

## REPORT FOR THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	17 <sup>th</sup> June 2015
<b>Application Number</b>	14/09744/WCM
<b>Site Address</b>	Lower Compton Waste Management Facility, Lower Compton Calne, Wiltshire SN11 8RB
<b>Proposal</b>	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development
<b>Applicant</b>	Hills Waste Solutions Ltd
<b>Town/Parish Council</b>	CALNE WITHOUT
<b>Ward</b>	CALNE SOUTH AND CHERHILL
<b>Grid Ref</b>	402247 171005
<b>Type of application</b>	County Matter
<b>Case Officer</b>	Lucy Harding

### 1. Reason for the application being considered by the Strategic Planning Committee

- 1.1 The proposed development is a strategic waste management facility and has been brought to Committee at the request of Councillor Hill. Under the Scheme of Delegation this application therefore falls to be considered by the Strategic Planning Committee.

### 2. Purpose of Report

- 2.1 To consider the merits of the proposal and to recommend that planning permission be granted.

### 3. Report Summary

- 3.1 The main issues are considered to be:
- The principle of the development;
  - Landscape and visual impact including the setting of Heritage Assets;
  - Impact of transportation of waste and access considerations; and
  - Air quality and odour impact.
- 3.2 To date, the application has generated a total of 129 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.

- 3.3 Cherhill Parish Council, Compton Bassett Parish Council, Calne Without Parish Council and Calne Town Council all object to the application.

#### **4. Site Description**

##### Site location and its surrounds

- 4.1 The existing Lower Compton Waste Management Facility is located approximately 1km to the east of Calne and approximately 1km north of the A4. Immediately to the south of the site entrance is the residential area of Lower Compton. Located 950m to the south east is the village of Cherhill and Quemerford is located approximately 950m to the south west. The village of Compton Bassett is located approximately 1.6km to the north east of the facility.
- 4.2 To the north and west of the application site is the mineral extraction and waste landfill area known as Old Camp Farm. The mineral site contains 'Old Camp Sandpit Regionally Important Geological and Geomorphological Site (RIGS)', which lies approximately 160m to the west of the application site. Beyond this to the north is the mineral extraction and landfill extension site known as Low Lane. The western edge of the wider Lower Compton Waste Management area adjoins Sands Farm active municipal solid waste landfill site operated by Aggregate Industries and Viridor Waste Management.
- 4.3 To the east of the screening bund located within the application boundary lies grazed agricultural land in the ownership of the applicant, which in turn is bound by the C15 road. Further east is Tudor Lodge, a Grade II Listed Building located on Compton Bassett Road.
- 4.4 The C15 road also represents part of the western boundary of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Beyond the road within the AONB, lies agricultural pasture land and a wooded minor ridgeline. Part of the northern area of this land is designated as Compton Bassett Park, with the north eastern section also lying within the Compton Bassett village Conservation Area. The AONB also extends to the south of the site, at a distance of approximately 1km from the site.

##### Application site

- 4.5 The application site itself is situated within the south-eastern corner of a wider area occupied by a number of waste-related uses (including non-hazardous landfill, landfill gas electricity generation, a Household Recycling Centre, composting operations, and a skip waste recycling operation) and covers an area of approximately 4.8 hectares. It is currently occupied by the existing MRF building which is located relatively central to the red line boundary and occupies an area of approximately 1,984m<sup>2</sup>. The site office is located on the south eastern corner of the main MRF building.
- 4.6 There is a parking area to the north of the MRF building and a surface water management pond to the north and west of the parking area. Part of the skip and inert waste recycling area is located to the north of the MRF building and accessed via the parking area. It is in this area that the bulking and transfer of municipal solid waste and green waste currently takes place.

- 4.7 External to the MRF building, a row of material storage bays lie to the west and adjacent to the western red line area boundary. Three glass storage bays are also located to the east of the MRF building.
- 4.8 A large screening bund is also included within the application area. It lies to the east and south of the MRF and extends northwards, adjacent to the Old Camp Farm site. At its highest point, the bund rises to a height of 5.6m above the ground level of the application site. The bund slope has a 1:3 gradient.
- 4.9 An existing weighbridge is located to the west of the existing MRF building on the main internal site access road.

#### Site Access

- 4.10 Vehicular access to the application site and the overall Lower Compton Waste Management Facility is via the C15 road. The C15 road is served directly from the A4 from the east and the A3102 and the A4 from the west. The site entrance is accessed via a three-arm mini roundabout on the C15, approximately 700m north of a junction with the A4 between Cherhill and Calne.
- 4.11 The A4 forms part of the Wiltshire HGV Route Network as a Local Lorry Route and serves as a link between Marlborough to the east and Chippenham to the west.
- 4.12 A site location plan is attached at Appendix 1.

### **5. Relevant Planning History**

- 5.1 The existing MRF building and screening bund is currently the subject of planning consent reference N/96/2022 dated 27<sup>th</sup> March 1997 and permits the temporary development until 31st December 2016. Condition 5 of the permission was later varied in 2006 to change the hours of operation through permission reference N/06/07018 dated 10<sup>th</sup> November 2006.
- 5.2 In August 2011 an application for the permanent retention and extension of the existing MRF building was made to Wiltshire Council. This also included the provision of a new WTS for municipal waste and commercial and industrial waste, an open air windrow composting facility, continued operation of the wood recycling facility and associated infrastructure. This proposed development sought to manage a total annual operational throughput of 235,000tpa. In October 2014 the application was withdrawn.
- 5.3 Three further applications were made in December 2013 for the variation of conditions under section 73 of the Town and Country Planning Act 1990. These remain registered as valid and relate to removing an end date for the facility, to retaining the MRF extension and the continued use of the lorry park adjacent to the MRF. In November 2014 the Secretary of State issued a Screening Direction whereby it was concluded that all three applications required the submission of an environmental statement. Although they are clearly linked, these applications will not be considered any further by this report.
- 5.4 The wider Lower Compton site has a planning history that dates back to the early 1970s; the original permission for sand extraction being granted in 1972. Since Hills acquired the Compton Bassett quarry and landfill from the former Wiltshire County Council in 1996, the nature and extent of the application site and wider Lower

Compton Waste Management Facility has steadily grown. It has been the subject of a number of planning applications concerning mineral extraction and waste management operations. Some are time limited through their specific permission, whereas others have no time limitations.

5.5 The relevant planning history relating to the MRF is summarised in Table 1 below:

**Table 1. Application site planning history**

<b>Proposed Development</b>	<b>Planning reference number</b>	<b>Description</b>	<b>Decision</b>
Environmental Improvements and the provision of a Materials Recycling Facility.	N.96.2022	Environmental improvements and the provision of a materials recycling facility (MRF). This included a landscaping bund to screen the sand pit, concrete production area and landfilling operations from Compton Bassett Road.	Approve subject to conditions
S.73 application: Use of the MRF without compliance with condition 5 of planning permission N.96.2022 dated 27 March 1997.	N.06.07018	To change operational hours at the MRF approved under consent ref.N.96.2022.	Approve subject to conditions
Open windrow composting facility	N/09/01498/WCM	Not subject to any time limiting conditions or otherwise linked to the restoration of the landfills or cessation of other operations.	Approve subject to conditions
Permanent retention and extension of the existing MRF and associated development.	N/11/02920/WCM	Make permanent the existing temporary MRF building. Provision of a new waste transfer station to manage 235,000tpa of non-hazardous wastes from municipal, and industrial and commercial sources, including green waste composting and wood chipping and ancillary development.	Withdrawn October 2014
S.73 application: Removal of condition 1 of planning permission N/06/07017/FCM	13/06806/WCM	To continue the use of the lorry park adjacent to the MRF on a permanent basis.	In abeyance
S.73 application: Removal of condition 8 of planning permission 05/07031	13/06807/WCM	To retain the extension to the Materials Recycling Facility on a permanent basis	In abeyance
S.73 application: Removal of condition 3 of planning permission N/06/07018	13/07043/WCM	To remove requirement for the Materials Recycling Facility and its associated screening bund and ancillary activities to cease on 31 December 2016	In abeyance

