

REGULATORY COMMITTEE

5<sup>th</sup> MARCH 2003

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**HEYWOOD: PROPOSED WASTE TRANSFER STATION AT  
WESTBURY LANDFILL SITE FOR VIRIDOR WASTE MANAGEMENT LTD.  
(Application No. W.02.1607)**

**Purpose of Report**

1. To consider the above application and to recommend that planning permission be granted subject to conditions.

**Background**

2. The Westbury Landfill site is operated by Viridor Waste Management Ltd who are freehold owners of the proposal site. In April 1991, planning permission was granted to restore the worked out clay quarry at Westbury by infilling with controlled waste (Permission W.90.0338). Tipping has been progressing in a phased manner and part of the site has been restored. A further Permission was granted in 1994 for an extension to the existing permitted landfill area (Permission W.94.0970) and in 1997 for the installation of equipment to generate electricity from the landfill gas (Permission W.97.0465). The existing landfill is nearing completion, and only has void space capacity for another 18 months to 2 years.

**The Application**

3. The proposed location for the Waste Transfer Station is within the landfill site adjacent to the Blue Circle Cement Plant on the north-eastern edge of Westbury. Access is off the A350, to the north of the railway line that serves the cement works. A location plan is attached at **Appendix 1**.
4. The Blue Circle Cement Plant lies to the south of the landfill site which utilises a former clay quarry. The landfill occupies an area of approximately 35 hectares and has been operational for the past 20 years. The current profile of waste disposed at the site is 60% domestic and 40% industrial/commercial. Progressive restoration has been undertaken as sections of the landfill are completed. Once the landfill operation ceases, completing the final stage of restoration will be undertaken and the aftercare programme will commence.
5. The nearest residential properties lie 200 metres away along a minor road, which runs west to east immediately north of the landfill site and the south west of the landfill at the junction of the A350 and the access road to the landfill and the Blue Circle Cement Plant. Further dwellings are located to the north in the village of Heywood and to the south-west within Westbury.

6. Part of the former quarry is identified as a Regionally Important Geological and Geomorphological Site (RIGS) and to the south of the landfill site there is a Special Landscape Area (SLA) and beyond that a Site of Special Scientific Interest (SSSI).
7. The proposed Waste Transfer Station (WTS) facility would be located on the central portion of the landfill site near to the existing site office. The structure would be surrounded on the south, west and north sides by a concrete apron. The application does propose a localised modification to the landfill restoration contours approved within the landfill planning permission (W.90.0338) and the operating licence.
8. The proposed structure would be 12 metres in height with a floor space of approximately 2,000 square metres, comprising a steel-framed building clad with metal profiled sheet and would be coloured to blend into the surroundings. The proposed facility is designed to handle the continuation of the existing waste streams currently being disposed of in the landfill, i.e. approximately 100,000 tonnes of both domestic (60%) and industrial/Commercial waste (40%).
9. In-bound waste collection vehicles would enter the building via a portal on the western elevation. Vehicles would discharge their load onto the tipping floor and then leave the building via an exit on the southern elevation. Ultimately, it is planned that the waste would be sorted by a combination of mechanical and manual waste segregation and re-handling operations into the following categories:
  - Recyclable materials (wood, glass, metal)
  - Reprocessable materials (aggregates/hardcore)
  - Residue for disposal in the landfill
  - Paper and cardboard.
10. Recyclable materials such as wood, metal and glass would be sorted in containers within the building. Other reprocessable materials such as soil and secondary aggregates and residues for disposal would remain on the tipping floor and sorted into the different types of materials ready for removal to recycling facilities. Concrete and steel push walls would be constructed within the building to facilitate the sorting, which would be carried out by a single bucket loader.
11. It is proposed that at intervals vehicles would be brought to the site to take the materials to the Calne landfill or other appropriate commercial outlets. It is estimated that there would be between 16-20 daily trips to Calne landfill to dispose of the waste sorted in the proposed facility. The building would incorporate a loading lane along its eastern side to enable vehicles to be loaded whilst inside the building.
12. Current hours of landfill operation are:

Monday - Friday	07.00 - 17.00 hours
Saturday	07.00 - 13.00 hours

For the WTS it is proposed that the first vehicles bringing waste for sorting in the proposed facility would arrive at 7.00 hours and continue to arrive at intervals throughout the daily operating hours as at present. Sorting and loading would commence at 07.00 and continue for up to two hours after the existing closing hours i.e. 19.00 Monday-Friday and 15.00 Saturday and Good Friday. This would be in order that all materials brought to the site could be sorted and loaded on the same day.

