

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	20 June 2018
Application Numbers	A. 17/10539/WCM and B. 17/10543/WCM
Site Address	A. Lower Compton, Old Camp Farm Mineral Extraction and Landfill Compton Bassett SN11 8RB B. Low Lane Landfill, Lower Compton, SN11 8RB
Proposals	A. Variation of conditions 3 & 4 of Planning Permission N/09/01497/WCM (Extension to a Sand Quarry and Infilling with Waste) to extend the end date of mineral extraction until 17 October 2029 and to extend the end date of restoration by landfill until 31 December 2042. and B. Variation of condition 3 of planning permission 13/05229/WCM (Extension of mineral and landfill operations) to extend the operational end date of the landfill until 31 August 2028 and complete subsequent restoration by 31 August 2029.
Applicant	Hills Waste Solutions Ltd
Town/Parish Council	Calne Without / Cherhill
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	402140 170917
Type of application	County Matter
Case Officer	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 report considers two planning applications made to extend the dates on which mineral extraction ceases and restoration by landfill is completed on two areas within the wider Lower Compton facility.
5. The key issues in considering the application are as follows:
 - Principle of the development.
 - Landscape and Visual Impact
 - Biodiversity
 - Traffic and Transport
 - Air Quality
6. To date, the application has generated a total of 24 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 requested as part of the determination process.
7. Calne Without Parish Council and Compton Bassett Parish Council object to the applications. Calne Town Council and Cherhill Parish Council support the applications, subject to provisos.

Background

8. These Planning Applications form part of a suite of five key applications at Lower Compton and Sands Farm which together seek to 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 application process of application 14/09744/WCM (Lower Compton MRF).
9. The applications, which together cover mineral extraction, restoration via landfill, waste transfer, Materials Recycling (MRF), vehicle parking and depot facilities, aggregate bagging, lintel manufacture, materials testing and other minor uses aim to share, transparently, Hills' view of how the site will operate over the next 20 – 25 years. If they are all approved, they will allow Hills to make the necessary investment to provide an internal HGV relief road which will link the Sands Farm site with the Lower Compton site.

Site Description

10. The Lower Compton and Old Camp Farm mineral extraction areas and landfills lie to the east of Calne. Low Lane landfill is directly to the north of these sites. They form part of a wider site which includes the Household Recycling Centre, the green waste management area, the waste recycling recovery and treatment area, concrete batching plant and the Materials Recycling Facility/ Waste Transfer area.
11. Both areas are currently accessed from the C15 at Lower Compton. Extracted minerals are however taken by conveyor to the Sands Farm Processing Plat and exported by road via Sandpit Road, Calne. The area is served by the A3102 and A4 Local Lorry Routes.
12. The combined area of the Lower Compton Landfill and the Old Camp Farm mineral extraction and landfill is approximately 50 hectares and the full extent of Low Lane is approximately 23 hectares. Screen bunding to the east of both and the north of Low Lane is included in these areas. Both areas are working sites with areas restored, areas in use and areas yet to be commenced.

Planning History

13. The quarrying at Lower Compton dates back to the 1940s. Wiltshire County Council operated the landfill at the site from 1979, awarding a contract in 1996 to Hills to operate the landfill. This gave rise to a planning consent N96.0174, which has been varied a number of times to address primarily restoration contours and operational hours.
14. Old Camp Farm mineral extraction and restoration by infilling was granted in May 2002 (ref: N.01.2803). This permission has also been varied a number of times in the intervening years, to tie with changes made on the Lower Compton site and to allow the contours to marry with those of the Low Lane Landfill which it adjoins to the north.
15. Submission of an application in 2009 consolidated both permissions for Old Camp Farm and Lower Compton Landfills, and the current extant permission which covers both areas of land is N/09/01497/WCM. It is this consent which includes the time limitation that this application seeks to change.
16. The relevant planning history for the Lower Compton and Old Camp Farm areas is summarised below:
 - Continued restoration of Sand Workings by tipping (N.96.1074);
 - Varied to change the restoration drawings in condition 1 (N00.0182);
 - Extension to sand quarry and infilling with waste and variation of condition to amend restoration scheme (N.01.2803);
 - Section 73: Extension to sand quarry and infilling with waste without complying with Condition 2 of planning permission N.01.2803. (N.04.3060);
 - Section 73: Extension to sand quarry and infilling with waste without compliance with Condition 8 of Planning Permission N.04.3060 (Operating Hours). (N.06.07021);

- Section 73 application for extension to a sand quarry and infilling with waste, without complying with conditions 3 (end date) and 5 (phasing and restoration) of N.04.3060 (N.06.07008);
 - Section 73 Application - Extension to a Sand Quarry and Infilling with Waste Without Compliance with Condition 8 of Planning Permission N.06.07008 (Hours of Operation) -(N.09.01497).
17. Low Lane mineral extraction and landfill was granted in 2007, but due to difficulties diverting a public footpath did not commence until 2009. Sand extraction has been completed at Low Lane. As with the Lower Compton landfill and associated Old Camp Farm extension, the site has been subject to a number of changes to approved planning both to its operational hours and the phasing of the landfill operations. The current consent is 13/05229 and it is an extension of time of this consent that is sought.
18. The relevant planning history for the Low Lane area is summarised below:
- Low Lane Extension - Mineral Extraction and Restoration to Agriculture Using Imported Waste (N06.07009)
 - S73 Application: Extension of Mineral & Landfill Operations Without Compliance with Condition 9 of N/06/07009 to Change Operation Hours (N/11/03553/WCM)
 - S73 Application - Extension of mineral and landfill operations without compliance of Condition 2 of N/11/03553/WCM to extend mineral extractions until 31 December 2018(13/05229/WCM).

The Proposal

19. 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).
20. 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).**

21. 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.
22. This report considers two planning applications (iv and v) to extend the dates on which mineral extraction ceases and restoration by landfill is completed on two areas within the wider Lower Compton facility.

A. Lower Compton and Old Camp Farm Area (Ref: 17/10539/WCM)

23. The existing site at Lower Compton has been used for sand extraction and landfilling since the late 1970s. Wiltshire County Council operated the landfill at the site from 1979, awarding a contract in 1996 to Hills to operate the landfill.
24. The primary landfill has two extensions: (i) Old Camp Farm lies to the east of the Lower Compton landfill, north of the green waste management area and shares the same planning permission as the principal area. (ii) Low Lane lies to the north.
25. Sand extraction at Lower Compton and Old Camp Farm is due to cease by 24th May 2018, with subsequent restoration by landfill completed by 24th May 2022. However, due to working the Low Lane Extension before the Old Camp Farm extension and the slow-down in sales over recent years there remains sand to be extracted in the Lower Compton / Old Camp Farm permission area.
26. The application (A) for the Lower Compton and Old Camp Farm area therefore seeks to extend the end date of mineral extraction until 2029, based on annual sales of 60,000 tonnes of sand. Within the same application, it is then proposed to extend the end date of restoration by landfill until 2042, based on current infill rates of around 110,000 tonnes per annum being maintained.
27. Condition 3 of Permission N0901497/WCM currently states:

- 3) *The extraction of sand shall cease on or before 24th May 2018.*

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

28. It is proposed that the condition 3 of Permission N0901497/WCM is varied to:

The extraction of sand shall cease on or before 24th May 2029.

29. Condition 4 of Permission N0901497/WCM currently states:

- 4) *The tipping/deposit of waste material and restoration operations shall cease on or before 24th May 2022.*

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

30. It is proposed that condition 4 of Permission N09.01497/WCM is varied to:

The tipping/deposit of waste material and restoration operations shall cease on or before 24th May 2042.

Low Lane Extension Area (Application ref: 17/10543/WCM)

31. Planning permission for the Low Lane Extension was granted in 2007, for both mineral extraction and restoration to agriculture using imported waste.

