the grant of planning permission for land at Low Lane and Old Camp Farm. In 2010, planning permission (ref: N/10/03280/WCM) was granted to retain the Sands Farm processing plant, stockyard, silt management area, weighbridge and access route and allow these local reserves to be imported to Sands Farm by conveyor system and distributed to market via Sandpit Road. In May 2017, planning permission was granted to retain the factory building and stock yard until November 2022 or cessation of sand processing, whichever is the sooner.

77. Further changes in circumstances have occurred since the original grant of planning permission for the Concrete Products Factory, including the built development of Calne spreading towards the factory in the intervening years with planning permission granted for residential developments off Sandpit Road and Oxford Road, a waste management business west of Abberd Lane, employment buildings at Penn Hill Farm and the High Penn Solar Farm. The adopted Wiltshire and Swindon Minerals Site Allocations Local Plan allocates further land east of Calne for future mineral extraction, stating that access via Sandpit Lane rather than from Lower Compton would aid in reducing the need for associated HGV movements through Calne town centre.
78. The reason for the imposing Condition Number 9 is stated as:-  
*Reason: In the interests of the amenity of the area and to ensure the building hereby permitted is not used for inappropriate purposes.*
79. This application seeks to retain this factory building and re-use it for a variety of industrial, manufacturing, storage (use classes B1, B2 & B8) and waste management purposes. Whether or not these proposed new purposes are 'appropriate' uses of the building are considered further in the following paragraphs.
80. In terms of the B2/B8 uses, the site falls outside of any defined settlement or established employment area and is within the open countryside. The application site is located on the site of an existing minerals operational area, which is due to be removed and the land restored (to agriculture) following the cessation of mineral workings in the local area.
81. In this context, the development proposals are not in accord with Wiltshire Core Strategy policies CP1, CP2 or CP8. The Core Strategy must however be read as a whole and it does make provision for development proposals of this nature to come forward on unallocated sites and outside of defined settlements under the provisions of Core Policy 34, subject to the criteria contained within that policy. The Core Strategy states that Wiltshire does not have land available in the right locations at the right time to meet business needs and Core Policy 34 therefore supports the delivery of opportunities for the provision of employment land that may come forward in addition to the employment plan which is allocated in the Core Strategy. As such and in broad terms the principle of development is potentially acceptable subject to compliance with the policy criteria and the other relevant policy provisions of the plan relating to site specific matters.
82. Criteria i – iv of Core Policy 34 set out a series of locational circumstances whereby proposals for employment development (use classes B1, B2 or B8) outside of the Principal settlements, Market Towns and Local Service Centres will be supported. In this context Criteria ii) & iii) are not applicable in this particular instance given the nature of the development proposed. Criteria i) allows for proposals where located adjacent to principal settlements, Market Towns (e.g. Calne) and Local service Centres and where they will seek to retain or expand businesses currently located within or adjacent the centres. This application seeks to retain the factory building located immediately east of Calne and re-use it for a variety of industrial,

manufacturing, storage (B1, B2 & B8) and waste management purposes. The development proposed is a relocation of various activities and processes which Hills Quarry Products and Hills Waste Solutions wish to consolidate from other sites in the locality (e.g. Lower Compton facility and Portemmarsh Industrial Estate), or wish to establish. Hills Waste Solutions is a family-owned waste management company and a subsidiary of The Hills Group Limited, a well-established privately owned company. Hills Waste has had a household waste collection contract within Wiltshire for a number of years. The development proposal is therefore in accord with this criterion.

83. Criterion iv) is also relevant and this requires that proposals be considered essential to the wider strategic interest of the economic development of Wiltshire as determined by the Council and subject to assessment against five further criteria. In this context the applicant has set out in the application how the development includes a strategic co-mingled MRF, the need for which has already been recognised through the grant of the permission for it at Lower Compton to be an essential element of managing Wiltshire's waste. Hills Waste Solutions hold new contracts for the collection and management of waste for Wiltshire Council and the co-mingled MRF is required to be operational by 30 July 2018; the date Wiltshire Council has set for implementing the new collections across the County. The application seeks to retain what is a considerable amount of developed land/hardstanding which has been an employment site in Calne and redevelop it for similar but alternative use by a local business providing stable employment. It presents the opportunity for a local company to consolidate, expand and also retain a number of activities all of which provide employment. As such it is considered that there are economic benefits arising from the scheme proposals. In addition, the retention of the building avoids a difficult and expensive demolition and site clearance operation.
84. Whilst the residential area of Calne on its north-east side has expanded since the Factory was first granted planning permission, the recently consented houses are still over 400m from the site. The presence of the factory, mineral workings and landfill and associated traffic using Sandpit Road was taken into consideration when deciding that residential development would be appropriate at this location. The LVIA chapter of the ES notes that Factory site is almost entirely enclosed by vegetation and that none of the structures appear above the height of the existing vegetation. The development is supported by adequate infrastructure, which with the provision of the Hills HGV Relief Road (application (i) ref: 17/10550/WCM) effectively bypassing the centre of Calne would reduce pressure on existing infrastructure.
85. It is considered that the criteria of Core Policy 34 are in this instance addressed and the retention of this factory building and its re-use for a variety of industrial, manufacturing, storage uses is appropriate and acceptable.

86. Further support for the proposals can be found in the Calne Community Neighbourhood Plan (made February 2018), which, at Policy WS1 states: *"...Proposals for the retention, regeneration and intensification of previously developed employment land are particularly encouraged"*.
87. In terms of waste management uses, the Sands Farm site is not included in the framework of sites listed in the current Waste Site Allocations Local Plan considered to represent the best and most deliverable options for meeting waste management capacity requirements across Wiltshire and Swindon. The Local Plan does however state that proposals for waste management development on sites not included within the Plan will still be considered on their own merits, if they demonstrate that they are in keeping with national policy and the policies of the development plan (policy WSA1). Policy WCS3 of the Waste Core Strategy also states that sites not contained in the Waste Site Allocations Local Plan will be considered in order to provide flexibility if they can be demonstrated by the applicant to be in accordance with all relevant provisions of the Strategy, objectives and policies of Waste Development Plan Documents.
88. Policy WCS3 states that unallocated strategic sites must be supported by an independent Sustainability Appraisal / Strategic Environmental Assessment report (SA/SEA) and other relevant assessments, in order to justify consideration as exceptions to the Strategy and site selection methodology. As part of the SA/SEA report full consideration is expected of suitable alternative sites, especially of those contained in the Waste Site Allocations Local Plan. However, as advised in current Planning Practice Guidance, SA and SEA are tools used at the plan-making stage. In contrast Environmental Impact Assessment is applied to individual projects / planning applications. Nevertheless, the purpose and intention of Policy WCS3 is to deal with situations where changes, for example, in technology or land ownership that occur over a short period of time and provide opportunity that was not anticipated in the production of the Waste Site Allocations Local Plan. It is this latter scenario which applies to the recent availability of the Sands Farm Facility for a waste management use.
89. It is worth noting at this point, that the Sands Farm Quarry and Landfill site was previously identified as a 'Preferred Area for Strategic Waste Management' in the Wiltshire and Swindon Waste Local Plan 2011 (adopted March 2005). The site was considered to have potential for strategic recycling / materials recovery facility / waste transfer station. Access to the site was considered to be good and with links to the then new northern Calne relief road there was considered to be potential to minimise journeys through Calne. No proposals were brought forward during that plan period, and whilst the site was one of those appraised for inclusion in the current Waste Site Allocations Local Plan, it was not included in the adopted plan following consultation that included landowners. The acquisition of the Sands Farm facility in late 2016 by Hills has allowed this scheme presented as part of a suite of five applications to come forward.