13. The proposal would entail the removal of two mature oak trees on the site. These trees would ultimately need to be removed as they are within the approved footprint of the landfill. There would be no significant alteration of the settling pond to the east of the application site, but the drain feeding into it would need to be culverted on a slightly different line.
14. A copy of the supporting statement will be made available for inspection in the **Members' Room**.

### **Consultations**

15. **West Wiltshire District Council** - no objections subject to conditions.
16. **West Wiltshire District Council Environmental Health Officer** - no objections subject to conditions.
17. **Heywood Parish Council** - objects on the grounds that the application would contravene the restoration condition, impact on the countryside and the visibility of the proposed structure.
18. **Bratton Parish Council** - no comments.
19. **Westbury Town Council** - no objections to the proposal but recommends the applicant reconsiders the possibility of utilising the railhead facility at the adjacent LaFarge Cement Works for outgoing waste.
20. **Council for the Protection of Rural England** - supports this type of waste facility but hopes that the colour of the structure will be suitable.
21. **Health and Safety Executive** - no comments.
22. **English Nature** - no objections
23. **Environment Agency** - no objection in principle to the proposed development subject to the inclusion of conditions.
24. **Waste Local Plan Team** - raised a number of objections relating to the need for the facility, ie sustainable waste management, environmental protection and traffic implications. These objections were addressed by further information (expanded upon in the body of the report) and the objection subsequently removed.
25. **Wessex Water** - comments that the proposal is not located within a Wessex Water sewered area.
26. **Wiltshire Wildlife Trust** - no objection to the proposal in principle but recommends that further consultation is required with regard to the RIGS designation.
27. **Highways** - no objections and states that the proposal would effectively serve as a replacement of the landfill facility with comparable traffic movements.

28. **County Countryside Section** – requested a survey to determine the ecology of the site. Concern was also expressed with regard to the possible impact of the development on the RIGS designation.
29. Copies of the consultation replies referred to above are available for inspection in the **Members’ Room**.

### **Publicity**

30. The application has been publicised in the local press, by site notices and by neighbour notification of the adjacent residents. No representations have been received.

### **Relevant Planning Policy**

31. Policies C3, C5 and C6 of the Adopted West Wiltshire District Local Plan (March 1996) are considered relevant to this application. The policies relate to SLAs, SSSIs and Areas of High Ecological Value (AHEV) respectively. These policies remain fundamentally unchanged in the West Wiltshire District Local Plan Deposit First Alteration (October 1998). Policies W1-W4 of the Wiltshire Structure Plan adopted January 2001 are also considered relevant.
32. Policies 1, 2, 3 and 5 to 10 of the Wiltshire and Swindon Waste Local Plan 2011 Revised Deposit Draft are also considered relevant to this application. Policy 3 of the Local Plan identifies strategic locations where waste management facilities (other than landfill/landraise) will be permitted subject to compliance with policies 1, 2 and 5 to 10. These Policies relate to the following: sustainable waste management and best practicable environmental option (Policy 1); the need for waste development and regional self sufficiency (Policy 2); safeguarding preferred areas and waste sites (Policy 5); environmental protection, human health, amenity and transport (Policy 6); reducing road transportation (Policy 7); restoration and aftercare of sites (Policy 8); waste elimination, reduction and re-use in the Plan (Policy 9); and waste audits (Policy 10).
33. All the policies considered relevant to this proposal are set out in **Appendix 2**

### **Planning Considerations**

34. The application must be determined in accordance with the Development Plan, unless material considerations exist which justify a departure from the Plan.
35. The principal planning issues raised by the application are considered below:-
- (i) Contribution to sustainable waste management
  - (ii) Impact on the Natural Environment and Visual Amenity
  - (iii) Highway and traffic implications