32. The Low Lane Extension is due to be restored by 31st December 2019. However, the amount of waste going to landfill has slowed down in recent years due to the levels of waste recycling and recovery. Despite this, a need for void space remains and is required for dealing with waste that cannot be recycled or used for energy recovery.

33. The application (B) for the Low Lane Extension area therefore seeks to extend the operational end date of the landfill until 31st August 2028, and complete subsequent restoration by 31st August 2029. This date has been based on 110,000 tonnes per annum input, which reflects the level of landfilling in recent years.

- xx. Condition 3 of the planning consent 13/05229/WCM states:

“The deposition of waste at the site shall cease no later than 31st December 2018. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved scheme submitted in application No. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.”

34. It is proposed that condition 3 of planning permission ref: 13/05229/WCM is varied to:

“The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application No. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.”

Environmental Impact Assessment

35. 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.

36. The scheme assessed by the Environmental Statement (ES) is subject of two planning applications:
- Extend the life of the Lower Compton and Old Camp Farm areas for mineral extraction until October 2029 and restoration by landfill until 2042 [Ref No: 17/10539/WCM] and;
 - Extend the time period for restoration by landfill of the Low Lane site until August 2028 [Ref No: 17/10543/WCM].
37. The ES includes assessments of environmental effects relating to:
- Reasonable Alternatives studied
 - Landscape and Visual Impact Assessment
38. Following a request from the Council, the applicant provided further information regarding the remaining mineral to be extracted and landfill that will be imported along with historic, current and projected mineral output and waste inputs.

Statement of Community Involvement

39. The applicant provided details of consultations with key stakeholders and local community representatives on the alternative proposal to the planning permission for 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.
40. 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

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

Wiltshire and Swindon Minerals Core Strategy 2009

- Policy MCS1 - Meeting the Need for Primary Aggregate Minerals
- Policy MCS1 (A) Strategic Approach to Identifying Future Supplies of Aggregate Minerals
- Policy MCS (B) Generic Criteria for Guiding the Location of Minerals Development
- Policies MCS 7–10 set out the general considerations to be taken into account at the planning application stage.

Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan 2013

- Policy MSA1
- The Calne Area - context

Wiltshire and Swindon Minerals Development Control Policies Development Plan Document 2009

- MDC1: Key criteria for sustainable minerals development
- MDC2: Managing the impacts of minerals development
- MDC5: Protection and enhancement of Wiltshire and Swindon's landscape character
- MDC6: Biodiversity and geological interest
- MDC8: Sustainable transport and minerals development
- MDC9: Restoration, aftercare and after-use management of minerals development

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
- Inset Map N3: Hills Resource Recovery Centre, Compton Bassett

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
- Policy WDC13: Landfill Development

Wiltshire Core Strategy. January 2015

- Core Policy 8: Calne Community Area;
- Core Policy 50 - Biodiversity and geodiversity
- Core Policy 51 - Landscape

National Planning Policy context.

42. 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

43. The application has been the subject of two 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 two consultation exercises.
44. **Calne Without Parish Council** - objects to the suite of 5 applications and to the rerouting of Hills HGV traffic from the south of the county through the villages of Sandy Lane, Derry Hill and Studley.

Objects to both applications to extend the operational end dates for mineral extraction and restoration by landfill on the grounds that the time period proposed to fill the void created by the sand extraction is substantially longer than the applicants figures would suggest.

If both applications are granted, the extension would allow a period of 13 years (25 May 2029 to 25 May 2042) to fill the void created by the sand extraction at Old Camp Farm, which is substantially longer than the applicants figures would suggest. The reasons for this are as follows: a. The original permission allowed a period of 4 years from 25 May 2018 to 25 May 2022 for the landfill to fill the void at Old Camp Farm created by the sand extraction. The Low Lane permission allowed a period of 5 years (from 31 December 2013 to 31 December 2018) for the landfill to fill the slightly larger void created by the sand extraction at Low Lane. b. The N/17/10543 application states that sand extraction will be at a reduced rate of 60,000 tonnes per annum (tpa) due to low demand but that the landfill rate will remain unchanged at 110,000tpa. c. Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 25 May 2033 and not 25 May 2042 as proposed.

Should Wiltshire Council be minded to approve this and the related applications, despite the clear contraventions of the Wiltshire Council's Core Strategy and the additional arguments outlined above, then the Council must require the applicant to enter a binding agreement to follow a traffic management plan that requires all HGV movements from the south to use the current route via the A3102 and enter the site from the Lower Compton entrance. In this way, the centre of Calne, the outlying London Road corridor and Lower Compton will all experience a significant reduction of around 185 HGV trips per day, without any increase in HGVs through Sandy Lane, Derry Hill, Studley or Mile End and Silver St.

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.

45. **Calne Town Council** – unanimously 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.

46. **Compton Bassett Parish Council** - objects to the landfill permission extension to 25 May 2042 as both unnecessary and unreasonable. This effectively allows a period of 13 years (25 May 2029 to 25 May 2042) to fill the void created by the sand extraction at Old Camp Farm. Considers this an unreasonably lengthy period for landfill for the following reasons: The original permission allowed a period of 4 years from 25 May 2018 to 25 May 2022 for the landfill to fill the void at Old Camp Farm created by the sand extraction. The Low Lane permission allowed a period of 5 years – from 31 December 2013 to 31 December 2018 – for the landfill to fill the slightly larger void created by the sand extraction at Low Lane. The N/17/10543 application states that sand extraction will be at a reduced rate of 60,000 tonnes per annum (tpa) due to a low demand but that the landfill rate will remain unchanged at 110,000 tpa. Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 25 May 2033 and not 25 May 2042 as proposed.

It might be argued by the applicant that landfill rates will fall in the future so that a longer landfill period will be required. This is a fallacious argument because the

landfill rate is currently filling the void space almost twice as fast as it is being created by sand extraction. The wider landfill site is divided into around 34 cells (see N/06/07009), with Cell 25 currently being prepared for landfill and with sand still to be extracted from cells 38-34 at Old Camp Farm. It follows that landfill will catch up with sand extraction (60,000 tpa) by around August 2021 and thereafter landfill can only occur at a reduced rate (half the proposed current rate of 110,000tpa), as determined by the rate of sand extraction (by 25 May 2029), the landfill will be ready and waiting to fill this last cell immediately. This means that even at 50% of the current landfill rate, the landfill would be complete by 25 May 2031 at the latest.

47. **Environment Agency** – no objection to either proposed extension to the operational end date of the landfill.
48. **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.
49. **Historic England** – do not wish to offer any comments.
50. **North Wessex Downs AONB Partnership** – no comments received.
51. **Wiltshire Council Archaeology** – no comment on either application.
52. **Wiltshire Council Ecologist** – supports both applications, subject to conditions. Notes that further information submitted includes additional explanation and rationale of how the related processes at Lower Compton, Freeth Farm and Old Camp Farm are intended to be brought forward.

Whilst in agreement with the logical progression described, and that the agreed restoration will be implemented in full, still have concerns that the extension of time until final restoration is achieved will prolong disturbance to wildlife in the local area within and around the site and will also prolong the lack of permeability of the landscape by wildlife populations. Considers this an adverse impact to biodiversity that requires suitable mitigation to remove or significantly reduce the impact.

While noted that some significant planting and other habitat creation will be undertaken in relation to the two “change of use” sites dealt with under applications 17/10557/WCM and 17/10554/WCM, which are within the wider site owned and operated by Hill’s, this is mitigation and enhancement for those sites, as required under NPPF. Additional mitigation and enhancement is required in relation to the mineral extraction and the landfill parts of the site.