90. Following a request for further information, the applicant has provided additional information, which together with the original submission, demonstrates the proposed development is in accordance with the relevant provisions of the Strategy, objectives and policies of Waste Development Plan Documents. With regard to Policy WCS1 (the Need for Additional Waste Capacity and Self Sufficiency) of the Waste Core Strategy, it is explained that the application seeks to provide an alternative location for a waste stream that has already been assessed and approved as in need of a permanent facility to manage it. Additionally, the time constraints in providing the MRF at a new build facility can be addressed by using this existing Sands Farm building, ensuring a continuity of service for collection of recyclable materials. Policy WCS2 (Future Waste Site Locations) of the Waste Core Strategy directs strategic waste management facilities to be within 16km of the strategic towns of Wiltshire. The application site at Calne, which is for a MRF on a strategic scale, meets those criteria as it is within 16km of Chippenham.
91. Planning application ref: 14/09744/WCM was approved by an independent Planning Inspector on 12 June 2017 following a planning appeal public inquiry. Whilst this planning permission has subsequently been quashed and remitted back to the Secretary of State for redetermination, the challenge succeeded on grounds relating to the interpretation of planning consent for one part of the Lower Compton site and therefore a need to reconsider the adequacy of the ES in this regard. The inspector's conclusions on the planning need for the development, part of which is now subject of this application, was not challenged.
92. The proposed development would, as the previous Lower Compton proposal, provide a total of 44,000tpa of waste treatment and recycling capacity, receiving, sorting, bulking and exporting collected recyclable materials sourced from municipal waste arisings in Wiltshire. As noted in the determination of planning application 14/09744/WCM, Policy WCS3 of the Waste Core Strategy identifies the need for a MRF for the management of Wiltshire's municipal waste. This is based on a comparison against the estimated operational capacities of existing waste management facilities across the plan area.
93. Policy WCS3 (Preferred Locations of Waste Management Facilities by Type and the Provision of Flexibility) sets out preferred locations for each type of waste management facility. The preferred locations for 'Materials Recovery Facilities' are either: Industrial Land / Employment Allocations or Site Allocations and Current Waste Management Facilities. The Sands Farm site comprises industrial land and is located within an area of current and former minerals, landfill and waste management operations and can therefore be said to meet the criteria of Policy WCS3 as a preferred location for a Materials Recycling Facility. It is also land which has and continues to offer employment uses.

94. Whilst Sands Farm is not a site that has been identified by the Waste Site Allocations Local Plan as suitable for new or enhanced waste management facilities, it does provide an opportunity that was not anticipated in the production of the current plan. Rather than pursue development of the Lower Compton site (which is an allocated site), this development would utilise an existing building on an adjacent piece of land. The proposed facilities would help implement the waste core strategy and should not be lost simply because it has not been identified in the current local plan (as noted above; the site was identified in the previous local plan). The proposals are consistent with national planning policy for waste and the Council's waste core strategy and so can be considered favourably in this respect.
95. On balance, it is considered the proposed development is in principle compliant with the land use provisions of the Wiltshire Core Strategy and Waste Core Strategy