## **6. The Proposal**

- 6.1 The Applicant, Hills Waste Solutions Limited, is seeking planning permission for the retention of the existing Materials Recovery Facility (MRF) and its associated screening bund. The applicant also seeks planning permission to extend the MRF to allow for the management of additional recyclable materials as well as the bulking of residual municipal waste and green waste for onward transfer which is currently taking place at the site without the benefit of planning permission.
- 6.2 The maximum annual operational throughput proposed for the site is 119,000tpa. The proposals for Lower Compton break down into three elements:
- a) The Materials Recycling Facility dealing with up to 44,000tpa of kerbside collections and materials from the HRCs including a small amount of local office and business recyclables;
  - b) The household waste transfer operations managing up to 35,000tpa of the residual wastes discarded by residents after they have removed recyclables; and
  - c) Up to 40,000tpa of green waste from gardens managed to ensure it can be taken to composting facilities rather than landfilled.
- 6.3 A site layout plan is attached at Appendix 2.

### ***The MRF building and extension***

- 6.4 The proposed MRF building extension would accommodate an annual operational throughput of 44,000 tonnes per annum (tpa). This would include 15,000tpa of recyclate comprising plastics and cardboard (which are currently managed at the temporary MRF at Porte Marsh industrial estate in Calne) as well as glass, cans and paper all of which derive from kerbside collections and Household Recycling Centres throughout Wiltshire.
- 6.5 The proposed extension to the existing MRF building would occupy an area of approximately 3,777m<sup>2</sup>. With the existing MRF floor space (1,984m<sup>2</sup>) the extended building would occupy a total area of 5,761m<sup>2</sup>.
- 6.6 The proposed extension would match that of the existing scale, materials and colour and measure 8.5m in height to the eaves. The building would be clad with green plastic coated steel. As existing, the proposed extension would be 41m in width with a slight increase on the north eastern side to allow for a vehicle loading area. Doors would be as existing; roller shutter.
- 6.7 Plans showing the proposed elevations and building layout are attached at Appendices 3 and 4.

### ***The municipal solid waste transfer operation***

- 6.8 The waste facility at Lower Compton currently receives 22,700tpa of residual MSW collected on a fortnightly basis from Wiltshire's residents. The bulking and transfer of residual MSW currently takes place externally to the MRF building. This application seeks to regularise the activity at the site.

- 6.9 The extended building would be used to enclose activity associated with the bulking and transfer of all residual municipal solid waste (MSW).
- 6.10 The proposed development proposes the transfer and bulking of up to 34,000tpa of residual MSW.

#### ***The green waste transfer operation***

- 6.11 The bulking and transfer of up to 34,000tpa of green waste collected from kerbsides throughout Wiltshire also currently takes place at the site. This application seeks to regularise the activity at the site.
- 6.12 The extended MRF building would be used to enclose the bulking and transfer operation currently taking place externally to the existing building. The proposed development would manage an annual operational throughput of 40,000tpa of green waste.

#### ***Hours of operation***

- 6.13 The following hours of operation are proposed:
- Monday to Friday: 7am to 8pm;
  - Saturday: 7am to 1pm;
  - Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day): 7am to 8pm;
  - Saturdays following all Bank Holidays: 7am to 8pm;
  - The two consecutive Saturdays immediately following New Year's Day: 7am to 8pm; and
  - The receipt of wastes from household waste recycling centres: Saturdays 1pm to 8pm and Sundays 7am to 6pm.
  - No operations are to take place on Christmas Day, Boxing Day or New Year's Day.

#### ***Employment***

- 6.14 The existing development provides 29 jobs at the site. The proposed development would provide 16 additional jobs.

#### ***Access***

- 6.15 The site would be accessed via the existing site access road. The existing site access road joins the C15 which provides a link to the A4; a Local Lorry Route. One of the two existing speed humps along the site access road is proposed to be removed in order to reduce noise and vibration generated by the movement of lorries.
- 6.16 It is not proposed to widen the site access road, however the Applicant would do so should a condition be imposed requiring it.
- 6.17 There is a 7.5 tonne weight restriction on vehicles turning left out of the site, therefore all HGVs associated with the MRF would only turn right onto the C15 to gain access onto the A4.

### ***Vehicle type and movements***

- 6.18 Vehicle movements on site and within the MRF building would operate using a one-way system. All vehicles would weigh in and out using the existing and proposed additional weighbridge.

#### MRF vehicles:

- 6.19 The MRF would receive collected kerbside material via vehicles with a payload of 2.74 tonnes as existing. The materials would be then removed from the site by large, bulked articulated HGVs with a payload of up to 23 tonnes.
- 6.20 Recyclable material leaving the site would be transferred to a number of different sites located across the UK for processing.

#### Residual MSW WTS vehicles:

- 6.21 The site would receive residual MSW by vehicles with a payload of 7.3 or 9.9 tonnes as existing. Bulk loads of waste material would leave the site by large articulated HGVs with a payload of 23 tonnes also as existing.
- 6.22 Bulk MSW would be transferred from the site at Lower Compton and transported by road to the energy from waste facility at Colnbrook, Berkshire as it does currently.

#### Green waste transfer vehicles:

- 6.23 Kerbside collections of green waste would be delivered to the site by smaller vehicles with a payload of 7.3 and 9.9 tonnes. The material would then be bulked and transferred to Parkgate Farm composting facility by larger HGVs with a payload of 23 tonnes.

### ***Weighbridge***

- 6.24 An additional weighbridge is proposed. This would be located to the south west of the main MRF building and weigh all site traffic leaving the site with bulked loads for onward transfer. All traffic bringing waste materials in to the site would use the existing weighbridge.

### ***Surface water attenuation pond***

- 6.25 In order to manage surface water runoff from the site, a surface water pond is also proposed. This would be located to the south of the site and adjacent to the existing screening bund. The pond is also proposed to act as an ephemeral waterbody that is adaptable to fluctuations in water levels.

### ***Lighting***

- 6.26 Additional lighting is proposed. All new lighting is to be flat glass lumieres installed at zero degrees inclination to prevent light from being emitted directly into the sky. A total of 47 lights are proposed; 21 with the specification of 'NEOS 3 Floodlight' and 26 with the specification of 'EVOLO 2 Lantern'.
- 6.27 The lighting would be mounted on the MRF building and positioned to achieve maximum illumination levels. Lighting columns are also proposed along the line of the eastern site perimeter at a height of 5m, below the height of the existing bund.

### ***Screening bund***

- 6.28 The application also proposes to retain and landscape the existing screening bund that runs from the south of the application site to the north along the eastern edge of the application site. A belt of native trees is proposed along the lower eastern slope of the screening bund. Native meadow grassland is proposed either side of this tree belt.

### ***Additional landscaping***

- 6.29 Native tree and shrub planting is also proposed within the main application site, around the site boundary and car park. A group of trees located to the south of the application site are proposed to be removed to allow for the creation of the surface water attenuation pond. Two more trees located to the north of the existing MRF building would be removed to allow for the building extension.
- 6.30 It is also proposed to establish marginal planting around the attenuation pond, to manage the existing clipped native hedgerows in a way that encourages taller growth, to retain existing shrub planting and areas of semi-improved grassland and to reinforce thin sections of hedgerow with native shrub planting.