To provide this, suggested that the restoration phasing could be revised to better manage impacts for wildlife within the site. The focus should be on creating and maintaining habitat connectivity across the site, wherever possible. The planting around the two change of use sites is due to be carried out in 2018, however there is no other restoration due to happen until 2029 according to the phasing plans. Therefore advises that a condition should be applied requiring a revised restoration plan which manages the impacts for wildlife within the site, should be agreed with the LPAs ecologist. In addition, the existing LEMP should be re-visited and the applicant

should ensure that all existing mitigation and enhancement measures for already restored areas are being implemented.

53. **Wiltshire Council Landscape Officer** – Supports the applications. Additional information has been supplied by the applicant to justify the extension of time requested. Over the last few years there has been a steady decline in the volume of waste to landfill in the UK. This is credited to the upsurge in recycling and recovery. While this is welcomed the knock on effect is the slowdown of material to complete landfill sites restoration within the agreed/permitted timeframe.

The options proposed for the site are discussed in some detail:

1. Complete the landfill faster – This would result in more traffic in terms of the number of deliveries and additional waste would need to be imported possibly from outside of the operational area. This would inevitably result in a loss of tranquillity and amenity for local residents, potential issues with a lack of void space for the county although in landscape terms the site would be restored quicker and the impacts removed.
2. Do nothing scenario – If the sites are abandoned by the operator when the current permissions expire there will be a permanent residual scar on the landscape. It will in time green over but the mitigation would not be delivered and the site will remain at odds with the local landscape character. In terms of the proximity to the AONB this is not an option. The CROW Act, NPPF, WCS and the AONB Management Plan all place great emphasis on the importance of designated landscapes and their settings, it is therefore not a scenario that WC can comfortably support.
3. Extend the time to completion – This option forms the basis for the current applications. The extension of time will allow the site to be progressively restored while continuing to balance the associated impacts e.g. traffic.

In terms of landscape and visual effects this will impact on a local level extending the restoration from imminent to medium to long term. The LVIA has provided a fairly robust assessment against the LVIA submitted with the 2006 application and has found that there will be no additional adverse effects but that they will just go on for longer. This is partly down to the completion of the mobilisation operations such as soil stripping and screen bund construction; the sites are now being worked behind bunds reducing their landscape and visual influence locally.

The area that the application is lacking is a review of what could be achieved in terms of bringing forward restoration and/or improved management of habitats. Notes the County Ecologist has raised similar concerns, particularly the adverse effect of the lack of permeability of the landscape for wildlife populations.

The extension of time applications do not propose any additional mitigation as it is judged that the approved restoration scheme is sufficient. However in light of the proposal to delay restoration for the medium to long term there needs to be an overarching Landscape and Ecology Strategy in order to comply with the Core Strategy to 'restore land in a phased and timely manner to maximise the potential for after use'.

Supports the principle of the application however thinks that this needs to be balanced with conditions (see County Ecologist comments) to ensure that there is a

review of the current scheme and a programme of phased restoration/habitat management going forward.

Review of ES

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).

I have reviewed the assessment criteria and view point selection and note that 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

Assessment of likely effects associated with extension of time (additional to those already identified by previous LVIA Peter Swann 2006)

Old Camp Farm	- Mineral extraction +11 years (completion 2029)
	- Landfill & restoration + 20 years (completion 2042)
Lower Compton	- Landfill & restoration + 20 years (completion 2042)

Effects on the physical landscape are judged neutral as there will be no changes to the consented scheme. In terms of character the site continues to be part of a working landscape under restoration and effects on character areas are judged to be negligible.

Visual effects will continue for the long term and range from neutral to moderate adverse. The visual receptors most adversely affected by the prolonged development are users of PROWs in the immediate and local landscape, and the HRC.

Assessment of likely effects associated with extension of time (additional to those already identified by previous LVIA Peter Swann 2006)

Low Lane	- Landfill & restoration + 10 years (completion 2028)
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Effects on the physical landscape are judged neutral as there will be no changes to the consented scheme. In terms of character the site continues to be part of a working landscape under restoration and effects on character areas are judged to be negligible.

The major visual effects associated with the scheme that were identified in the 2006 LVIA have now been completed e.g. soil stripping, screen bund construction and the current phase of works were identified as having negligible effect due to the screening provided. As restoration progresses Freeth Farm house and some PROWs

(including CBAS9 within the AONB) are expected to have more open views of machinery towards the end of operations, giving rise to major to moderate adverse effects. This is consistent with the 2006 LVIA, and for some receptors in the wider landscape & employment sites the significance of visual effects is judged to be lower.

Cumulative effects

Considering the cumulative effects *'in relation to the range of consented and proposed cumulative developments, the cumulative effects on the landscape and visual receptors will range between long term, permanent and temporary, direct and indirect effects of Negligible and Neutral to Major Negative significance'* the most significant being permanent loss of green field sites to residential, PROW users in proximity to the sites and Freeth Farm.

54. **Wiltshire Council Environmental Health Officer** – advises that the Environment Agency regulate the sites and as such would have investigated any noise or odour complaints. No objections to the variations, would simply expect any existing noise or operating hours conditions to be applied to any approval.
55. **Wiltshire Council Highways Officer** – comments the site is accessed from the C15 at Lower Compton and this results in traffic to and from the site having to pass through the town centre and within the Air Quality Management Area (AQMA). One of the applications (17/10550/WCM) submitted seeks approval for a relief road within the site which would enable traffic to move through the site to access and exit onto the C15 and onto the A4 south of the site, and from Sand Pit Road and onto the Oxford Road roundabout to the west of the site. This would significantly reduce the impact of HGVs through the town centre. Advises the principle of the proposals within this application for continued extraction and landfill beyond the current permitted dates are considered acceptable in highway terms, and whilst there would be a longer period for the operations to be carried out, there would not be any additional HGV movements over and above what has been accepted in the past.
56. **Wiltshire Council Rights of Way Officer** – no comments received.

Publicity

57. 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 2 separate periods of consultation in response to initial and further submissions by the applicant.
58. 24 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.
 - It is not acceptable to try and resolve one issue by simply moving it elsewhere.

- This application will have a serious effect on the expanding local community and dramatically increase HGV traffic through what will be a residential area
 - Local residents have had to endure the smells and rubbish emanating from this site for far too long and had been looking forward to it coming to an end. It is not necessary or reasonable to extend it.
 - Based on the previous Old Camp Farm permission, the latest reasonable date for landfill termination should be 4 years after the completion of sand extraction (25 May 2029) which is 2033 and not 2042 as proposed.
 - Landfill will catch up with sand extraction (60,000tpa) by around August 2021 and thereafter landfill can only occur at a reduced rate (half the proposed current rate of 110,000tpa), as determined by the rate of sand extraction. This means that even at 50% of the current landfill rate, the landfill would be complete by 25 May 2031 at the latest.
59. **CPRE Wiltshire** – comments (in relation to 17/10543/WCM only) that the commercial demand for sand is low and it is market speculation to imagine that by increasing the permission for 11 years, assets can be recovered. Figures show the current landfill permission should cease by around 2030 and we believe it is unreasonable to continue to seek a 13 year extension. Calne and the Compton Bassett area have seen a steady erosion of the original, fundamental principle that this site would eventually be returned to a natural landscape. The combined application is yet another erosion of this environmental restitution.

Planning Considerations

60. 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.
61. 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.
62. Two planning applications are made by Hills Waste Solutions Ltd to vary the date on which mineral extraction ceases and restoration is completed on two areas within the wider Lower Compton facility. An application is made to extend the period for restoration by landfill of the Low Lane site until August 2028. An application is also made 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. No changes are proposed to the consented restoration scheme as part of either application relating to the extension of time.

63. The applications are made pursuant to section 73 of the 1990 Act (determination of applications to develop land without compliance with conditions previously attached). Planning Practice Guidance advises that in deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. It should be noted that the original planning permission will continue to exist whatever the outcome of the application under section 73.