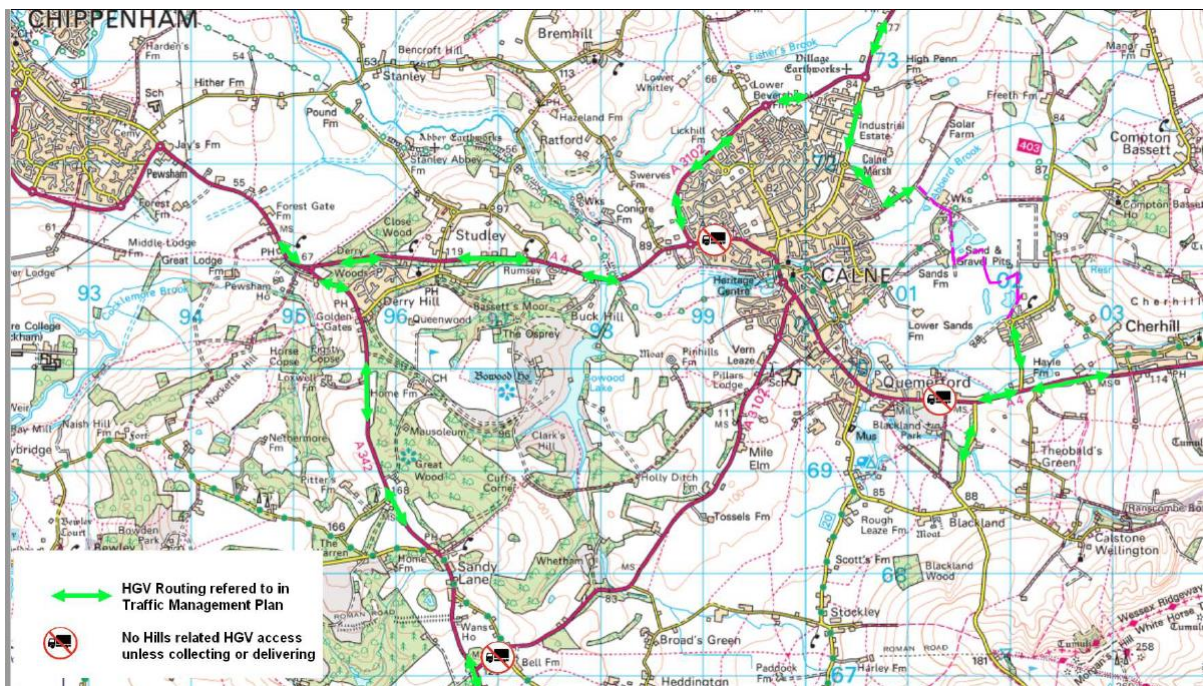
### **Traffic and Transport**

96. The ES includes a Traffic & Transport Chapter (EIA T&TC) which considers the transport issues associated with the development proposals for both the 'Sands Farm Facility' and the 'Hills Relief Road' (application ref 17/10550/WCM). The chapter assesses the potential environmental impacts that could result from the changes in transport and traffic conditions due to the development proposals, with the details behind those findings set out in a Transport Statement.
97. Consultation and publicity of the originally submitted application and ES, received objections from the Local Highway Authority, Calne Without Parish Council and others regarding the omission of any assessment of the capacity or safety of the junction of the A342 and the A4 at Derry Hill, through which HGVs would travel instead of entering the Calne AQMA.
98. Following a request from the Council, the applicant provided a 'version 2' of the EIA T&TC to extend the study area to consider the likely impact of the proposals on the use of the A342 through Sandy Lane as an alternative route to the A3102 through Mile Elm, and the use of the junction of the A342 with the A4 at Derry Hill.
99. A 'version 3' of the EIA T&TC was also provided (EIA T&TC V3) to describe the environmental impacts in the case where the Section 288 legal challenge against the previous permission granted on appeal following the 2016 Public Inquiry was successful. It also reflects a lower forecast of future landfill processing tonnage. The original EIA T&TC and EIA T&TC version 2 were produced on the pretext that the development to retain and extend the existing Lower Compton Materials Recycling Facility (MRF), including waste transfer activities already enjoyed approval through that Inquiry decision and consequently, that the traffic associated with the uses which were so approved, could be regarded as forming the baseline situation. As a result of the successful S288 challenge, these existing uses on site can no longer be regarded as authorised and consequently cannot be included as part of a baseline. The new baseline position is lower as a result. Reducing the baseline position increases the development impacts. The assessment of the application therefore

takes account of EIA T&TC V3, together with the additional information in respect of right-turning at the A342/A4 junction.

### Development Proposals

100. The proposed link road through the site (application ref: 17/10550/WCM), if approved, would allow traffic from the north and traffic from the west to travel around the A3102 Calne by-pass and Oxford Road, to access the site operations without having to pass through Calne town centre or the Air Quality Management Area (AQMA) there. Those potential new routings would be available not just for the proposed uses at the Sands Farm facility but for all uses on site with the exception of the household waste recycling facility at Lower Compton. For the household recycling centre, members of the public would continue to use the Lower Compton access to deposit their waste.
101. The development proposals result in new routing options for site HGVs. This is to be secured by Traffic Management Plan (copy provided at Appendix 1) by Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990. All HGVs travelling to/from the north and west, from Chippenham, the M4 via J16 will now use the Sands Farm Access via the A3102, and traffic travelling to/from the south and east will now use the Lower Compton access via the A4 and Blackland.
102. The Traffic Management Plan (TMP) would apply to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited; Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.

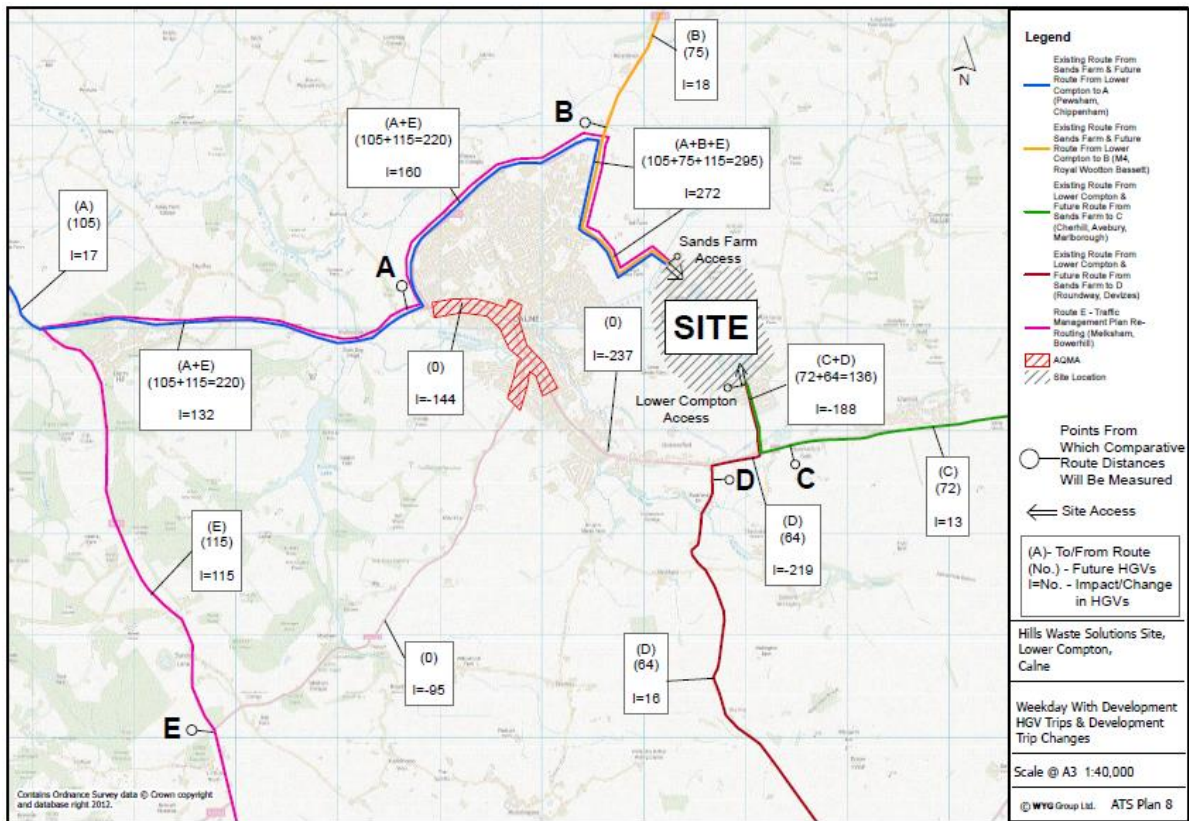


103. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford Road and Sand Pit Road to the Sands Farm access to the site. These vehicles will now exclusively use the Sands Farm Access and route via Oxford Road and the A3102 before turning west along the A4 and continuing towards Melksham via Derry Hill.
104. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
105. The Parish Council objects to the rerouting of Hills HGV traffic from the south of the county, with the proposed route through the villages of Sandy Lane, Derry Hill and Studley considered to be a much longer, more circuitous route with 4 steep hills and through junctions with very significant safety concerns. The Parish Council considers that the air quality improvements to Calne town centre of diverting traffic from the north and west along with the shorter travel distances give sufficient benefits to warrant supporting this part of the proposals. However, it considers the air quality benefits in Calne of rerouting Hills HGVs from the south as negligible and is far outweighed by the significant safety risks of diverting traffic through potentially dangerous parts of the proposed route. Other representations from members of the public have also expressed concerns about the impact on rerouting HGVs via Sandpit Road and Derry Hill.
106. The principle of the TMP is considered acceptable by the Highways Authority. The Highways officer advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre and that there are advantages and disadvantages in respect of the existing routing via the A342/A3102 and of the proposed routing via the A342/A4. The retention of the existing routing through the A342/A3102 would result in additional vehicles passing through the AQMA, but would reduce the HGV mileage generated by the facilities. Whereas adopting a new routing arrangement via the A342/A4 would increase the mileage travelled and the use of the A342 route and its junction with the A4, which is not currently used. However, it would reduce the impact on the AQMA.
107. Policy WDC2 (managing the impact of waste development) of the Waste Development Control Policies DPD states that proposals for waste management development will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigates against, or compensates for significant adverse impacts relating, among other things, to the transportation of waste. Policy WDC11 (sustainable transportation of waste) states that waste management development will be permitted where it is demonstrated that the proposals facilitate sustainable transport, and where appropriate planning applications will need to be accompanied by a Transport Assessment.

108. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.

#### Overall Impacts of Proposals

109. The ES includes a Traffic & Transport Chapter (EIA T&TC V3) which considers the transport issues associated with the development proposals for both the ‘Hills Relief Road’ and the ‘Sands Farm Facility’, with the details behind those findings set out in a Transport Statement.
110. The ‘with development’ scenario considered within EIA T&TC V3 generates a total of 431 site HGV trips per day. Compared to the ‘version 3’ baseline position of 347 site HGV trips per day, the development proposals will result in a net increase of 84 site HGV trips per day.
111. These HGV trips would be split across the routes to the site meaning the proposals would result in 272 more HGV trips per day experienced along Sand Pit Road and Oxford Road, 160 more HGV trips per day on the A3102 (Calne Bypass) and an additional 115 HGV trips per day along the A342.
112. The proposals would result in 144 fewer HGVs per day experienced through the AQMA, and 188 fewer trips per weekday on the C15. 95 HGV trips per day would be removed from the A3102 to the south and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA.
113. The plan reproduced below, ATS Plan 8, illustrates the total “With Development” HGV trips and then also presents the calculation of trip difference between “With Development” and baseline which is illustrated as “I” = impact.

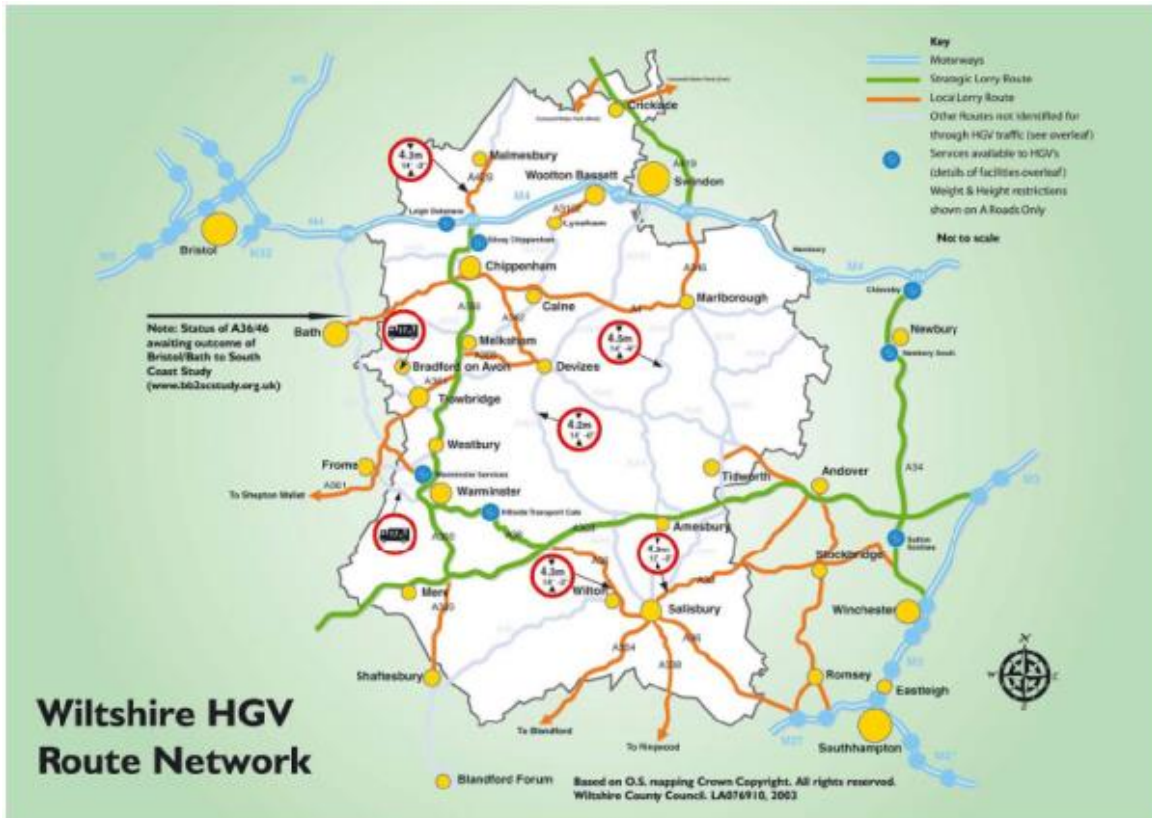


A larger version of plan can be found at Appendix 2.

#### Impact on A342 junction with the A4

114. Whilst this route is not currently used, there are no legal restrictions on the Hills business (or any other road user) which would prevent it from being used. Against this legal baseline scenario, there would be no impact.
115. To address the Highway Authority's comments however, additional data and assessments have been provided. These demonstrate that the junction is operating at 21% of capacity and the proposed use of the junction by Hills HGVs would not create any material capacity or safety issues. The junction is wide and built to modern standards with a dedicated right turn lane, adequate visibility, street lighting, wide verges etc. The approach to the junction from the east has a speed limit reduction to 40mph, reinforced with road signs and painted road markings. The addition of 115 HGVs per day along the A4 and on the A342 has been assessed as having imperceptible impact upon highway capacity and performance.
116. Whilst adopting the new routing arrangement would increase the total distance travelled by site HGVs per day, this increase in traffic would be experienced along less environmentally sensitive and less populated road links, with high capacities. It diverts traffic away from the Calne AQMA, away from the town centre and away from the A3102 which has a worse accident record. In comparison to the existing routes, the A342 and A4 have less populated road frontages. The extra distance from Melksham to Calne via Derry Hill rather than Mile Elm is just over 1 mile.

117. Whilst the Highways officer has reservations about the use of the A342/A4 route, in respect of the traffic using the A342, negotiating the junction with the A4 and the steep incline up to the Studley crossroads, the officer accepts the assessments of the capacity of the junction and potential for queuing HGVs and given the A342 is the local HGV route, advises an objection could not be substantiated, as this route would be in accordance with the Wiltshire Freight Strategy.