## **7. Environmental Impact Assessment**

- 7.1 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) (England and Wales) Regulations 2011.
- 7.2 Following a request made by the applicant, a Scoping Opinion was provided by Wiltshire Council to the applicant on 15<sup>th</sup> July 2014 under Regulation 13. It required that the following environmental considerations should be made by the ES:
- Traffic and transport (including a Transport Assessment);
  - Air quality; and
  - Landscape and visual impact.
- 7.3 All remaining considerations were advised to be scoped out of the ES, but to be considered by the planning application.

## **8. Application Timeline**

- 8.1 The planning application was submitted in October 2014.
- 8.2 Following publicity and consultation on the submitted application, the Council concluded that the ES lacked evidence required to make a proper assessment of the proposal. Following a review of environmental information by independent consultants on behalf of the Planning Authority, in February 2015 a formal request was made under Regulation 22 of the EIA Regulations 2011, for further information, including:
- The consideration of all technical ES chapters of the approach to baseline conditions to include a 'no project scenario';
  - Provision of exact HGV numbers that relate to each part of the site operations;
  - Details of activities currently undertaken;



- Parking details;
- Provision of the 7-day ATC survey data referred to by the TA;
- Consideration of the suitability of the site access road and improvements to public safety (including footpath provision);
- Clarification on the information given in paragraph 36 of the Scoping Report (i.e. the type and size of the vehicles traveling to and from the site, routes and schedules, tonnages and destinations');
- Construction traffic details;
- The accuracy of the information provided in Table 6.1 of the TA to include:
  - Confirmation of the worst case payload of the HGVs associated with the site;
  - How the HGV numbers for the 'Existing Lower Compton Baseline' were calculated. This should instead include a baseline for 'no MRF';
  - How the HGV numbers for 'Proposed Development Traffic' were calculated; and
  - How the yearly vehicle movements were broken down into Weekday 24hr AM Peak and PM Peak flows.
- The AQA should include consideration of cumulative effects;
- Section 4.12 of the AQA to be updated accordingly and should include 2017 annual mean NO2 concentrations as oppose to 2015;
- Dust and Odour impact assessment; and
- Air quality monitoring data to be provided including – air monitoring locations, DEFRA comparisons and clarification of calculating background NO2 concentrations.

8.3 The further information, referred to as the 'Regulation 22 response', was submitted by the Applicant in February 2015. This information was consulted upon and publicised by site notice and in the local newspaper.

8.4 Following further review of the submitted information, it was found that the majority of the concerns raised above had been addressed and information provided. There remained a lack of information regarding the consideration of a 'no project scenario' however and baseline considerations contained in the ES, were considered as being incorrect. In April 2015, a further request for additional information was made under Regulation 22 of the EIA Regulations 2011. The following was requested:

- The TA baseline is updated to include findings relating to removal of traffic movements associated with the existing temporary MRF permission as well as the existing MSW and green waste transfer operations;
- The TA is updated to include a clear breakdown of information relating to the exact HGV volumes by activity;
- The TA is updated to provide information regarding the suitability of the access road in order to accommodate the increased traffic flows and size associated with bulked lorries; and
- The AQA is updated to include findings relating to traffic movement removal associated with the existing temporary MRF permission and continued transfer operations.

8.5 Following further review of the above listed information, Officers are satisfied that the ES is complete.

8.6 Schedule 4 to the EIA Regulations relate to the information to be included in an ES. Schedule 4, Part 1 (4) requires that an ES considers the likely significant effects of the development on the environment that would result, should the proposed

development not exist. The extant planning consent for the site (N.96.2022, as varied by N.06.07018) expires on 31<sup>st</sup> December 2016 and thereafter the Applicant is required by law to remove the MRF building and restore the land within six months. This would result in the existing waste operations taking place at the site diminishing. The closer matters progress to the expiry date of December 2016, the more relevant the case of requiring consideration of the 'no project scenario' becomes as it is necessary to account for changes in environmental conditions that are likely to occur in the absence of the development.

- 8.7 With this in mind, the further information requests under Regulation 22 both required that the 'no project scenario' was adequately assessed and any potentially significant impacts demonstrated. Paragraph 033 of the NPPG advises that an ES *"must contain the information specified in Part II of Schedule 4, and such of the relevant information in Part I of the Schedule 4 as is reasonably required to assess the effects of the project and which the applicant can reasonably be required to compile"*. Officers are satisfied that the further information completes the ES and the Applicant has provided all the information that can be reasonably required.

## **9. Planning Policy**

- 9.1 The following Development Plan documents and policies have been considered for this planning application:

### ***Wiltshire and Swindon Waste Core Strategy DPD 2006 – 2026, July 2009***

- WCS1: The need for additional waste management capacity
- WCS2: Future waste site locations
- WCS3: Preferred locations of waste management facilities by type and the provision of flexibility
- WCS5: The Wiltshire and Swindon waste hierarchy and sustainable waste management

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

- WDC1: Key criteria for ensuring sustainable waste management development
- WDC2: Managing the impact of waste management
- WDC3: Water environment
- WDC7: Conserving landscape character
- WDC9: Cultural Heritage
- WDC11: Sustainable transportation of waste

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

- Inset Map 3: Hills Resource Recovery Centre, Compton Bassett
- Table 2.3: Hills Resource Recovery Centre, Compton Bassett

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

- Core Policy 8: Calne Community Area;
- Core Policy 51: Landscape;
- Core Policy 55: Air Quality;
- Core Policy 57: Ensuring high quality design and place shaping;
- Core Policy 58: Ensuring the conservation of the historic environment;
- Core Policy 60: Sustainable Transport;

- Core Policy 61: Transport and Development;
- Core Policy 62: Development impacts on the Transport Network;
- Core Policy 65: Movement of Goods; and
- Core Policy 68: Water Resources.

### ***National planning policy***

9.2 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)

### ***Other material considerations***

- Wiltshire Municipal Waste Management Strategy (2012), which reviews and updates the Joint Wiltshire Municipal Waste Management Strategy from 2006.
- Air Quality Strategy for Wiltshire 2011 – 2015
- Air Quality Action Plan for Wiltshire – Draft Consultation October 2014
- Air Quality – Planning Practice Guidance March 2014
- Wiltshire Local Transport Plan (LTP3)
- Wiltshire Local Transport Plan 2011- 2026 Freight Strategy
- Wiltshire Council draft Air Quality Supplementary Planning Guidance
- Waste Management Plan for England, December 2013
- National Planning Practice Guidance
- Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets
- Wiltshire and Swindon Waste Site Allocations Development Plan Document Evidence base part B: Waste January 2012

## **10. Summary of consultation responses**

10.1 The application was registered as valid in October 2014. The consultation period ran between 21<sup>st</sup> October and 20<sup>th</sup> November 2014. Following the consultation period, a Regulation 22 request was made for further information. This required publicising in the local newspaper. A second round of consultation took place from 5<sup>th</sup> March to 26<sup>th</sup> March 2015. The third and final round of consultation took place from 23<sup>rd</sup> April to 14<sup>th</sup> May 2015.

### ***The first consultation period: The Application and ES:***

10.2 The following responses were received during the first consultation period between 21<sup>st</sup> October and 20<sup>th</sup> November 2014.

10.3 **Local Member, Councillor Alan Hill** – raises an **objection** on the following grounds:

- This application has nothing to do with Hills managing Wiltshire's waste; they already do that with the present capacity and bring in waste from outside the County.