Principle of development

64. These two applications relate to previously granted planning permissions for the extension of mineral extraction and restoration by landfill on land within the wider Lower Compton facility. The principle of such development was assessed against the provisions of the Development Plan and relevant National planning policy and guidance in force at that time.
65. It was concluded that in the case of Old Camp Farm, extraction of sand prior to landfilling was justified to avoid sterilisation the mineral resource and the landfill would make a substantial contribution to meeting an identified shortfall in landfill capacity. In the case of Low Lane, it was concluded the development would provide sufficient sand reserves to boost the sand landbank and landfill was an appropriate and necessary means of providing beneficial restoration and afteruse of the site, providing suitable void space for the landfilling of waste to meet the demonstrated shortfall in capacity in Wiltshire.
66. The sand reserves at Calne continue to form part of the landbank of mineral reserves that seeks to ensure a steady and adequate supply of aggregate mineral in accordance with national and local policy. The waste development plans likewise rely on the use of this consented voidspace in calculating Wiltshire and Swindon's waste management capacity needs up to 2026.
67. In the context of the current Development Plan and Government guidance, the main consideration for these proposals is whether the proposed time extensions are acceptable. The Development Plan (policies MDC1, MDC9, WDC1, WDC10, WDC13) require applicants to demonstrate a high quality and appropriate restoration scheme for minerals and landfill sites and this includes consideration of timescales. Both the NPPF and NPPW state that when determining planning applications, local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions. This is the reason for and function of the conditions that these applications seek to 'vary'.
68. The applications as submitted provided some information with regard to need and justification for the extensions of time proposed. The information explained that the granting of permission for the Low Lane Extension meant that the working of Old Camp Farm and the restoration of the Lower Compton void were displaced in favour of Low Lane. (For operational reasons, the sand reserves were to be worked in the

Low Lane area before those in Old Camp Farm). Since then, landfilling rates at Low Lane have reduced, having a knock-on effect on all the timeframes across the wider site. Mineral extraction rates have fluctuated in recent decades impacted by economic downturn.

69. Consultations and publicity of the applications received a number of objections, including those from Compton Bassett Parish Council and Calne Without Parish Council. The responses called into question the proposed timings to landfill the void created by sand extraction, with these considered to be longer than the applicants figures suggest and therefore unnecessary and unreasonable.
70. It was also noted by officers that 2006 planning application for the Low Lane extension (N.06.07009) was submitted in parallel with an application to 'vary' the conditions of the permission for Compton Bassett Landfill (N.06.07008). These applications set out how Low Lane would be worked before Old Camp Farm and implications for timescales. The applications also included revised phasing and restoration plans showing how Old Camp Farm and Low Lane could be worked and restored as one site rather than two; which was secured by condition. This background information was not covered in the submitted application.
71. Accordingly, officers requested that the Applicant provide further justification for the extended time periods being proposed. The Applicant has duly added further information to the Planning Statement submitted with each planning application. The options available are discussed in some detail:
 - a) Complete the landfill faster – This would result in more traffic in terms of the number of deliveries and additional waste would need to be imported possibly from outside of the plan area. This would inevitably result in a loss of tranquillity and amenity for local residents, potential issues with a lack of void space for the county, although in landscape terms the site would be restored quicker and the impacts removed.
 - b) Do-nothing scenario – If the sites are abandoned by the operator when the current permissions expire there will be a permanent residual scar on the landscape. It will in time green over but the mitigation would not be delivered and the site will remain at odds with the local landscape character. In terms of the proximity to the AONB this is not an acceptable option. The CROW Act, NPPF, WCS and the AONB Management Plan all place great emphasis on the importance of designated landscapes and their settings, it is therefore not a scenario that could be supported.
 - c) Extend the time to completion – This option forms the basis for the current applications. The extension of time will allow the site to be progressively restored while continuing to balance the associated impacts e.g. traffic.
72. It is explained that the impact of recycling has significantly reduced landfill rates. The emphasis on recycling and recovery, imposed targets on diversion from landfill, as

well as the introduction of alternative end points for waste has all contributed to the plateauing of landfill inputs to the Low Lane site over the last few years.

73. It is explained that in 2017, when these applications were being prepared, the amount of waste which is needed to complete the restoration of both Low Lane and the combined Lower Compton / Old Camp Farm areas was assessed using specialist software which accounts for the engineering and infrastructure in each landfill cell amongst other factors. An estimated 1.38 million tonnes will be imported to complete infilling of Low Lane, and 1.37 million tonnes will be imported for restoration of Old Camp Farm and Lower Compton.
74. Landfilling at 110,000 tonnes per annum as set out in this proposal seeks a balance between the traffic levels associated with the site, ensuring that restoration is completed and securing a resource that is becoming more and more scarce. Whilst household waste to landfill has been much reduced, there remains a need for materials to be landfilled for which there are no other viable options. Materials unsuitable for recycling, unsuitable for fuel use in energy from waste plants and the residues of waste recycling and treatment facilities all require management by landfill.
75. Further information on the working and restoration scheme for the Low Lane site and the Lower Compton and Old Camp Farm areas has been provided, including revised drawings which show the landfill cell numbering and phasing and includes notation on the current area of landfill and the estimated time that each cell remaining will take to be infilled. The volume of waste to be deposited in the site would not change, only the time taken to reach this volume.
76. Planning Practice Guidance provides further information in support of the implementation of waste planning policy. It advises that waste planning authorities should be aware that the continued provision and availability of waste disposal sites, such as landfill, remain an important part of the network of facilities needed to manage England's waste. It is further advised that the continued movement of waste up the Waste Hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits to exercise the planning permission may be needed in some circumstances, provided this is in accordance with the Local Plan and having taken into account all material considerations. As such and in broad terms the principle of development is acceptable subject to compliance with other relevant policy provisions of the development plan relating to site specific matters. These are addressed under specific headings below.

Landscape and Visual Impact

77. The applications are accompanied by an Environmental Statement which primarily addresses the potential for significant landscape or visual impact from retaining the working landscape for longer than originally assessed. A Landscape and Visual Impact Assessment (LVIA) has been carried out to assess the effects anticipated to arise from the proposed extension of time to extract mineral, complete the landfilling

and deliver the consented restoration scheme associated with Old Camp Farm and Lower Compton; and complete the landfilling operations and deliver the restoration scheme at Low Lane Application Site.

78. An LVIA was prepared by Peter Swann Associates in 2006 relating to the original application for mineral extraction, landfilling and restoration for the Low Lane Application Site. The section 73 applications relate to the extension of time to complete the consented scheme and deliver the restoration proposals. The initial landscape and visual effects identified in the Peter Swann 2006 LVIA have already occurred and are continuing to occur, so the assessment considers whether there is any additional landscape and visual effects arising as a result of the extension of time. Overall, the most significant landscape and visual effects associated with completing the working operations and delivering the consented restoration proposals at the Old Camp Farm and Lower Compton Application Site, alongside that associated with the Low Lane Application Site are limited to the those receptors in close proximity to the Application Sites. These effects will continue to the medium to long term and on a landscape that has experienced ongoing change since the 1940's.
79. The Council's Landscape Officer has reviewed the LVIA and advises the LVIA has provided a fairly robust assessment against the LVIA submitted with the 2006 application and has found that there will be no additional adverse effects but that they will just go on for longer. This is partly down to the completion of the mobilisation operations such as soil stripping and screen bund construction; the sites are now being worked behind bunds reducing their landscape and visual influence locally.
80. The Landscape Officer does however consider the applications to be lacking on the point of reviewing what could be achieved in terms of bringing forward restoration and/or improved management of habitats. The County Ecologist has raised similar concerns. The extension of time applications do not propose any additional mitigation as it is judged that the approved restoration scheme is sufficient. However in light of the proposal to delay restoration for the medium to long term it is considered that there needs to be an overarching Landscape and Ecology Strategy in order to comply with the minerals Core Strategy to 'restore land in a phased and timely manner to maximise the potential for after use'. Accordingly, an additional condition to those previously imposed is included in the recommended schedule of conditions below to require the submission for approval of a Landscape and Environmental Management Plan. The Plan will ensure appropriate on-going management of the land to deliver the landscape and biodiversity objectives of the originally approved scheme in a phased and timely manner.