118. The Highways officer has highlighted that the impact of slow moving vehicles negotiating the steep incline up to the Studley crossroads has not been assessed, and suggests restrictions on the timings for vehicles could be imposed to restrict the use of the junction at peak times, as part of an Operational Statement. This is not however considered practical, as the origin or destination of the related vehicles changes daily and fluctuates with customer requirements, and the imposition of such a restriction would not satisfy the 6 tests for planning conditions advised in Planning Practice Guidance, particularly as this is a local lorry route.

119. However, having regard to the change in the routing of vehicles from the current pattern, the Highways officer recommendation that the entire A342/A4 route is monitored, together with the submission of regular vehicle logs to inform the origin, destination and route of HGVs, as part of a legal agreement is considered reasonable to ensure that the routing controls proposed in the TMP are generally complied with.

120. The submitted TMP suggests that any changes to the routing should be agreed with the Calne Town Council. However, in terms of monitoring and enforcement, this responsibility would rest with the Planning Authority - Wiltshire Council, and this correction will need to be made to the TMP in the final version of the legal agreement.

#### Impact on Sandpit Road

121. With respect to the concerns expressed over increased traffic along Sand Pit Road, it is recognised that the rerouting proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road.
122. Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and continues to serve another waste management facility situated off Abberd Lane. Whilst the concrete products factory ceased production in 2008, sand worked from surrounding mineral reserve blocks (Low Lane and Old Camp Farm) continues to be processed through the quarry processing plant and dispatched via Sandpit Road. This generates 23 HGV trips across the course of a working day.
123. It is worth noting that Sandpit Road was constructed by Aggregate Industries for the purpose of ensuring that HGV traffic associated with the Concrete Products Factory avoided the use of routes that would involve travelling through the centre of Calne. The original estimated movements for the Concrete Products Factory were 120 per day.
124. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.
125. In terms of operational impacts, junctions on Sand Pit Road, Oxford Road and the A3102 which will experience intensification have been tested and have been found to operate within capacity. All other effects experienced (severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation or accidents and safety), are assessed to be a 'Not Significant' impact.

#### Impact on Calne town centre

126. The link road through the site will enable vehicles from the Lower Compton site to access and egress at the Sands Farm facility. Similarly, the Sands Farm quarry traffic from the east and south east will be able to use the Lower Compton access rather than travel along the A4 and through AQMA as they do at present. The link road would join the two sites, thereby allowing traffic to effectively bypass Calne town centre.



127. The development proposals would result in 144 fewer HGVs per day experienced through the AQMA, 95 fewer HGVs per day would travel along the A3102 and 237 fewer HGVs per day will travel along the A4 to the east of the AQMA. The rerouting of HGVs will increase traffic levels on Sand Pit Road but will have a significantly beneficial impact by removing HGV trips from Calne town centre and from the AQMA.
128. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.

#### Conclusion on transport and traffic

129. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments.
130. On balance, it is considered the positive benefits to Calne town centre and its AQMA, particularly in the context of Development Plan policies that call for an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, outweigh any negative impacts from re-routeing HGVs along the A4 via Derry Hill.

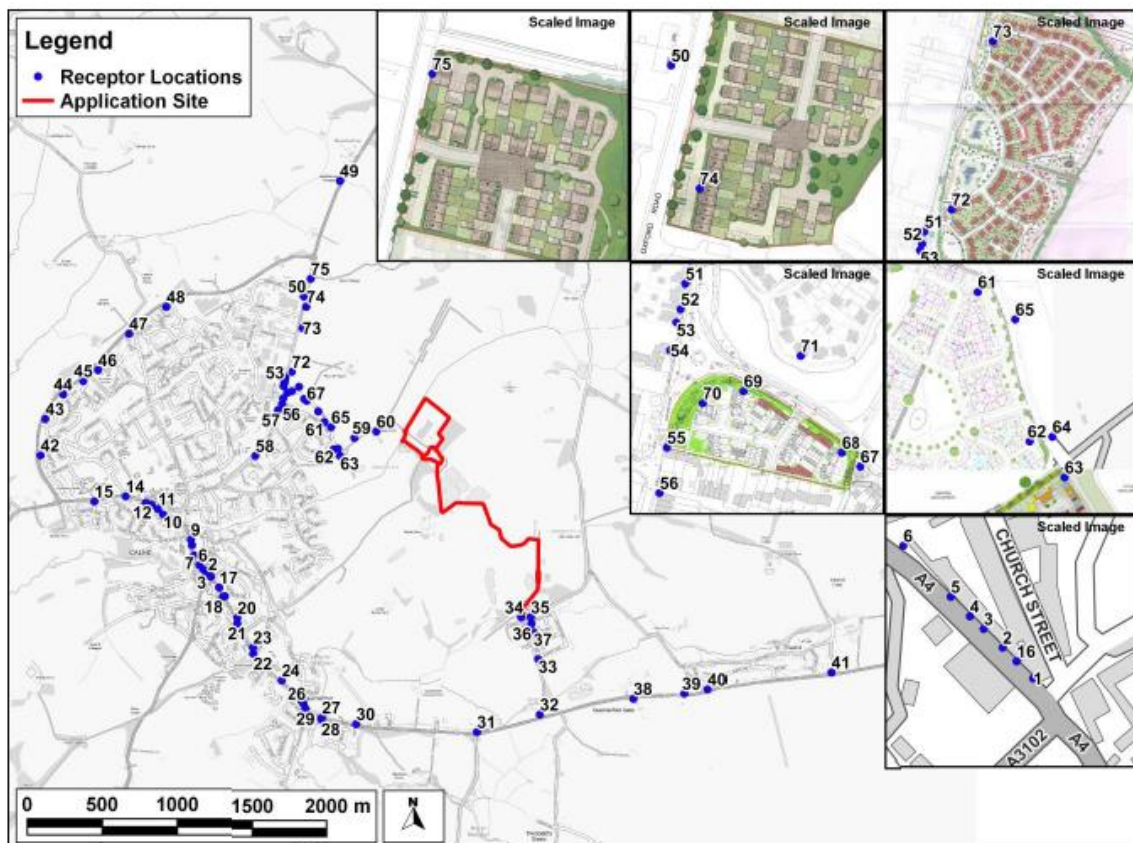
#### Other highway matters

131. The application notes that as part of the MRF Appeal (14/09744/WCM), improvements to the Lower Compton access road were agreed including additional width, a pedestrian access and a maintenance programme. It is stated that these will be implemented as part of the relief road development if not already completed under the MRF consent. These have not been so completed and so conditions are proposed below to secure these matters. Likewise, a condition to secure an update of the travel plan is included.
132. With respect to the matters on which Calne Town Council has caveated its support for the proposals, conditions that require the provision of the HGV relief road and adoption of the traffic management plan prior to the commencement of any of the proposed developments are considered appropriate and can be secured by planning condition and the Section 106 planning obligation respectively. Conditions are also listed below covering matters such as the provision of wheel washing facilities and site signage. A financial contribution towards a road safety education programme in local schools cannot be secured as it would not meet the statutory or policy tests for planning obligations.