- The contracts for the management of Wiltshire's waste are due for renewal in 2017 and there is no guarantee that Hills will be handling any of Wiltshire's waste after that. Therefore, Wiltshire's waste management requirements cannot constitute a Material Consideration in the determination of this application.
- Hills' make irrelevant comparisons between what is happening now and what they say will happen if this application is approved; however, the relevant comparison is between the situation after 2016 when the current permission has expired and the situation if this application is approved.
- The current situation is not acceptable, because the number of Hills HGVs passing through Calne make a significant contribution to the pollution levels in the AQMA where there are four exceedance points.
- A recent Appeal decision relating to a North Wiltshire market town confirms that increased HGV movements is a Material Consideration in upholding a Planning Authority decision to reject an application.
- Lower Compton is an unsuitable, unsustainable, rural site for a strategic MRF/WTS facility. There is no specific reason for it to be at Lower Compton other than Hills' own the land; it has simply evolved there as the recycling industry has developed.
- Hills have not provided the necessary transport data to enable any calculation to be made regarding the likely impact of this application in the local or wider area.
- Hills say they cannot provide information regarding the movement of material into or out of Wiltshire due to the transient and fluctuating nature of the industry; therefore, it is impossible to assess the likely impact of this application locally.
- The mitigation measures proposed by Hills cannot be shown to have any likely positive impact on the present or future air quality situation around Calne, particularly within the AQMA.
- This application does not comply with several Wiltshire Council Policies, or National Planning Policy as well as being in breach of National and EU legislation. Indeed, it would appear that to approve this application would actually be illegal.

**10.4 Highways Authority – Raises no objection with the following comments:**

- The HGV movements associated with the site are not considered to be of such a significance that would justify refusal of the application; and
- Should the Council be minded to approve the application, a pre-commencement condition would be recommended requiring details of access road widening measures in order to accommodate an increase in traffic associated with the site.

**10.5 Environmental Health Officer (Air Quality) – Makes the following comments:**

- The net effect of the development based upon the air quality assessment will not make a positive contribution towards the AQMA in view of the proposed vehicle activity;

- The proposal and reporting does not suggest there will be any net benefit to Wiltshire Council in terms of its Air Quality Strategy aims;
- Wiltshire council policies are focussed on the betterment of air quality throughout Wiltshire and in particular where AQMAs exist we would hope to see proposals, modelling and measures that bring about a positive impact on the local air quality;
- The previous requirement for annual reporting of SAFED & Well Driven activity should be implemented through this application; and
- In terms of making a positive contribution, there are now two potential projects that could benefit from this (i) Installation of a public area facing real time digital screen feed on air quality in Calne fed from the newly launched Wiltshire Air Quality website, (ii) Tree plantings at the perimeter of Hills Waste Site to provide an aesthetic screen and dust attenuation (Silver Birch (*Betula pendula*) are particularly good at trapping small particulates and would be a preferred species. These would be both seen as a positive contribution to local air quality action planning. Such a requirement for tree planting could be conditioned. i.e. Silver Birch plantings at boundary/perimeter of site.

**10.6 Wiltshire Council Landscape Officer – makes the following comments:**

- The submitted Landscape and Visual Impact Assessment (LVIA) has been prepared to current best practice, current planning policy and with reference to the AONB Management Plan;
- The extension of the building at the same height and colour will make it seem as one, and although it is considerably larger the LVIA has demonstrated there will be no significant adverse effects;
- During construction there will be minor negative landscape effects on night time character, site land use and some minor tree removal. There will be some moderate-minor negative effects for residential receptors and PROW users. There will be some residual negative effects of moderate-minor to negligible however they are very localised and not significant in LVIA terms;
- Overall there will be an increase of lighting on the site but this has been designed to minimise light pollution and I note that the AONB Unit does not raise any objection to the scheme in this regard;
- The proposed planting for the site is detailed on Dwg. No: HILLS/1011-DWG-012-REVD. The plant selection for trees and shrubs will be suitable for the purpose with some long term species of size e.g. Oak. (Ash should be avoided);
- It is welcomed that there is an age structure to the planting which will give a more natural appearance and additional height to the scheme on completion of the planting;
- The above mentioned drawing specifies that all landscaped areas will be maintained for 12 months or until the plants have established. With the majority of the planting being on a bund where establishment may take longer due to 'tougher' conditions I would recommend at least 3 years minimum. This planting is essential to screen views from the highly sensitive receptors in the east so it is important; and

- Should the Council be minded to approve the application, a planning condition is recommended to replace missing, dead or dying plants within the first 5 years after planting would ensure correct attention is paid to the aftercare of this landscaped bund.

**10.7 Cherhill Parish Council - raises an **objection** on the following grounds:**

- The proposed development is too large in size for Wiltshire's waste requirements;
- A strategic waste facility should be near a strategic road network, not on a rural country lane next to a village; and
- Acknowledgement is made that the current planning consent expires at the end of December 2016.

**10.8 Compton Bassett Parish Council - raises an **objection** on the following grounds:**

- HGV movements associated with the proposed development would have a detrimental effect upon the Calne Air Quality Management Area (AQMA). Approval would cause long-term health concerns in Calne and contrary to Wiltshire's air quality strategy and policies relating to air quality contained in the Development Plan;
- The proposed development is contrary to the NPPF, national waste planning policy guidance and EU Ambient Air Quality Directive 2008/50/EC;
- The ES submitted by the applicant is inadequate because it does not assess a 'greenfield' baseline therefore the submission is unlawful; and
- The scale of the proposed facility exceeds the requirements for North Wiltshire's waste and therefore the facility is not sustainable. Waste will need to be imported from beyond a radius of 16km from Chippenham which is contrary to the Development Plan.

**10.9 Calne Without Parish Council - raises an **objection** on the following grounds:**

- There would be a permanent impact upon the Calne AQMA as a result of HGVs associated with the proposed development. There would also be a detrimental effect upon the surrounding local road network including the approach roads to Calne through local villages and the AQMAs of Marlborough and Devizes;
- The local roads are also not suitable for large HGV traffic and a strategic facility such as this should be located on the strategic road network, especially as much of the sorted waste will be exported out of the county along the motorways;
- Cumulative impact associated with traffic generated by a mixture of development taking place in and around Calne. This includes housing and local businesses. Traffic associated with such would exacerbate existing air pollution in the town. Air quality and congestion problems will have an adverse effect on potential investment on the town centre which is struggling to attract new businesses;

- The scale of the proposed facility is too large and far exceeds the requirements of North Wiltshire. Although increased recycling is supported, it is considered that the site is not the most sustainable location for such a strategic facility;
- Acknowledgement is made that the current planning consent is due to expire in 2016, after which the site should be restored back to a state of greenfield, because the site has grown in scale since the original temporary permission was granted; and
- The proposed development is not in accordance with the Development Plan and therefore should be refused.

**10.10 Calne Town Council - raises an **objection** on the following grounds:**

- Acknowledgement is made that the current planning consent expires in 2016 after which the site should be restored to greenfield status. It is considered that this is what should now take place;
- The proposed facility would be the largest of its kind in the South West of England leading to a need to import waste from outside the county;
- The proposed development is for a strategic facility therefore it should be located near the strategic road network;
- There would be a significant increase in HGV movements. This would have a detrimental effect upon the Calne AQMA. Refusing the application and allowing the existing facility to cease operations would have an immediate positive impact upon the air quality in Calne; and
- The ES fails to consider the baseline impact post-2016 when the current facility will have ceased operations. It is therefore impossible to assess the impacts of permanency.

**10.11 Environment Agency – raises **no objection** subject to the following:**

- A condition that requires the submission of a detailed surface water management scheme in order to prevent any increased risk of surface water flooding as a result of the proposed development. This is supported by informatics.