Biodiversity

81. These two applications form part of a suite of five proposals that which together set out proposals to manage waste and minerals at Calne and Lower Compton in the long term. As noted by the Council's Ecologist, some significant planting and other habitat creation would be undertaken in relation to the two 'change of use sites' dealt with under applications 17/10557/WCM and 17/10554/WCM, which are within the

wider site owned and operated by Hills. However, this is mitigation and enhancement for those sites, as required under NPPF. Additional mitigation and enhancement is required in relation to the mineral extraction and the landfill parts of the site as the extension of time until final restoration is achieved will prolong disturbance to wildlife in the local area within and around the site and will also prolong the lack of permeability of the landscape by wildlife populations. The Council's Ecologist considers that this is an adverse impact to biodiversity that requires suitable mitigation that will remove or significantly reduce the impact.

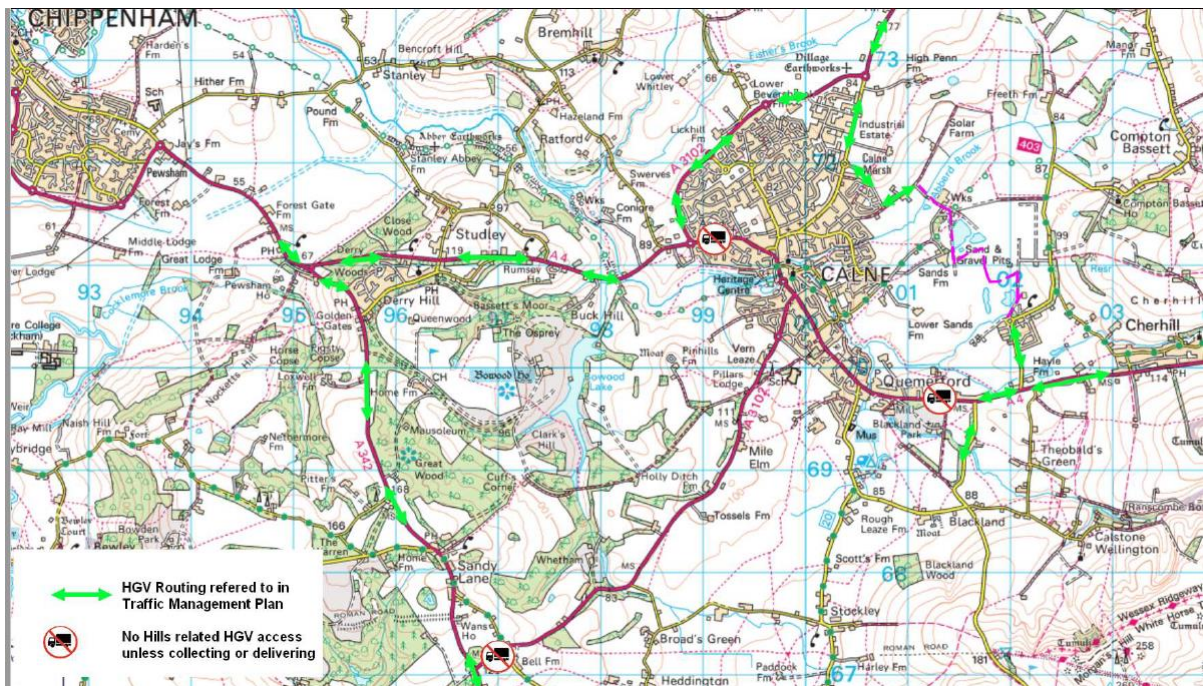
82. To provide this, the Council's Ecologist suggests that the restoration phasing could be reviewed to better manage impacts for wildlife within the site. The focus should be on creating and maintaining habitat connectivity across the site, wherever possible. In addition, a revised Landscape Environmental Management Plan should be produced that covers the extended period of extraction, landfill and restoration and which also has a regular review mechanism.
83. Planning conditions seeking such measures have been proposed by the Ecologist and these are considered necessary and reasonable in light of the extended time period proposed and are included in the list of recommended conditions below. This approach would be consistent with Policy MDC9 of the Minerals Development Control Policies DPD that recognises biodiversity gains can be made in the restoration of mineral sites, through contributing to Biodiversity Action Plan targets and that where appropriate phased restoration schemes can incorporate measures such as advanced tree planting, to ensure that biodiversity benefits are realised at the earliest opportunity.

Traffic and Transport

84. As noted by the Council's Highways Officer, whilst there would be a longer period for the operations, there would not be any additional HGV movements over and above what has been accepted in the past.
85. Core Policy 8 of the Wiltshire Core Strategy states that development proposals in the Calne Area will need to demonstrate how the relevant issues and considerations listed in paragraph 5.41 (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*".
86. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, 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 for all uses on site, including the mineral extraction and restoration via landfill operations.

87. 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. 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.
88. 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.

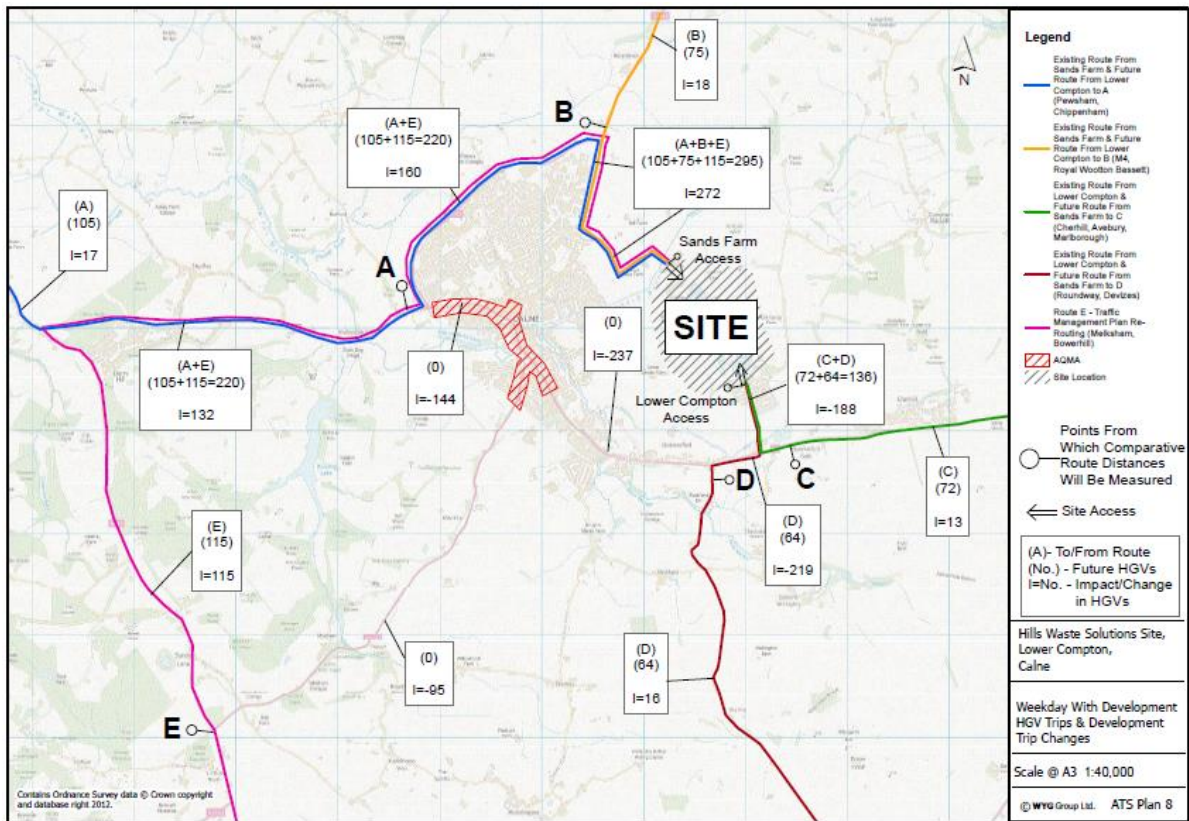


88. The TMP will result in a change of route for all vehicles travelling to and from Melksham and Bowerhill. These vehicles have previously used the A3102 (Silver St) before travelling either eastbound along the A4 to the Lower Compton access, or westbound along the A4 before routing via the A3102, Oxford 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.