## Air Quality

133. The ES includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals for both the Sands Farm Facility' and the 'Hills Relief Road' and the '(application ref: 17/1055/WCM). This notes that existing air quality conditions in Calne are poor along the A4 and Wiltshire Council has declared an Air Quality Management Area (AQMA) covering part of the A4 in Calne where exceedances of a national air quality [annual mean nitrogen dioxide] objective are measured. The main source of pollution in Calne is emissions from road traffic.
134. Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Mitigation measures should demonstrate how they will make a positive contribution to the aims of the Air Quality Strategy for Wiltshire and where relevant, the Wiltshire Air Quality Action Plan. The Calne Community Area Air Quality Action Plan 2018/19 was prepared in April 2018.
135. Core Policy 8 of the Wiltshire Core Strategy also states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.42 (of the Strategy) will be addressed. The policy specifies that: *“a transport assessment is required for major applications and should include investigations into identifying an appropriate solution to reducing the impact on traffic from the waste facilities located on the edge of Calne, which are a source of heavy vehicles”*.
136. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to air quality and climate change.
137. The operational impacts of re-routing HGVs, due to the development, have been assessed. Concentrations have been modelled for 75 worst-case receptors, representing existing properties where impacts are expected to be greatest.

Plan showing Receptor Locations:



138. The assessment has demonstrated that the changes in concentrations of fine particulate matter (PM10 and PM2.5) at relevant locations, relative to the objectives, will improve by 1% (when rounded) at two of the receptors and be 0% at all of the other receptors and the impacts will all be negligible.
139. In the case of nitrogen dioxide (NO2), the concentrations are predicted to improve by 1-4% at 37 of the receptors, show no change (when rounded) at 18 of the receptors and worsen by 1-2% at seven of the receptors.
140. The receptors showing a worsening in concentrations are those experiencing an increase in HGV flows i.e. Sand Pit Road, Oxford Road (between Sand Pit Road and its junction with the A3102), and on the A3102 (between Oxford Road and the A4). Because current concentrations are well below objectives, this worsening does not translate to an adverse impact. The impacts will therefore be negligible at 66 of the receptors, slight beneficial at two of the receptors, moderate beneficial at one of the receptors and substantial beneficial at six of the receptors.
141. The substantial beneficial impacts are all observed at the receptors (1, 2, 3, 4, 5 and 16) which are currently over the air quality objective, within the AQMA.

142. Concentrations have also been modelled for 20 worst-case receptors along the A4 and A342 that could be affected by the proposed re-routing of HGVs going to and coming from Sands Farm. The assessment has demonstrated that the changes in concentrations of PM10 and PM2.5, relative to the objectives, will be 0% at all of the receptors and the impacts will all be negligible. In the case of nitrogen dioxide, the concentrations are predicted to worsen by 1% at four of the receptors and will be 0% at the other 16 receptors. However, the impacts will negligible at all of the receptors, as the concentrations are well below the objective.
143. The overall operational air quality effects of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the impacts all being either beneficial or negligible. Furthermore, all of the beneficial impacts are within the AQMA, in particular at the areas of exceedance and the main locations of concern. This is because the scheme is essentially re-routing HGVs away from the areas of exceedance.
144. The assessment has demonstrated that the additional traffic generated by the proposed scheme would be 'not significant' but that there are substantial beneficial impacts within the AQMA, where receptors are closest to the carriageway. It is considered the proposed development scheme does not conflict with the requirements of Core Policies 8 and 55 of the Wiltshire Core Strategy, nor Policies WDC1 and WDC2 of the Swindon Waste Development Policies DPD. Additionally, it positively contributes to the Air Quality Action Plan and contributes to elements of the Air Quality Strategy for Wiltshire and Calne Community Area Air Quality Action Plan.

## **Noise and Vibration**

145. The ES includes a noise and vibration assessment relating to both the Sands Farm Facility' and the 'Hills Relief Road' and the '(application ref: 17/1055/WCM). Noise predictions were undertaken of the operation of the Sands Farm Facility and internal link road, including the effect of increased HGV traffic on Sandpit Road.
146. Policy WDC2 requires that proposals for waste management development in Wiltshire and Swindon will be permitted where it can be demonstrated that the proposal firstly avoids, adequately mitigate against, or compensates for significant adverse impacts relating to noise and light emissions and vibration.
147. The assessment summarises the noise generating activities associated with the proposed development as follows:
- Industrial activity within the building, resulting from MRF, sand bagging etc,
  - Wheeled loader movements between the material storage area, aggregate storage area, and facility building,
  - HGVs manoeuvring into the parking area,
  - HGV movements on the link road,
  - Increased number of HGV movements on Sandpit Road.

148. It is noted that the area around the proposed development site is within a rural setting, with agricultural land, landfill operations (operational and closed) and the existing sand quarry surrounding the majority of the site.
149. The predicted noise levels resulting from site operation have been assessed using the relevant methodology and it demonstrated that under normal operation of the site, the impacts at sensitive receptors would be of 'very low' adverse impact of 'negligible' significance of effect at the majority of receptors. For the remaining receptors, the impacts were of 'low' adverse impact of 'minor' significance. During exceptional circumstances of operation (for example, if the MRF and link road are operated outside of the normal operating hours to account for backlogs due to bad weather etc) the impacts were assessed to remain of 'very low' adverse impact resulting in a negligible significance of effect at the majority of receptors. For the remaining receptors the impacts were of 'medium' adverse impact, of 'moderate' significance. It is noted in the noise assessment that the predicted levels and assessment is based on maximum operation of all uses to provide a worst-case assessment. At times, the effect therefore has the potential to be lower.
150. The assessment also notes that sound from both existing and previous operations at the site (including quarrying and sand processing), and the recycling facility at Lower Compton already form part of the sound climate in the vicinity of the site, and the character of the sound generated by the proposed operations are consistent with this.
151. The assessment recognises that existing receptors at Abberd Fields Farm and Houses on Sandpit Road may be exposed to an increase in HGV traffic noise as a result of the increase in HGV traffic on Sandpit Road. The assessment found the increase in HGV flow on Sandpit Lane is expected to increase the basic noise level by 2.4 dB, which would be classed as a 'low' adverse impact of 'minor' significance. However, the assessment notes that HGV traffic currently uses Sand Pit Road to and from the site, and the typical maximum sound levels generated by the road, and the acoustic character of the sound generated by the road would not change.
152. As noted above, Sandpit Road has historically been used by HGV traffic serving the Sands Farm Concrete Products Factor, Quarry and Landfill and also another waste management facility off Abberd Lane. During consideration of the 2013 planning application (ref: N/13/01610/WCM) to retain the Concrete Products Factory and stock yard alongside the continuing mineral extraction operations in the local area, it was established that the house building developments recently permitted off Sandpit Road took into account the nearby quarry, landfill and concrete product factory activities in its design and layout when concluding this was a suitable location to build homes.