**10.12 Natural England - makes the following **comments**:**

- The comments provided by the North Wessex Downs Area of Outstanding Natural Beauty (AONB) Officer are supported;
- The proposed development is unlikely to affect any Sites of Special Scientific Interest (SSSI) or Natura 2000 sites;
- It is advised that Natural England's 'Standing Advice' is referred to for protected species. It is a material consideration;
- The Council, if minded to approve the application should seek to ensure that the proposed development includes opportunities for biodiversity enhancements;

- The Council should also ensure to consider local sites, local landscape character and local or national biodiversity priority habitats and species which are material considerations.

**10.13 Historic England – makes the following comments:**

- The site lies in proximity to a number of sensitive, highly graded heritage assets including the Church of St Swithin; a Grade 1 Listed Building in Compton Bassett, Cherhill Iron Age Hill Fort; a Scheduled Monument and the Church of St James; a Grade 2\* Listed Building in Cherhill; and
- It is considered that the proposed development would not result in serious, harmful impacts to the settings of the designated assets noted above.

**10.14 North Wessex Downs AONB Officer – makes the following comments:**

- The site is located outside the nationally protected North Wessex Downs Area of Outstanding Natural Beauty, but still has the potential to impact upon its setting; and
- Should the Council be minded to approve this application, planning conditions should be secured to ensure provision of the landscaping scheme and its maintenance; prior approval of a dark night skies compliant lighting design; suitable external materials and colours to match the existing building; suitable conditions to control noise/smells/ and hours of use on the site.

**10.15 Wiltshire Council Archaeologist – Provides no comments.**

**10.16 Wiltshire Council Ecologist - Raises no objection with the following comments:**

- The applicant has updated the 2011 ecological survey to reflect any changes that may have occurred within or immediately adjacent to the site that would change the outcome of the previous assessment and to reflect the fact that the current application is slightly different from the previous application for which the 2011 surveys were carried out;
- It is considered that the ecology of the site has not significantly changed since the 2011 survey was carried out and it is agreed that the conclusions of the submitted Ecological Impact Assessment that sufficient mitigation is available and can be implemented to ensure that no wildlife species or individuals are likely to be harmed by the development; and
- Should the Council be minded to approve the application, I would recommend that a condition be added to the effect that the development must be carried out in strict accordance with the Landscape and Ecological Mitigation Drawing HILLS/1011-DWG-010-RevC.

**10.17 Environmental Health Officer (Public Protection) – makes the following comment:**

- Whilst the Environment Agency regulates this site, no adverse comments are to be made regarding the Noise Report.



**10.18 Environmental Health Officer (Land Quality / Contaminated Land) – makes the following comments:**

- The development site lies within the footprint of former military land and as such is regarded as a site of potential concern with a provisional high priority for inspection under the councils Part 2A inspection strategy;
- A land contamination condition for this development is warranted, however it is recognised that there is not a change of use taking place which would necessitate protection of a more sensitive receptor; and
- Should the Council be minded to approve the planning application, then it is recommended that a condition is included to be protective of works that potentially encounter land contamination that could affect the existing use of the site. The principle reason for the inclusion of this condition is to have a protective mechanism in place should unexpected contamination be encountered, under which circumstances other steps in the condition would also apply.

**10.19 Wiltshire Fire and Rescue Service – makes the following comments:**

- Consideration is to be given to ensure access to the site, for the purpose of fire-fighting, is adequate for the size and nature of the development;
- Consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of this Authority on the location of fire hydrants;
- Once constructed and put to use, commercial premises will be subject to the Regulatory Reform (Fire Safety) Order 2005. Further information can be found on the Wiltshire Fire & Rescue Service website, where published guides are available to download; and
- The nature of the proposal gives reason for this Authority to strongly advise the consideration of an appropriate sprinkler system for these premises.

**10.20 Wiltshire Council Drainage Engineer – raises no objection and makes the following comments:**

- It is proposed that the development would connect to public foul sewer. This will need to be discussed with the sewerage undertaker to determine if there are any conflicts or capacity issues; and
- To ensure that the proposed development can be adequately drained, a condition would be recommended relating to a scheme for the discharge of surface water from the site.

**10.21 Wiltshire Council Rights of Way Officer (North) – No comments received.**

**10.22 North Wiltshire Wildlife Trust – No comments received.**

**10.23** The following responses were received during the second consultation period between 5<sup>th</sup> and 26<sup>th</sup> March 2015, following receipt of Further Information requested under Regulation 22.

***The second consultation period: Responses to consultation on further information submitted in relation to the ES:***

**10.24 Local Member, Councillor Alan Hill** – raises an **objection** on the following grounds:

- No information is provided regarding the illegitimate WTS operations, therefore the 'present situation' data is flawed since it does not relate to permitted operations;
- Common sense suggests that an increase in tonnage at the site from the current 87,500 tpea to 119,000 tpea as contained in their application 14/09744, will increase HGV movements from the present situation, never mind the “no project” baseline;
- If the MRF were to close (“no project” scenario), the total Lower Compton HGV movements would decrease by 27,516 per year, which is equivalent to a reduction of 97 HGV movements per day. Compared to the “no project” scenario, approving 14/09744 would increase Lower Compton HGV movements from 69,722 (246 HGVs per day) to 116,092 (410 HGVs per day);
- Hills have attempted to provide a scheme of mitigating measures such as eco-friendly driver training to offset the impact of their HGVs in the Calne AQMA; however, there are no mitigating measures that can offset the impact of HGVs travelling in a stop-start manner through a built-up area due to traffic congestion and speed restrictions. They have also admitted that they can only control their own drivers, which constitute about 40% of those visiting the site; the rest are from outside agencies or sub-contracted and therefore outside Hills' control. Mitigation measures are meaningless in such circumstances and will fail to improve the air quality situation;
- Hills' previous Lower Compton MRF/WTS application in 2011 which involved far less HGV movements (97,656 Lower Compton site HGV movements) was recommended for REFUSAL on 18 September 2013, when Wiltshire Council's Officers issued their final report to the Strategic Planning Committee (subsequently withdrawn from the Agenda) which recommended, “that the application is REFUSED” because amongst other reasons, “The development will contribute to air quality exceedences within the Calne Air Quality Management Area”. I submit that if that was the appropriate recommendation then, it remains the appropriate recommendation now for the same reasons.

**10.25 Highways Authority** – makes the following comments:

- Hills have expressed a reluctance to widen the access road to the site to provide for the two way movement of lorry traffic to the site, as requested by the highway authority;
- Notwithstanding the posted speed limit (advisory) of 10 mph on the site access road, it is known from automatic traffic counts that 85th percentile speeds on the road are generally in excess of 10 mph, in fact by about 140%. Speeds along the road have been recorded at up to about 30 mph. Of all recorded movements, circa 98% exceeded the advisory speed limit as posted;