(i) Contribution to sustainable waste management

36. Policies W1 and W2 of the Adopted Wiltshire Structure Plan (January 2001) seek to minimise volumes of waste requiring disposal, and as such support waste recycling proposals subject to their environmental impact (W3 and W4). The proposed Waste Transfer Facility would involve the segregation and sorting of waste to enable a quantity of material to be transported to recycling facilities, hence the proposal is considered to accord with this policy approach subject to its environmental impact being acceptable.
37. The Waste policies in the Wiltshire and Swindon Waste Local Plan 2011 (Revised Deposit Draft) are aimed at achieving a sustainable land use policy framework for waste management having regard to the Best Practicable Environmental Option, regional self sufficiency, the proximity principle, the waste hierarchy and the precautionary principle. Having identified the future likely waste management requirements of the Wiltshire and Swindon area, the Plan seeks to achieve its aims through the allocation of suitable or preferred sites to manage the waste arisings in the most suitable manner. Policy 3 of the Local Plan identifies strategic locations where waste management facilities (other than landfill/landraise) may be permitted subject to compliance with Policies 1, 2 and 5 to 10. The Westbury landfill site is identified as a site for a Strategic Materials Recovery Facility or Waste Transfer Station, thus the proposal complies with Policy 3 of the Waste Local Plan.
38. With regard to the proximity principle, need and regional self-sufficiency, the current disposal arrangements for collection and disposal of wastes at Westbury Landfill from its catchment are due to run out in 2006. The landfill only has capacity for approximately two further years. The applicants claim that the provision of the proposed Waste Transfer Station (WTS) would mean that waste from sources currently served by Westbury landfill could continue to be brought into the site.
39. The Waste Local Plan Team raised a number of objections relating to the need for the facility, Sustainable Waste Management and Environmental Protection, culminating in the question of what happens after 2006 when current arrangements change for collection and disposal of wastes. Viridor Waste Management Ltd confirm that in 2006, when contractual arrangements change, the capacity of the WTS would be reduced to cater only for the commercial waste from the existing catchment area of the landfill site plus any household waste already coming in from North Somerset. The applicant emphasises that household waste would not be brought in from further afield than at present. The present catchment for household waste is Warminster, Westbury, Frome and Midsomer Norton/Radstock, also Bradford on Avon, Trowbridge and the Kennet/Devizes area depending on the actual runs of the collection vehicles. Trade waste comes from Trowbridge, Bradford on Avon, Warminster, Frome, Shepton Mallet and Bath, the further sources are again dependent on the actual runs being made by the collection vehicles. Any reduction in capacity of the WTS would be achieved by adjustments to the level of staffing and vehicle deployment. The application is therefore considered to accord with Structure Plan Policy W3 in that it is providing a waste management facility which would contribute to the needs of the area, is close to the source of waste generated, and makes a contribution towards achieving regional self-sufficiency.

(ii) Impact on the Natural Environment and Visual Amenities

40. Wiltshire Wildlife Trust has expressed general concerns relating to the effect of the proposed development on the RIGS designation of the landfill site. The site is designated because of the exposed Kimmeridge clay faces and the diversity of fossil fauna within the clay. However, the Wiltshire RIGS Association advises that the designation would not be damaged by the proposed development as it is the working face that is of interest, i.e. not the area within which it is proposed to construct the WTS. The County Countryside Section shares the opinion that the RIGS designation would not be affected by the proposed development.
41. Heywood Parish Council has objected on the basis that the proposed WTS building at approximately 12 metres high, would be visible from a wide area, thus detracting from the visual amenity of the vicinity. It is necessary to reiterate that the development proposed is within an existing landfill site and adjacent to the Westbury Cement Works, thus views from the SLA to the south would take into account the industrial context of the site. The proposal locates the facility near the centre of the landfill site in a low-lying area and partially screened by the final profile of the landfill. The building would be coloured green to reflect the restored landfill vegetation and to reduce potential visual impact. The views from dwellings to the north west of the site are already screened by mature trees interspersed in the hedge line and previous tree planting around the edge of the landfill area. There have been no letters of objection received from the properties adjacent to the site.
42. Further objections from Heywood Parish Council relate to the proposed WTS inhibiting the restoration of the site to agriculture. The restoration contours have been marginally amended within the proposal to allow for the WTS structure and also to enable the agreed restoration of the surrounding area. The amended contours of the adjoining landfill are illustrated in Plan BS3253/ENV/009. The minor variations of these contours allow for screening of the proposed building to further reduce any visual impact of the development. In addition, any permission given would be time limited to 25 years, making the structure a temporary feature.
43. The possible effects on ecology and nature conservation were not considered in the Supporting Statement accompanying the planning application. Consequently the County Ecologist requested that the applicant carry out a preliminary ecology study of the application site. The survey identified that the residual impact of the development would be the loss of the two mature oak trees, which cannot be retained within the proposed design for the WTS and so creating scope for replacement planting in the restoration scheme for the landfill. The report concluded that the site has little ecological value except for the two mature oak trees, which have some potential for bats. To confirm the presence/absence of bats in the trees a further survey would need to be undertaken at a suitable time of year (May). The survey was considered to provide sufficient information on which to judge the potential ecological impact of the proposal by the County Ecologist.
44. With regard to Policies C3, C5 and C6 of the Adopted West Wiltshire Local Plan (March 1996) relating to the protection of SLAs, SSSIs and AHEVs, the former would not be detrimentally affected due to the limited visual impact of the proposal within the already industrial context of the area, and the two latter designations should not be affected due to their significant distance away from the proposal site.