153. With regard to vibration, traffic vibration can be a source of disturbance to residents living close to roads. Ground borne vibration arises from the various forces generated between tyre and road. Heavy vehicles such as buses and lorries mainly cause this type of vibration. However, there are already a number of HGV movements passing the properties on Sand Pit Road and the assessment considers that there will be insignificant vibration impacts due to additional HGV movements.
154. The Environmental Health Officer raises no objection, subject to imposition of conditions attached to any permission to ensure there is no significant adverse impact on residential amenity: Suitable conditions relating to hours of operation are included in the schedule below. It is therefore considered that these potential impacts have been satisfactorily considered in line with the requirements of Waste Development Control Policies WDC1 and WDC2.

### **Landscape and Visual Impact**

155. Whilst the application site lies outside of any designated landscape area, the North Wessex Downs Area of Outstanding Natural Beauty (NWDONB) lies to the east of the C15 road corridor, to the east of the application site. Similarly, Compton Bassett Park is located to the east of the C15 and the application site.
156. Core Policy 51 of the Wiltshire Core Strategy requires that landscape character is protected, conserved and enhanced and where there is potential for landscape character harm, negative effects must be mitigated through sensitive design.
157. Policy WDC7 (Conserving Landscape Character) of the Waste Development Control Policies DPD requires that proposals for waste management development include an assessment of the adverse impacts upon Wiltshire and Swindon's landscape character and the landscape character of adjacent areas, as deemed appropriate to the scale and nature of the development, and in particular in relation to the following designated areas: ...*The North Wessex Downs Area of Outstanding Natural Beauty*. It is stated that proposals for waste management development should include appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape.
158. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the applications and forms part of the ES for both the retention and change of use of the existing Sands Farm building and the proposed HGV Relief Road.
159. In relation to the Sands Farm building, the LVIA notes that the application site forms a small part of the wider landscape setting to the NWDONB and Compton Bassett Park, but this landscape setting is currently also formed by the combination of disturbed, working and restored landscapes associated with former and current minerals, landfill and waste management operations associated with the Lower Compton and Sands Farm sites. Furthermore, given the location of the Factory site within a valley landscape, it is generally set below the visual horizon of most views from the AONB and Compton Bassett Park.

160. The assessed effects of the construction of the Sands Farm Facility is a theoretical exercise (the Factory site is returned to greenfield and then re-introduced) however it is noted that there would not be any significant landscape or visual effects largely due to local topography and existing screening vegetation. Since the building and surrounding hardstandings already exist, the landscape and visual effects would therefore be similar to the existing condition. The Factory site is surrounded by mature tree belts, woodland and other vegetation. There will be some partial residential views into the site during operation (at worst moderate to minor negative) however this should decrease as the mitigation planting develops. Public Rights of Way on the higher ground to the West, North & North East continue to overlook the site although it is well contained by existing vegetation. The proposed development is largely obscured in views from the AONB, considered to be at worst of negligible significance.
161. The Council's Landscape Officer is satisfied that the LVIA has been prepared following current best practice methodology and raises no objections.
162. To conclude, the application includes a LVIA which satisfactorily assesses the likely impacts of the development on landscape character in accord with Policy WDC7 of the Waste Development Control Policies DPD and Core Policy 51 of the Wiltshire Core Strategy.

### **Biodiversity**

163. Policy WDC8 of the Waste Development Control Policies DPD requires developers to undertake an assessment of the potential effects of the development on areas of biodiversity and/or geological interest, including those of local importance. The assessment should identify whether a proposal is likely to result in a significant adverse impact (i.e. resulting in unacceptable loss or harm of species or habitat), and set out clearly the options considered for avoiding, mitigating or compensating for the adverse impact.
164. An Ecological Impact Assessment (EclA) has been carried out for the proposed development for reuse of the existing buildings and hard standing complex at Sands Farm. The assessment draws on desk study and field survey data to define an ecological baseline and has allocated a level of ecological value to recorded species and habitats associated with the Site and the wider Study Area. Two Important Ecological Features were identified as a result of the desk and field studies of the Site:
- The Sands Farm Quarry County Wildlife Site (CWS); and
  - Non-designated standing water habitats outside the CWS boundary.

165. In addition, legally protected species associated with, or potentially associated with the Site include the following:
- A small population of great crested newt is present within the wider area, and within the application boundary GCN have been recorded in a Ditch.
  - Habitats along the application boundary such as woodland, scrub and grassland and in adjacent off-site land provide foraging opportunities for badgers; and
  - Woodland, scrub and mature trees adjacent to the site provide habitat for a range of common bird species and common mammals.
166. Avoidance, mitigation and enhancement measures associated with the application are set out and addressed in the EclA. The scheme design and / or mitigation measures embedded into the proposals and planning application ensure compliance with relevant legislation. Taking into account all ecological mitigation and enhancement measures, no net negative significant impacts or legal offences are predicted to arise due to the proposed development. Overall, the proposals are predicted to result in net positive impacts for biodiversity, although these are not considered to be significant.
167. The Council's Ecologist advises that a thorough ecological appraisal of this site has been undertaken, which has identified all potential ecological impacts and set out mitigation measures to avoid harm to wildlife species during the necessary constructional changes and residual effects on local biodiversity.
168. The Council's Ecologist does not object to this proposed development subject to a condition being imposed to ensure that the mitigation recommended in the EclA is implemented within the development. Such a condition is considered necessary and reasonable. Natural England and the Environment Agency have reviewed the submitted Ecological Appraisal document and have no concerns regarding the ecological impacts of this development as long as the recommendations outlined in the report are adhered to. On this basis the proposals are considered to accord with national and local planning policies in relation to ecological matters.

## **Conclusion**

169. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which together seek to address concerns regarding traffic and air quality in the AQMA in Calne town centre, and the impact that HGVs associated with Hills' operations at Lower Compton have on these matters, raised during the planning application and appeal process for the previous application 14/09744/WCM (to retain and extend the existing Lower Compton MRF, including transfer activities etc).