- The submission documents suggest that Hills have a speed camera to enforce speeds on the route, and signs are present accordingly; there is no evidence of a camera on site. The assertion in the EIA that the 10mph speed limit is enforced is apparently erroneous;
- Along the access road the EIA identifies, in the Transport section para 8.6, that driver stress is expected to be high. The EIA does not consider the additional issues relating to unfamiliar visitors to the site; nor does it consider the impact of traffic calming or the condition of the road, or the absence of a footway and the potential of shared use of the access by pedestrians;
- There is also a concern that, aligned to the known general disregard of the posted speed limit, that the intensification of use of the access by lorry traffic will result in an increased propensity for lorries to arrive and depart in platoons. The narrow section of the access road is close to the mini-roundabout exit arm. The narrow section of the access road is on a relatively tight right hand (entry) bend, where visibility is restricted by vegetation and trees. This compromised visibility is especially a concern in relation to the many car drivers who would experience greater difficulties (because of the obstruction by vegetation) having seeing opposing traffic;
- Known vehicle speeds, and on-site observations, suggest that there are regular occurrences where exiting traffic is committed and inbound traffic has to give way to outbound traffic, negating the control mechanism to keep inbound flows free. The knock-on effect is that traffic (and the concern relates especially to mixed car/lorry traffic in platoon) entering the site might be suddenly required to brake to give way to committed outbound traffic. Convoy traffic is therefore subject to potential shunt and end of queue overhang onto the mini roundabout; this could present material safety risks for right turn traffic at the northbound C15 entry arm, that will be focussed on right side rather than left side movements;
- The current inadequate width of the access road can be demonstrated by the considerable amount of kerb damage and verge over-run, which is particularly prevalent from the mini roundabout through to the far side of the access road bend. Significant lengths of kerb here are totally broken down. This all suggests that existing traffic flows exceed the ability of the access road to accommodate them; the current planning application to increase lorry traffic is highly likely to lead to an increased propensity to overrun the verges causing more extensive damage;
- The absence of a footway to access the public waste facility is a further concern. The application encourages pedestrian and cycle movements to the site, but both modes would be subject to intimidation and fear given the circumstances of shuttle working and the unpredictable use of the narrow sharp bend by HGV traffic;
- The structural failure of the carriageway, which occurs in restricted areas, needs to be addressed, as it is a potential safety risk to users, especially pedestrian and cycle users. In particular failure to maintain the drainage system (several gullies gratings noted as blocked with detritus) is likely to have knock-on impacts on the road structure;
- There are no facilities for segregating pedestrian access to the site from vehicular traffic. Existing footways leading to the mini-roundabout terminate at the site

access road. Also, in the interests of encouraging sustainable transport, walking should be encouraged; the absence of a footway provides a disincentive to walk in this area. The verges, having been subject to apparently frequent overrun in many places, provide a potentially unsafe and certainly undesirable place to walk, in the absence of road widening.

10.26 **Environmental Health Officer (Air Quality)** – makes the following comments:

- The report raises the importance of traffic routeing in terms of potential additive effects upon the AQMA and as such further details of this may reassure the LPA about where traffic may be routed with or without the MRF.

10.27 **Wiltshire Council Landscape Officer** – Makes no further comments.

10.28 **Cherhill Parish Council** - raises an **objection** on the following grounds:

- The new information claims that the proposed development will have no impact upon air quality as HGV numbers won't change. This does not make sense because an increase in tonnage at the site can only increase HGV numbers;
- There is no mitigation for offsetting the impact of HGV's travelling in a stop-start manner through a built up area due to traffic congestion and speed restrictions;
- Hills maintain that it is impossible to forecast the amount of material that will go to and from the Lower Compton site nor do they know where future material will come from or any likely route for access – completely unacceptable for a site in an area of ANOB at Lower Compton in a very rural position.

10.29 **Compton Bassett Parish Council** - raises an **objection** on the following grounds:

- Further details relating to HGV movements associated with the 'no project' baseline have not been provided;
- The limited information relating to HGV movements contradicts with the HGV movements used in the Air Quality Assessment;
- There would be a significant increase in HGV movements as a result of the development and as such, a significant impact upon the AQMA in Calne.

10.30 **Calne Without Parish Council** – raises an **objection** on the following grounds:

- The additional information recently submitted by Hills Waste Solutions, has done nothing to allay our concerns for the residents of Calne Town and Calne Without expressed in that letter, especially as regards Air Quality and the HGV impact on the surrounding road network;
- Calne Without Parish Council therefore requests that the Planning Officer recommends refusal of Application 14/09744/WCM, for the reasons cited in our letter of the 3rd December 2014 and this letter.

10.31 **Calne Town Council** - raises an **objection** on the following grounds:

- Members commented that the additional information provided by Hills regarding HGV movements and Air Quality implications does nothing to address this

committee's concerns and as such members wished to reiterate their original objections raised in the letter sent to Wiltshire Council in November 2014.

10.32 **Environment Agency** – makes the following comments:

- It would appear that the new submissions do not affect our remit, therefore please refer to our initial response letter of 18 November 2014.

10.33 **Natural England** – raises no additional comments.

10.34 **Historic England** – raises no additional comments.

10.35 **North Wessex Downs AONB Officer** – raises no additional comments.

10.36 **Wiltshire Council Archaeologist** – raises no additional comments.

10.37 **Wiltshire Council Ecologist** – raises no additional comments.

10.38 **Environmental Health Officer (Public Protection)** – makes the following comments:

- The report raises the importance of traffic routeing in terms of potential additive effects upon the AQMA and as such further details of this may reassure the LPA about where traffic may be routed with or without the MRF;
- It should be queried as to whether or not the baseline data used by the revised Transport Assessment has also been reflected by the Air Quality Assessment.

10.39 **Environmental Health Officer (Land Quality / Contaminated Land)** – raises no additional comments.

10.40 **Wiltshire Fire and Rescue Service** – raises no additional comments.

10.41 **Wiltshire Council Drainage Engineer** – raises no additional comments.

10.42 **Wiltshire Council Rights of Way Officer (North)** – No comments received.

10.43 **North Wiltshire Wildlife Trust** – No comments received.

10.44 The following responses were received during the third consultation period between 23<sup>rd</sup> April and 14<sup>th</sup> May 2015, following receipt of further information requested under Regulation 22.

***The third consultation period: Responses to consultation on further information submitted in relation to the ES:***

10.45 **Local Member, Councillor Alan Hill** – maintains an **objection** on the above grounds and due to the following:

- There is no evidence to support the assertion that the closure of the MRF, WTS and Green Waste facilities would result in a significant increase in HGV movements.

10.46 **Highways Authority** – makes the following comments:

- The assumptions made in the revised TA as to the hypothetical situation in relation to the baseline scenario appear to be based on a reasonable approach;
- In view of the change in Council policy in relation to the charging regime for householder green waste bins, it would be expected that a reduced level of green waste lorry deliveries and transfers might be anticipated at the site, with a corresponding increase in car trips to the site. In this regard the TA might be assumed to be robust insofar as lorry impacts are concerned;
- All comments provided by our previous consultation responses remain relevant.

10.47 **Environmental Health Officer (Air Quality)** – raises no additional comments.

10.48 **Wiltshire Council Landscape Officer** – No further comments received.

10.49 **Cherhill Parish Council** – No further comments received.

10.50 **Compton Bassett Parish Council** – No further comments received.

10.51 **Calne Without Parish Council** – No further comments received.

10.52 **Calne Town Council** - maintains an **objection** on the above grounds and due to the following:

- The closure of the current waste facility would result in an increase in HGV movements;
- Hills should only base their traffic assessment on a) current traffic; b) future traffic in the event that this application is granted; and c) future traffic in the event that this application is refused;
- Any increase in HGV traffic would compound the existing, significant air pollution exceedances in Calne and would therefore be unacceptable; and
- Calne Town Council recommends that the planning application is refused.

10.53 **Environment Agency** – raises no additional comments.

10.54 **Natural England** – No further comments received.

10.55 **Historic England** – No further comments received.

10.56 **North Wessex Downs AONB Officer** – No further comments received.

10.57 **Wiltshire Council Archaeologist** – No further comments received.

10.58 **Wiltshire Council Ecologist** – no further comments received.

10.59 **Environmental Health Officer (Public Protection)** – No further comments received.

10.60 **Environmental Health Officer (Land Quality / Contaminated Land)** – No further comments received.

- 10.61 **Wiltshire Fire and Rescue Service** – No further comments received.
- 10.62 **Wiltshire Council Drainage Engineer** – No further comments received.
- 10.63 **Wiltshire Council Rights of Way Officer (North)** – No comments received.
- 10.64 **North Wiltshire Wildlife Trust** – No comments received.