89. Calne Town Council has expressed conditional support for the five applications. Calne Without Parish Council has on the other hand objected to the applications.
90. 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.
91. 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.
92. Operations and uses, including development relating to access to highways, ancillary to the use of land, the carrying out of building, engineering or other operations or the erection of plant or machinery for the purposes of waste management, are prescribed as "county matters" (minerals and waste application). 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.
93. 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

94. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes a Traffic & Transport Chapter which considers the transport issues associated with the development proposals, with the details behind those findings set out in a Transport Statement.
95. The 'with development' scenario considered within the Traffic & Transport Chapter generates a total of 431 site HGV trips per day. Compared to the 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.
96. 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.
97. 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.
98. 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.

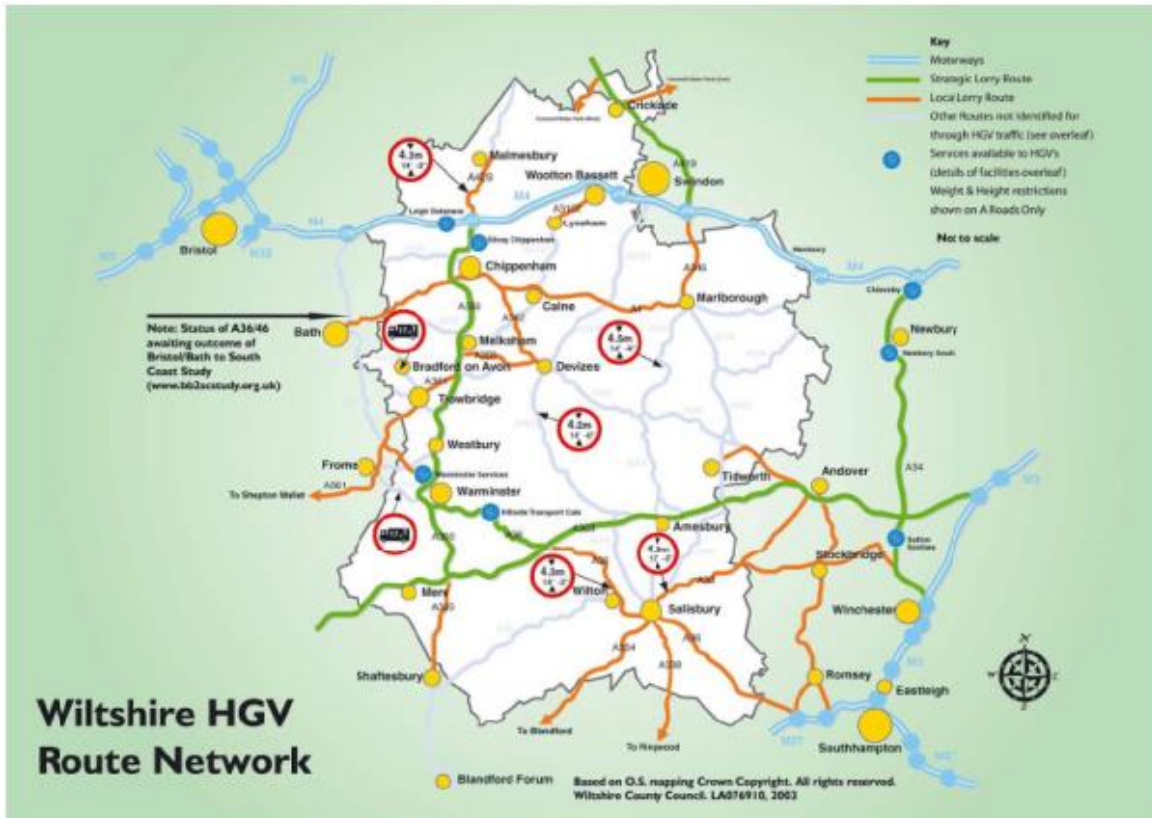


A larger version of plan can be found at Appendix 2.

Impact on A342 junction with the A4

99. 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.
100. 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.
101. 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.

102. 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.



103. 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.

104. 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.

105. 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

106. 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.
107. 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.
108. 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.
109. 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.
110. 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

111. 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.

112. 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.
113. 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

114. 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.
115. 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.

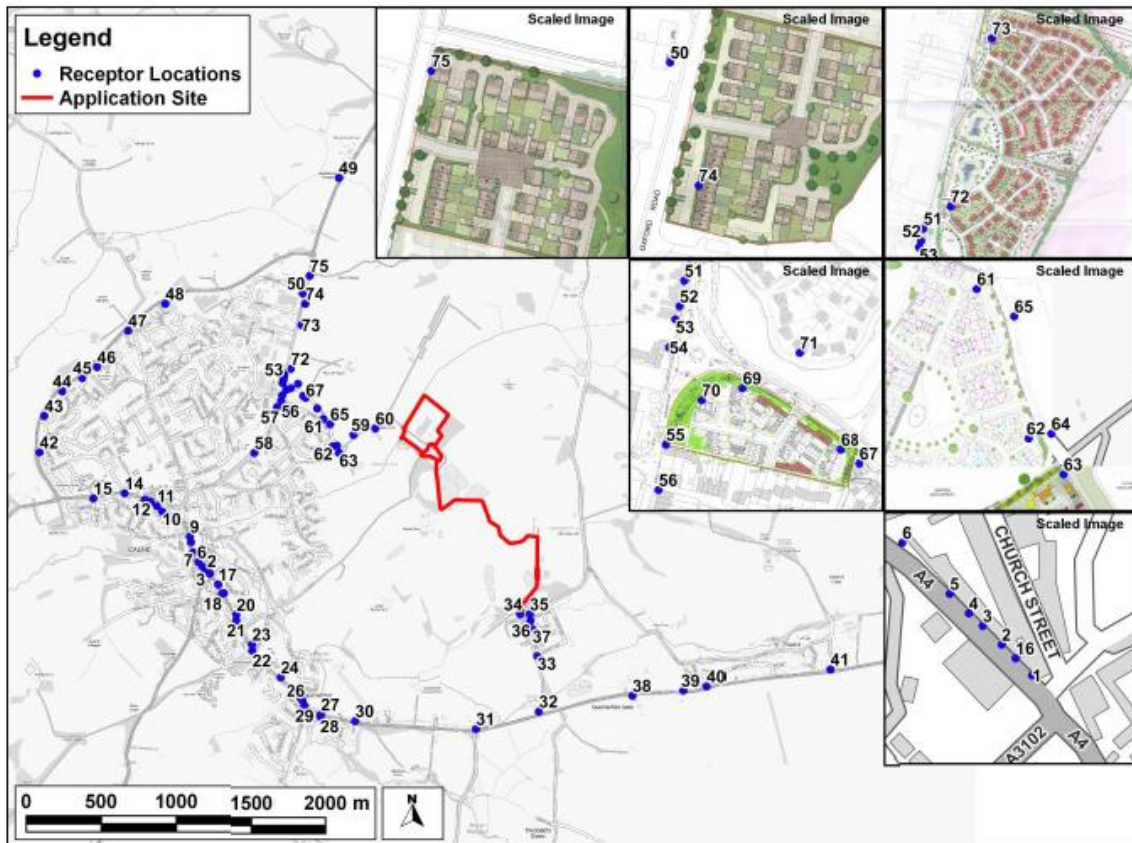
Other highway matters

116. 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.
117. 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