170. This planning application for the 'Sands Farm Facility' comprises the retention and change of use of the existing large building and storage yards originally permitted as a Decorative Concrete Product Factory to a variety of industrial, manufacturing, storage and waste management uses. The Sands Farm is not a site that has been identified in either the Wiltshire Core Strategy, as an employment site, or the Waste Site Allocations Local Plan as suitable for new or enhanced waste management facilities. Nevertheless, both development plan documents make provision for development proposals to come forward on unallocated sites, subject to specified criteria being satisfied. The Sands Farm site provides an opportunity that was not anticipated in the production of the current plan and it is considered that the retention and reuse of this existing building for the purposes proposed is in principle compliant with the land use provisions of the Wiltshire Core Strategy and Waste Core Strategy and can be considered favourably.
171. The suite of five applications includes a proposal for an internal HGV relief road to link the Lower Compton site with the Sands Farm site. The proposed link road through the site, which this development would utilise, allows traffic to effectively bypass Calne town centre and Air Quality Management Area. Whilst the development proposals will result in an intensification of HGV traffic to the north, and in particular on Sandpit Road, the main objective of the proposals is to remove site related HGV trips from Calne town centre and the AQMA and in this area the development proposals will achieve significant betterments. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The highways authority advises that the relief road would have a positive effect on the traffic movements around Calne town centre.
172. The application satisfactorily assesses the likely impacts of the development on noise, landscape character and biodiversity and these are considered acceptable in terms of relevant development plan policies.
173. It is considered the development as proposed is in accordance with the Development Plan and that there are no material considerations to indicate that permission should be refused.

## **RECOMMENDATION**

174. Having taken into account the environmental information, it is recommended that authority be Delegated to the Head of Development Management to grant planning permission, subject to the completion of a planning obligation under S106 of the Planning Acts within 6 months of the date of the resolution of this committee to address the following requirements:-
- Traffic Management Plan, and
- subject to the following recommended planning conditions set out from paragraph 176 below.
175. In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

176. **Conditions:-**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:

- Drawing No: 18546-1000-002 - Site Plan - dated Aug 2017
- Drawing No: CA-13-08 Sheet 1 - Existing Calne Factory Plan and Elevations – dated 10.10.13
- Brunel Surveys Ld drawing titled 'South East Elevation' dated April 2017
- Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep '17
- Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17
- Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

REASON: To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in

accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

REASON: In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste material delivered to the Sands Farm Material Recovery/recycling Facility shall not exceed 44,000 tonnes in any twelve month period.

REASON: To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

REASON: In order that the Local Planning Authority can monitor the approved development.

- 7) Operations authorised by this permission shall be restricted to the following durations:

Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> <li>Monday to Friday</li> <li>Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day)</li> <li>The Saturday immediately following:               <ul style="list-style-type: none"> <li>- Good Friday</li> <li>- Easter Monday</li> <li>- May and August bank holidays</li> <li>- Any additional bank holidays issued in a given year</li> </ul> </li> <li>The two consecutive Saturdays immediately following New Year's Day</li> </ul>	07:00 to 20:00
	<ul style="list-style-type: none"> <li>Saturday (except those listed above)</li> </ul>	07:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> <li>Christmas Day</li> <li>Boxing Day</li> <li>New Year's Day</li> </ul>	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	13:00 to 20:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> <li>Monday to Friday</li> </ul>	07:00 to 18:00
	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	08:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	No operation
Internal link road	<ul style="list-style-type: none"> <li>Monday to Sunday</li> </ul>	06:00 to 20:00

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The development shall be carried out in strict accordance with all recommendations and procedures set out in Section 5 of the Ecological Impact Assessment prepared by Johns Associates Limited dated October 2017.

REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 11) All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges or hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on the site in accordance with relevant British Standards for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

REASON: To ensure the continuity of amenity afforded by existing trees, hedges and hedgerows.

- 12) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the building; all shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON: To ensure a satisfactory landscaped setting for the development.

## **Appendix 1**

### Proposed Lower Compton and Sands Farm HGV Management Plan

1. This Traffic Management Plan is intended to provide an agreed framework of acceptable heavy goods vehicle (HGV) movements that will facilitate the commercial operation of the wider Lower Compton site activities (to include the Sands Farm Facility) so as to minimise the potential adverse impact on the local community and environment at all times.
2. The basic principal is to minimise HGV movements through the centre of Calne, whilst allowing local waste collection services, mineral or concrete deliveries, including those within the Calne town boundary, to be provided efficiently and effectively.
3. The Traffic Management Plan has taken note of the requirements of the Wiltshire Council's Strategic Plan 2016 (including the Wiltshire Air Quality Strategy 2011-2015); the Calne and Calne Without Neighbourhood Plan (draft March 2017) and Calne Community Air Quality Action Plan (Draft, November 2015).
4. This Traffic Management Plan applies to all current and future HGVs operating into or out of the Lower Compton and Sands Farm sites including but not limited to all HGVs owned and operated by Hills Waste Solutions Limited (HWSL); Hills Quarry Products Ltd and Hills Concrete Ltd, Wiltshire Council HGVs and any and all other HGVs that may be operated by contractors, sub-contractors or third parties.
5. The intended detailed HGV movement restrictions shall be as follows, unless otherwise agreed by Calne Town Council, such agreement not to be unreasonably withheld:
  - a. There will be only 2 points by which HGVs and other vehicles may access the Lower Compton site; namely the existing access point from the A4 along the C15 road at the south of the site adjacent to Lower Compton (referred to as the "Lower Compton access") and an access from the western side of the site from the Oxford Road roundabout at the Bug and Spider public house via Sandpit Lane (referred to as the "Western access").
  - b. HGVs approaching the Lower Compton and Sands Farm sites from the east along the A4 road will be expected to turn right onto the C15 road through Lower Compton and use the Lower Compton access.
  - c. HGVs approaching the Lower Compton site and Sands Farms from the south along the C50 road will be expected to turn right onto the A4, then left onto the C15 link road through Lower Compton and use the Lower Compton Access.

d. HGVs approaching the Lower Compton and Sands Farm sites from the west along the A4 road will be expected to turn left onto the relief road, (A3102) at the roundabout junction with Greenacres Way, continue along the relief road to the roundabout junction with Oxford Road, then south to the roundabout adjacent to the Bug and Spider Public House and turn left onto Sandpit Road in order to access the Lower Compton and Sands Farm sites via the Western access.

e. Use of the A3102 road from Mile Elm to the Silver Street junction with the A4 at the White Hart Public House and the use of Stockley Lane junction with the A4 is expressly prohibited to all HGVs intending to access the wider Lower Compton site from the outside of Calne.

f. Vehicles collecting from or delivering to premises within the Calne town boundary will be permitted to travel around the town only and will be required to access the site when necessary via the nearest gate to their location at the time.

6. Traffic movement details through Calne will be provided by the Lower Compton site operators and monitored by Calne Town Council. In the event of a material breach of the Traffic Management Plan, appropriate action will be taken against drivers of the LGV found to be in breach by Hills, actioned against in a timely and effective manner.
7. Responsibility for the implementation of the Traffic Management Plan rests solely with Hills.