## **11. Publicity and Representations**

- 11.1 The application was advertised in accordance with Schedule 3, Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended). This involved the erection of site notices on land located at and around the application site, an advertisement in the local newspaper and the issue of neighbour notification letters.
- 11.2 Throughout the rounds of consultation, the following comments have been received from neighbouring parish councils, other bodies and objector groups:
- 11.3 **Wiltshire Waste Alliance** (Objector group) – Raises an **objection** and has submitted with their representation a legal opinion by Gregory Jones QC dated 20<sup>th</sup> November 2014. The legal opinion considers the following points:
- The approach to Environmental Impact Assessment is not correct as the 'greenfield baseline' has not been assessed. It states that *"any EIA in respect of a new planning permission including the October applications for the current temporary planning permission to make them permanent must be approached on the basis of assessing the impact of a development upon the Site on the basis of the Site having been restored to agriculture in accordance with the planning condition (relating to restoration of the site upon cessation). This has not been done..."*
  - Consequently, should planning consent be granted such a decision would be considered as unlawful and in breach of the EIA Directive and Regulations.
  - With regards to air quality, reference is made to Dr Alberry's report dated 13<sup>th</sup> October 2014. The proposed development would contribute to increased nitrogen oxide levels in Calne where air quality is already in exceedance of EU air quality limits and is the subject of an Air Quality Management Area designation. An increase in nitrogen oxide levels would be contrary to EU law and the National Planning Policy Framework.
  - It also references the recent judgment made with regards to the EU Air Quality Directive by the Court of Justice of the EU (*case C-404/13 The Queen, on the application of ClientEarth v The Secretary of State for the Environment, Food and Rural Affairs*). The Case ruled that national courts can and should force governments to comply with EU rules and empowered the UK courts to take "any necessary measure" to ensure that the UK meets its targets.
  - A report entitled 'An Independent Assessment of Hills' Proposed Application for an Expanded and Permanent MRF/WTS Facility at Lower Compton' dated 13<sup>th</sup>

October 2014 submitted alongside a written representation is also concurred with.

- It is considered that the proposed application would not be in accordance with the development plan and would also be contrary to the presumption in favour of sustainable development.

**11.4 Campaign for the Protection of Rural England (CPRE) – Raises an objection on the following grounds:**

- There is concern over the proposed increase in HGV movements through Calne town centre. Increasing haulage from the site and on a permanent basis would lead to permanent harm;
- The proposal is contrary to Strategic Objective 3, The Environment, in the WCP DPD which states that sites will not be encouraged where access is required through residential areas.
- The ES does not consider the 'greenfield' baseline;
- Lower Compton is not the right location for a strategic waste facility; and
- The proposed expansion of the WTS and the MRF, the fact that a large proportion of the vehicles visiting the site are not under the control of the applicant, the issue of the Calne AQMA relating to larger vehicles with larger payload loads being unresolved and the permanent detrimental effect on Calne, its air quality and its residents, combine to make the proposal highly deficient in detail, justification and conformity with policies.

**11.5 To date, following the rounds of consultation, the application has generated 129 written representations of objection from members of the public and none in support. A detailed report has also been submitted with one written representation. The reasons upon which objections have been based are listed below:**

- The Calne Air Quality Management Area already exceeds EU legal limits. The HGV movements associated with the MRF will make it worse;
- Substantial amounts of waste will have to be imported from outside the 16km radius of Chippenham, which is contrary to the Wiltshire and Swindon Waste Core Strategy;
- HGV movements associated with the site will have a detrimental effect on local traffic, cyclists and pedestrians using Calne town centre, as well as school entrances along the A4;
- HGV movements from the north and east will have a detrimental impact upon the Avebury World Heritage Site and the North Wessex Downs Area of Outstanding Natural Beauty;
- There are other sites located at Junction 17 of the M4 which would be more suitable, but haven't been considered as alternatives by the application;



- The scale and location of the proposed development is not sustainable;
- The proposal involves 116,092 HGV movements per year, the majority of which would pass through the centre of Calne with no significant diesel emission mitigation. This amounts to 1 HGV movement every 2 minutes for 12 hours a day for 283 days per year on a permanent basis which would have a detrimental effect on Calne AQMA where EU air quality limits are currently being exceeded.
- The existing temporary MRF/WTS facility is due to close by December 2016 and the closure of landfill activities in 2022 would result in a greenfield baseline of zero HGV movements. This baseline has not been considered by the ES;
- The Transport Assessment is deficient in that it lacks baseline HGV data, there is no source-destination information and no information on HGV movements in Calne;
- Small-scale local waste sites are more sustainable;
- Hills' responses to Wiltshire Council do not provide the HGV details requested, so that Hills' planning application submission is rendered materially deficient;
- It is not known how many of the HGV two way movements are associated with the MSW waste transfer operations;
- The DEFRA vehicle emission data show that HGVs emit much more than cars to the extent that HGVs account for around 75% of the NOx pollution in Calne (Cars account for around 25% of the emissions) and will have a long term detrimental effect on public health, particularly if 14/09744 is consented;
- This application involves significantly more HGV movements (116,092 Lower Compton site HGV movements) and should be refused on the same grounds as the previous 2011 planning application, in addition to the material deficiencies in the Environmental Assessment and because it is contrary to policy;
- The increased traffic to /from the west would generate additional air pollution (nitrogen dioxide) in Calne AQMA, and the additional traffic to /from the east would increase air pollution levels in Marlborough AQMA, both of which Wiltshire Council has the prime responsibility to improve. Planning control is one of the key levers that the Wiltshire Council could, and should, use to remediate the pollution issues.

## **12. Planning Considerations**

- 12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.
- 12.2 The adopted Wiltshire and Swindon Waste Core Strategy sets out the strategic direction and context for waste planning in Wiltshire and Swindon until 2026. The Waste Site Allocations Local Plan presents a positive and flexible framework of sites to accommodate future waste management uses and facilities across Wiltshire and

Swindon for the period up to 2026. The Waste Development Control Policies DPD sets out generic development control policies designed to assist with the process of determining planning applications for sustainable waste management development.

- 12.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied.
- 12.4 The National Planning Policy for Waste requires that the management of waste should be encouraged to move up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort. This means a step-change in the way waste is handled and significant new investment in waste management facilities. The planning system is pivotal to the adequate and timely provision of the new facilities that will be needed.
- 12.5 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.
- 12.6 The main planning considerations considered relevant to this planning application are:
- The principle of the development;
  - Landscape and visual impact including the setting of Heritage Assets;
  - Traffic and Access; and
  - Air quality and odour impact.

#### **The principle of the development**

- 12.7 It is considered that the 'in principle' acceptability of the proposal depends upon two considerations:
- a) The Need for Additional Waste Management Capacity and Self Sufficiency; and
  - b) Location and Framework of Waste Management Sites

#### ***a) The Need for Additional Waste Management Capacity and Self Sufficiency***

- 12.8 National Planning Policy for Waste states that when determining waste planning applications, waste planning authorities should only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan.
- 12.9 The Waste Core Strategy adopted in 2009 sets out the strategic direction for future waste management facilities in Wiltshire and Swindon. Policy WCS1 sets out the need for additional waste management capacity and policy WCS2 identifies where future waste sites should be located. Policy WCS3 identifies the estimated capacities that will need to be delivered, as indicated by the Evidence Base, and defines the

preferred locations of waste management facilities by type and the provision of flexibility in line with policies WCS1 and WCS2.