118. This Planning Application forms part of a suite of five applications at Lower Compton and Sands Farm which include the proposal for an internal HGV relief road (application ref: 17/10550/WCM) to link the Sands Farm site with the Lower Compton site. The proposed link road through the site, 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 for all uses on site, including the mineral extraction and restoration via landfill operations.
119. The Environmental Statement (ES) submitted with the two related planning applications for the Retention and change of use of Concrete Products Factory (application ref: 17/10554/WCM) and HGV Relief Road (application ref: 17/10550/WCM) includes an Air Quality Assessment which considers the air quality impacts associated with the development proposals. 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.
120. 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.
121. 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”*.
122. 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.
123. 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:



124. 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.
125. 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.
126. 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.
127. 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.

128. 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.
129. 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.
130. 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.

Conclusion

131. These Planning Applications form 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).
132. The application documents demonstrate that the rate at which sand has been extracted is lower than originally forecast and so the length of time to complete extraction of the permitted reserves will take longer than estimated. Equally, the impact of recycling has significantly reduced landfill rates. The sand reserves at Calne continue to form part of the landbank of mineral reserves that seeks to ensure a steady and adequate supply of aggregate mineral in accordance with national and local policy. The waste development plans likewise rely on the use of this consented voidspace in calculating Wiltshire and Swindon's waste management capacity needs. National Planning Practice Guidance acknowledges that the changes to waste disposal may result in additional time required for landfill sites.

133. Apart from the vehicle routing options offered by the HGV relief road and associated Traffic Management Plan, all other restrictions on the operation of the sites would remain in place, and the site would also still be regulated by the Environmental Permit issued by the Environment Agency. 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. The impact on Sandpit Road has been assessed and demonstrated to be acceptable. The Highways Authority advises that the proposed relief road would have a positive effect on the traffic movements around Calne town centre. The C15 and A4 would both experience betterments to severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and safety.
134. Given the established impact of the site, it is considered no significant additional harm would arise as a result of extending the time limit for operations. As such, the proposal is considered to accord with local and national planning policy and is therefore recommended for approval.

RECOMMENDATION

135. It is recommended that: -

- A. **For application ref: 17/10539/WCM (Lower Compton and Old Camp Farm Area)** authority be Delegated to the Head of Development Management to **grant planning permission**, subject to the completion of a planning obligation under Section 106 of the Planning Acts within 6 months of the date of the resolution of this Committee to address the following requirements:-

- o Traffic Management Plan, and
subject to the following recommended planning conditions set out from paragraph 136 below.

- B. **For application ref: 17/10543/WCM (Low Lane Extension Area)** authority be Delegated to the Head of Development Management to **grant planning permission**, subject to the completion of a planning obligation under Section 106 of the Planning Acts within 6 months of the date of the resolution of this Committee to address the following requirements:-

- o Traffic Management Plan, and

subject to the following recommended planning conditions set out from paragraph 137 below.

xx. In the event that the parties do not agree to complete the planning obligation within this timeframe to delegate authority to the Head of Development Management to REFUSE Planning Permission for both developments for the following reasons:-

- o 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.

136. **Recommended conditions for application ref: 17/10539/WCM (Lower Compton and Old Camp Farm area):**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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) Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.

Reason: To enable the Mineral Planning Authority to monitor the operations and to ensure compliance with this permission.

- 3) The extraction of sand shall cease on or before 24th May 2029.

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

- 4) The tipping/deposit of waste material and restoration operations shall cease on or before 24 May 2042.

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

- 5) The working, restoration and aftercare of the site shall be carried out only in accordance with Drawings Nos. 6304-5000-001 RRC Landfill Restoration Pre Settlement and 6304-5000-002 RRC Landfill Restoration Post Settlement.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings and structures shall be erected, extended, installed, re-arranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 7) No topsoil, subsoil or overburden shall be exported from the site.

Reason: To ensure the satisfactory restoration of the site.

- 8) Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority in writing within seven days) no mineral extraction operations, including vehicles entering or leaving the site, shall be carried out at the site except between the times:-

07.00 hours and 20.00 hours Monday to Friday;

And

07.00 hours to 13.00 hours Saturday;

No operations shall be carried out at any time on Sundays or Bank or Public Holidays.

Reason: In the interests of local amenity.

- 9) Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:-

07.00 hours and 20.00 hours Monday to Friday; and

07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follows New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

Reason: In the interests of local amenity.

- 10) No minerals except sand shall be removed from the site.

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

- 11) No waste other than that defined as inert shall be tipped within the area shaded blue on Drawing No. COM/2500/G/21A dated February 2001 of planning permission N.01.2803 and this area shall be restored in accordance with Condition 20 below.

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

- 12) Topsoil and subsoil and soil making material shall only be stripped when they are in a dry and friable condition and no movement, spreading or levelling of soils shall occur:

- (a) During the months October to March (inclusive)
- (b) When the full depth of soil to be stripped has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 - 'British Standard Method Test for Soils for Civil Engineering Purposes' or
- (c) There are pools of water on the soil surface.

Reason: To prevent damage to soils.

- 13) All topsoil, subsoil and soil making materials shall be stored separately and in separate mounds which shall:

- (a) Not exceed 3 metres in height in the case of topsoil, or 5 metres in height in the case of subsoils.
- (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations.
- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3 metre stand-off, undisturbed around each storage mound.
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

Reason: To prevent the loss of soil for restoration and minimise damage to soil structure during storage.

- 14) All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

Reason: To prevent the spread of agricultural weeds.

- 15) Noise levels from operations on the site shall not exceed 55 dB(A) LAeq (1 hour) at any residential or noise sensitive property, the measurement to be taken at not less than 3.5 metres from the façade and at a height of 1.5 metres above ground level except during temporary operations when the limit shall be 70 dB(A) LAeq (1 hour) measured in the same manner.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

16) Steps shall be taken to minimise the generation and emission of noise, dust and fumes from any use or operation authorised or required by this planning permission. Such steps shall include:

- (a) The spraying of water to lay dust on the surface of the site, access and haul roads as appropriate.
- (b) The spraying of water to lay dust on the surface of stockpiles within the site as appropriate.
- (c) The proper use of wheel cleaning facilities by vehicles leaving the site.
- (d) Fitting all plant, machinery and vehicles with effective silencers maintained in accordance with the manufacturers specifications.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

17. The scheme for controlling scavenging birds, approved pursuant to Condition 14 of planning permission N.01.2803 shall apply for the duration of all operations hereby permitted.

Reason: To prevent increased aviation hazard through potential for birdstrike.

18. Within six months of the date of this permission being implemented, a detailed scheme to accommodate surface water run-off from the restored site shall be submitted to the Mineral Planning Authority for approval. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure the adequate drainage of the site.

19. The site access and hard surfaced areas used by vehicles shall be watered or treated with approved dust laying agent at times as may be necessary to prevent dust nuisance arising from the site.

Reason: To safeguard the amenity of the area and local residents.

20. Within a period not exceeding 12 months of a phase being tipped and sealed to its pre final level, it shall be covered with a layer of subsoil at least 300 mm in depth and topsoil 150 mm in depth.

Reason: To ensure the productive afteruse of the land.