### Hours of Operation

45. Current operating hours at the landfill site are:

Monday-Friday	07.00 - 17.00 hours
Saturday	07.00 - 13.00 hours

and at no time on Sundays or Bank Holidays.

The Supporting statement asserts that current hours of operation at the landfill also include 07.00 - 13.00 hours on Good Friday. This is an error at paragraphs 19 and 20 of the Supporting Statement. The Waste Planning Authority would not wish to include Good Friday as an operational day as this is contrary to the existing permitted working hours for the landfill site. For operational reasons the Applicant requires approval to work on Good Friday, and this will be dealt with on its merits as the need arises. The proposed continuation of operations up to two hours after the existing closing hours appears to be essential to allow all material brought to the site to be sorted and loaded on the same day.

### Noise

46. The potential for noise impact from the proposed development arises from movement of vehicles and from the sorting process inside the building. The partial screening by the proposed final landfill profile and the existing tree planting on the boundary of the site would further reduce any possible noise impact. The proposed building would be sited away from sensitive development. The West Wiltshire District Council Environmental Health Officer (EHO) believes that the proposed development is unlikely to cause a noise problem but does state that a condition should be imposed requesting a scheme controlling the use of sound reproduction or amplification equipment, including loudspeakers and public address systems to safeguard the amenity of the local area.

### Dust

47. The materials handled in the proposed WTS would be dry and therefore could give rise to dust generation. The application proposes to deal with dust in a number of ways. Inside the building, if the concentrations of airborne dust require, either manual watering with a hose and spray would be used to dampen down, or fine water mist sprays located near the ceiling would be activated. The latter measure would not be activated until the operators were clear of the area. To prevent wind generated dust from leaving the building, plastic drive through curtains would be installed at the doorways. The supporting statement that accompanies the application states that the sorting floor and the exported material collection driveway through the building would be periodically swept and/or watered to control dust. Similarly the yard outside the building would be surfaced and regularly swept or watered as required to control the dust. These safeguards were also recommended by the EHO in the form of a condition to be imposed on the proposed development.

## Groundwater and Surface Water Protection

48. The application proposes that the internal drainage for the building would enter a sealed tank, which would be emptied and the contents disposed of to a suitably licensed facility. In addition to this the rainwater from the roof and surrounding apron would be drained via the existing discharge route for the landfill site. The Environment Agency has no objections to the proposal but requires a number of conditions and informatives to be attached to any planning permission granted.

### (iii) Highway and Traffic Implications

49. Vehicle movements for waste deliveries to the site would be similar to the current levels, with initially a potential for some additional vehicle movements associated with transporting the waste onwards from the WTS. However with increasing waste minimisation and reuse of materials, the applicant anticipates a reduction in waste deliveries to the site such that the operation of the facility would not result in a net increase in traffic movements in the longer term. The table below summarises the existing traffic levels of both the landfill and the cement factory.

Site	Vehicles		Time	
	No. per day and (Trips)	Type		
Landfill	80 (160)	Waste	07:00	16:30
	6 (12)	Employee	17:00	C17:00
Cement Factory	240 (480)	Cement	-	-
	18* (36*)	Employee	-	-

\* Estimated figure

50. Lorries leaving the site would mainly transport the waste materials to a landfill at Calne. The applicant calculates the proposed vehicle movements by the following; assuming 100,000 annual tonnes of material transported during 252 days (i.e. 52 weeks x 5 days less 8 bank holidays) in 20-25 tonne capacity lorries would result in 16-20 lorries leaving the site each day. Assuming a two-hour round trip would entail 4-5 separate lorries travelling to Calne each day with each lorry making 4-5 round trips, to achieve a total of 16-20 daily trips.
51. The County Highways Section has no objections to the proposal, stating that the development would effectively serve as a replacement of the landfill facility with comparable traffic movements. Once the landfill has reached capacity, bulking up the waste at Westbury would reduce the number of vehicle movements to Calne as opposed to the waste being transported directly from the catchment.
52. Westbury Town Council suggested that the applicant reconsiders the possibility of utilising the rail head facility at the adjacent LaFarge Cement works for outgoing waste. Viridor state that the issue of rail transport was considered very carefully at an early stage when deciding on the siting and design of the facility. Use of the rail head at LaFarge for onward waste transportation is not considered feasible by the applicants because of the lack of access and loading facilities at LaFarge, and the absence of any suitable terminal disposal or recycling facilities within haulage distance on the rail network. For these reasons the prospect of rail transport is considered impractical and not adopted as part of the proposal.