21. Within 12 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following:

- (a) The position, species and sizes of all existing trees, shrubs and hedgerows to be retained and the proposal for protection throughout the operations.
- (b) The position, species, spacing and initial sizes of all new trees, hedges and shrubs.
- (c) The programme of implementation of the scheme.
- (d) The arrangements for subsequent maintenance.

(e) Any tree or shrub which dies within five years of being planted shall be replaced with new stock to the satisfaction of the Mineral Planning Authority and be maintained for a period of five years.

Reason: To improve the appearance of the site in the interests of visual amenity and to assist in absorbing the site back into the local landscape.

22. On completion of the importation of all landfill material, all machinery, plant, buildings, structures and any other site facility not essential for restoration/aftercare or for continuing landfill gas/leachate monitoring and control shall be removed or demolished and removed from the site. Any hardcore or material likely to interfere with the restoration of the land shall be removed prior to the final seeding and cultivation of the land.

Reason: To ensure the satisfactory restoration of the site.

23. All internal haul roads shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

Reason: To ensure the satisfactory restoration of the site.

24. Prior to the commencement of the development hereby permitted, an aftercare scheme showing the steps to be taken to restore the physical characteristics of the land to a condition suitable for agriculture shall be submitted to and agreed in writing by the Mineral Planning Authority. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and related to the restoration of the site in accordance with the conditions of this permission. The steps to be taken shall cover a period of five years from the completion and reinstatement of topsoils over the site.

Reason: In the interests of safeguarding and enhancing the visual amenities of the site.

25) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.

137. Recommended conditions for application ref: 17/10543/WCM (Low Lane Extension area):

1) Written notification of the date of each of the following operations shall be sent to the Mineral Planning Authority within 7 days of such operations taking place:

- a) implementation of this planning permission;
- b) commencement of soil stripping in each phase;
- c) completion of restoration of each phase; and
- d) completion of final restoration under this planning permission;

REASON: To enable the Mineral Planning Authority to monitor the operations and compliance with the planning permission.

2) Extraction of minerals shall cease by the 31st December 2018.

REASON: To comply with Schedule 5, Part I (1) (1) of the Town and Country Planning Act 1990 (as amended) and to ensure development is carried out in accordance with submitted application and approved details.

3). The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application no. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.

REASON: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

4. The development hereby permitted shall be carried out in accordance with the following approved working programme and restoration plans:

- Drawing No. 6774-001C dated February 2011
- Drawing No. 6774-002C dated February 2011
- Drawing No. 6774-003C dated February 2011
- Drawing No. 6774-004 dated February 2011
- Drawing No. 6774-005C dated February 2011
- Drawing No. 6774-006C dated February 2011
- Drawing No. 6774-007C dated February 2011

REASON: For the avoidance of doubt and to ensure development is carried out in accordance with the approved application details.

5. No later than 12 months from the cessation of tipping, all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site shall be removed from the site.

REASON: In the interests of the visual amenity of the area.

6. All commercial mineral vehicles leaving the Lower Compton site with mineral shall be sheeted. Commercial waste vehicles leaving the Lower Compton site shall be checked to ensure they have been completely emptied of waste.

REASON: For the avoidance of windblown dust and litter.

7. No commercial vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent mud, dust or other detritus being deposited on the highway.

REASON: In the interests of highway safety and to prevent mud being deposited on the highway.

8. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission.

REASON: There is an important need to secure control over additional plant and machinery to safeguard the adjacent Area of Outstanding Natural Beauty designation.

9. Except in emergencies to maintain safe working (which shall be notified to the Mineral Planning Authority in writing within seven days), no mineral extraction operations, including vehicles entering and leaving the site, shall be carried out at the site except between the hours of:

07.00 hours – 18.00 hours Monday to Friday;

07.00 hours – 13.00 hours Saturday;

No operations shall be carried out at any time on Sunday, Bank and Public Holidays.

Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:

07.00 hours and 18.00 hours Monday to Friday; and

0.700 hours and 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:

07.00 hours and 18.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday, and any special bank holidays announced in a particular year by HM Government;

13.00 hours to 18.00 hours on Saturdays immediately following the Christmas Day and Boxing Day holidays; and

13.00 hours and 18.00 hours on two consecutive Saturdays that immediately follow New Year's Day.

REASON: To protect the amenities of local residents.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers whose noise levels adjust automatically to surrounding noise levels.

REASON: To ensure the minimum disturbance from operations.

11. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to normal mineral extraction and processing and waste importing and processing operations, excluding temporary operations (see condition below), shall not exceed 55 dB(A) as recorded at any inhabited property.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

12. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to temporary operations, including topsoil and subsoil stripping, cell construction and capping and other works in connection with landscaping, shall not exceed 70 dB LAeq 1 hour as recorded at any inhabited property. Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of sixteen weeks in any twelve month period.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

13. The approved Dust Suppression and Minimising Measures scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 shall be implemented in full and shall be complied with at all times.

REASON: To protect the amenities of the locality from the effects of any dust arising from the development.

14. No movement of soil shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a suitably dry condition such that the topsoil can be separated from the subsoil without difficulty. All available topsoil and subsoil must be stripped, handled and stored separately and all

stripping, handling, and restoration shall take place under dry conditions to minimise structural damage.

REASON: In the interests of the satisfactory restoration of the site.

15. All topsoil and subsoil stripped prior to mineral extraction shall be stored separately and retained on-site for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during operations. No overburden shall be exported from the site until the soil screening bund to the east of the working areas has been completed.

REASON: To ensure that the site is satisfactorily restored.

16. The development hereby permitted shall be implemented in accordance with the approved Landscaping Planting and Management Plan set out in prepared by Peter Swann & Associates dated 8 August 2007 in all respects.

REASON: In the interest of the visual amenity of the local area and to safeguard the adjacent Area of Outstanding Natural Beauty

17. The development hereby permitted shall be implemented in accordance with the approved Aftercare Scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 in all respects.

REASON: To ensure the productive afteruse of the land and to ensure the success of the newly created habitats.

18. The stand-off zone between the boundary of the development and existing hedges and woodland shall be clearly defined by a fence with driven posts and shall be maintained for the life of operations on site. The stand-off distances shall be as follows:

Hedges - 4.0 metres stand-off from the drip line of the hedge to the foot of the bund
Hedges with trees - 5.0 metres stand-off from the drip line of the tree to the foot of the bund

No placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

REASON: To ensure that the development does not encroach on existing planting causing root damage and to conserve the habitat at the woodland/hedge edge as a feeding/refuge corridor for wildlife.

19. The capped landfill site shall be covered with a minimum 0.8 metres even depth of subsoil and 0.2 metres even depth of topsoil in the correct sequence. The quality of soil shall be appropriate for the site and its proposed restoration. The finished surface shall be left free from rubble and stones.

REASON: To ensure that the site is satisfactorily restored.

20. The clearance of woodland and felling of trees shall only take place between the end of August and the beginning of March, or following a search by a qualified person for active birds nest.

REASON: To avoid the nominal bird nesting season.

21. The development hereby permitted shall be implemented in accordance with the approved Surface Water Management Plan prepared by Atkins Ltd dated 13 July 2007 and additional details provided in the letter from Atkins to Land and Mineral Management Ltd dated 9 November 2007 in all respects.

REASON: To prevent the increased risk of flooding, to prevent pollution of the water environment and to ensure that surface water drainage facility functions for the lifetime of the development.

22. Any chemical, oil or fuel storage on the site shall be sited on an impervious surface with bund walls. The bunded areas shall be capable of containing 110% of the container(s) total volume and shall enclose within their cartilage all fill and draw pipes, vents and gauges. There shall be no drain through the bund floor or walls.

REASON: To minimise the risk of pollution of watercourses.

- 23) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.

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.

Appendix 2