### **Options Considered**

53. The Westbury landfill site is identified as a site for a Waste Transfer Station in the Wiltshire and Swindon Waste Local Plan 2011 (Revised Deposit Draft), thus the proposal complies with Policy 3 of the Plan. The application also addresses the waste policy issues of proximity principle, need and regional self sufficiency. The proposed WTS would involve the segregation and sorting of waste to enable a quantity of material to be transported to recycling facilities in addition to providing a facility which would contribute to the needs of the area, is close to the source of waste generated and makes a contribution towards achieving regional self-sufficiency. The impact on the natural environment and the amenities of local residents could be controlled to acceptable levels through the use of planning conditions and would not give rise to environmental nuisance. Perceived problems of noise, dust, and visual impact have been addressed in the application and in this report.
54. The ecology study concluded that the site has little ecological value except for the two mature oak trees, which have some potential for bats. To confirm the presence/absence of bats a further survey would need to be undertaken in May prior to any development. It is also anticipated that the RIGS designation would not be affected by the proposal.
55. The WTS would effectively be a replacement for the landfill. Hence vehicle movements for waste deliveries to the site would be similar to the current levels, with initially a potential for some additional vehicle movements associated with transporting the waste onwards from the WTS. Use of the rail head at La Farge for onward waste transportation is not considered feasible due to the absence of any suitable terminal disposal or recycling facilities within haulage distance of the rail network.
56. Overall, it is considered that the application is in accordance with the Development Plan and there are no other overriding material planning objections which would justify refusal.

### **Reasons for Recommendation**

57. This application seeks to provide a waste management facility, which would contribute to the needs of the area, is close to the source of waste generated, and makes a contribution towards achieving regional self-sufficiency. There are no planning grounds to recommend refusal.

### **Recommendation**

58. That planning permission be granted subject to the following conditions:-
  1. Unless otherwise agreed in writing by the Waste Planning Authority or required by the conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the details submitted in planning application W.02.1607, the Supporting Statement, and Drawings Numbers BS3253.env.001, BS3253.env.003, BS3253.env.004, BS3253.env.005, BS3253.env.008 and BS3253.env.009.

2. The development hereby permitted shall commence within five years from the date of this permission.
3. This permission shall be limited to a period of twenty-five years from the date of this permission by which time operations shall have ceased, the building and hard standing removed and the site restored in accordance with the agreed restoration scheme unless agreed in writing with the Waste Planning Authority.
4. No development shall take place until a sample indicating the proposed colour of the external materials of the building to be constructed has been submitted to and agreed in writing by the Waste Planning Authority. The building shall be clad in accordance with the agreed colour.
5. Operations or activities authorised or required by this permission inclusive of deliveries and despatches of goods to and from the site shall be limited to between the following hours:-

0700 - 1900    Monday - Friday  
0700 - 1500    Saturday

At no times on Sundays and Bank Holidays.

6. No development shall be commenced until a scheme outlining the use of sound reproduction or amplification equipment (including public address systems and loudspeakers) to be installed as part of the development has been submitted to and approved in writing by the Waste Planning Authority.
7. No development shall be commenced until a scheme to minimise the emission of dust from the development hereby authorised has been submitted to and approved in writing by the Waste Planning Authority. Such scheme shall include measures to reduce concentrations of airborne dust within the building and dust control measures for the external yard.
8. Any facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Waste Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
9. The development site must be drained on a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul drainage.

10. No development shall take place until a survey of the two mature oak trees identified for felling has been carried out at an appropriate time of year (May) to determine whether there are bats present.
11. Within three months of the commencement of the development hereby permitted, a scheme shall be submitted to the Waste Planning Authority outlining the mitigation measures to be carried out to compensate for the loss of the two oak trees on site. Such mitigation measures, as agreed by the Waste Planning Authority, shall be implemented within a further six months and during the next available planting season.

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**The following unpublished documents have been relied on in the preparation of this Report:**

Consultation replies and Ecology Study and Noise Measurement Survey