- 12.10 The overall aim of the Wiltshire and Swindon Waste Development Plan is to encourage waste to be driven up the waste management hierarchy in order to break the reliance on landfill and thereby to maximise the re-use of material as a resource.
- 12.11 These policies are supported by the Wiltshire and Swindon Evidence Base (Part B: Waste) which contains information of waste management data and trends, including current operational waste sites and estimated capacities. Included in the evidence base is the Wiltshire Joint Municipal Waste Management Strategy (JMWMS) adopted in 2006. The JMWMS outlines the need for development of recycling and composting services and recovery capacity to reduce landfill. In October 2012 Wiltshire Council's Cabinet approved an update to the Strategy.
- 12.12 The capacity projections set out in Policy WCS3 were updated during preparation of the Waste Site Allocations Local Plan by taking into account permitted waste management development since 2006. The Local Plan was adopted in February 2013 and identifies that for the management of Wiltshire's municipal waste stream the remaining capacity to be delivered by the Local Plan is 1 HRC and 1 MRF.
- 12.13 The proposals are to retain the existing Materials Recovery Facility, its associated screen bund and to extend the existing building which will accommodate the plastic and cardboard recyclable materials currently managed at Porte Marsh Industrial Estate. It will also provide containment for the bulking of residual household and green waste for onward transfer.

#### Municipal Materials Recovery Facility (MRF)

- 12.14 The existing municipal MRF at Lower Compton, first approved in 1997 to manage approximately 10,000tpa of waste comprising glass, paper and tins/cans, currently operates at a capacity of 28,000tpa. The applicant now seeks to extend the existing MRF building in order to accommodate the additional operational throughput that has been managed at Porte Marsh Industrial Estate, Calne in a temporary basis until March 2017.
- 12.15 The proposed development would provide a total of 44,000tpa of waste treatment and recycling capacity, receiving, sorting, bulking and exporting collected recyclable materials sourced from municipal waste arisings in Wiltshire. Upgraded mechanical and manual waste sorting systems would be housed within the building together with the all processing equipment transferred from the Porte Marsh facility.
- 12.16 As noted above, Policy WCS3 of the Waste Core Strategy identifies the need for a MRF for the management of Wiltshire's municipal waste over the plan period to 2026. This is based on a comparison against the estimated operational capacities of existing waste management facilities across the plan area. Without the Lower Compton facility there would be a need to provide additional municipal MRF capacity in Wiltshire.
- 12.17 The Wiltshire Municipal Waste Management Strategy (MWMS), approved in November 2012, reports the progress made in providing the associated built capacity for municipal waste treatment since the JMWMS was adopted. The MWMS reports that if the planning application (i.e. N/11/02920/WCM, the then planning application

relevant to the site) for Lower Compton is permitted, Wiltshire's overall MRF needs are likely to be met, at least until the end of the current contract in 2016.

- 12.18 Officers consider that the MRF component of the proposed development would form part of a sustainable transport system within Wiltshire, enabling the bulking up of sorted and pre-treated wastes and their diversion from landfill to recovery through treatment processes at facilities both in and out of the County via the Wiltshire HGV Route Network. This accords with the strategic objectives and policy of the Waste Core Strategy and Policy WDC11 of the Waste Development Control Policies DPD, and is consistent with the sustainable transportation of municipal waste approach that is being sought by Wiltshire Council through the implementation of the Municipal Waste Management Strategy 2012.

#### Municipal Waste Transfer Station

- 12.19 The proposed MRF building extension would enclose the transfer and bulking up of up to 35,000tpa of municipal waste and up to 40,000tpa of green waste from household collections within Wiltshire. It is proposed that waste would be brought to the site, sorted and then bulked up for transfer to service three key operations:
- (i) The export of green waste for off-site high grade composting at Parkgate Farm, Purton;
  - (ii) The export of bulked residual municipal waste to provide feedstock for the Northacre Mechanical Biological Treatment (MBT) facility; and
  - (iii) The export of residual municipal wastes suitable for recovery under contract to the Lakeside Energy from Waste (EfW) facility in Colnbrook, near Slough.
- 12.20 The JMWMS stipulated the need for a number of new facilities to meet landfill diversion targets until 2021. The MWMS reports that the forecast need for substantial secondary recovery has been largely secured, with long-term contracts signed with the operators of the Lakeside Energy from Waste Facility in Slough to receive 50,000tpa of Wiltshire's municipal waste and the Mechanical Biological Treatment (MBT) facility built at Westbury to recover approximately 60,000tpa of Wiltshire's municipal waste.
- 12.21 Both the Northacre and Parkgate Farm facilities are reliant upon deliveries of municipal wastes, both from collection vehicles on localised rounds, and also from bulked-up transfer of materials from collection rounds located further away from that facility. All deliveries to the Lakeside EfW facility require the bulking up of waste materials prior to export.
- 12.22 The municipal WTS element of the proposed development, if authorised, would form part of the network of facilities which deal with municipal waste in Wiltshire and Swindon. It currently provides a facility to sort, bulk and transfer wastes destined for the operations and facilities at Northacre, Parkgate Farm and Colnbrook.
- 12.23 The proposed development would both retain and expand the existing municipal MRF capacity at Lower Compton to service the changes brought about by the harmonised service of waste and recycling collection undertaken by Wiltshire Council. The municipal WTS element of the proposed development forms part of the network of facilities which deal with municipal waste in Wiltshire and Swindon. If

authorised, it would provide a facility to sort, bulk and transfer wastes destined for the operations and facilities at Northacre, Parkgate Farm and Colnbrook.

- 12.24 Officers consider that the need and principles of self-sufficiency for the overall development have been demonstrated, and that it is in accordance with the development plan, specifically policies WCS1, WCS2, WCS3 and WCS5 of the Waste Core Strategy.

***b) Location and Framework of Waste Management Sites***

*Location*

- 12.25 A number of objections to the proposed development are made on the basis that a large, centralised facility should not be provided at Lower Compton. It is important however to note that the area of land within the existing Lower Compton waste management facility and that which is subject to this application is allocated in the Waste Site Allocations Local Plan as a 'strategic' scale site.
- 12.26 The Waste Site Allocations Local Plan is the third in a series of documents designed to guide the use of land within Wiltshire and Swindon for waste management development. The Plan presents what Wiltshire Council and Swindon Borough Council consider to be a sound framework of local and strategic sites suitable to meet future waste management needs across Wiltshire and Swindon up to 2026. The sites contained in the Site Allocations Plan are classed as either 'strategic' or 'local'.
- 12.27 It is stated at paragraph 1.4 of the Local Plan that in principle the councils will be supportive of applications for appropriate waste management facilities within the locations set out in the document.
- 12.28 In recognition of the need to be flexible and responsive to change, sufficient sites have been identified to provide room for existing waste management facilities to grow, as well as provide opportunity for new facilities and/or technologies to become established.
- 12.29 At paragraph 1.17 of the Local Plan it is explained that; Strategic-scale sites are generally considered to include (but not exclusively):
- Large-scale waste treatment facilities - e.g. energy from waste, mechanical biological treatment (MBT), pyrolysis, gasification, anaerobic digestion and in-vessel composting
  - **Strategic materials recovery facilities (MRFs)** - e.g. collecting, separating, sorting and bulking a significant quantity and wide range of waste materials prior to transfer (includes waste from black box collections) received from a wide area - e.g. an amalgamation of municipal waste collection rounds serving a number of towns across Wiltshire and Swindon
  - Strategic-scale composting facilities - e.g. on large waste management sites receiving inputs from a wide area
  - Landfill/landraise facilities.
- 12.30 It is stated at paragraph 1.4 of the Local Plan that in principle the councils will be supportive of applications for appropriate waste management facilities within the locations set out in the document.

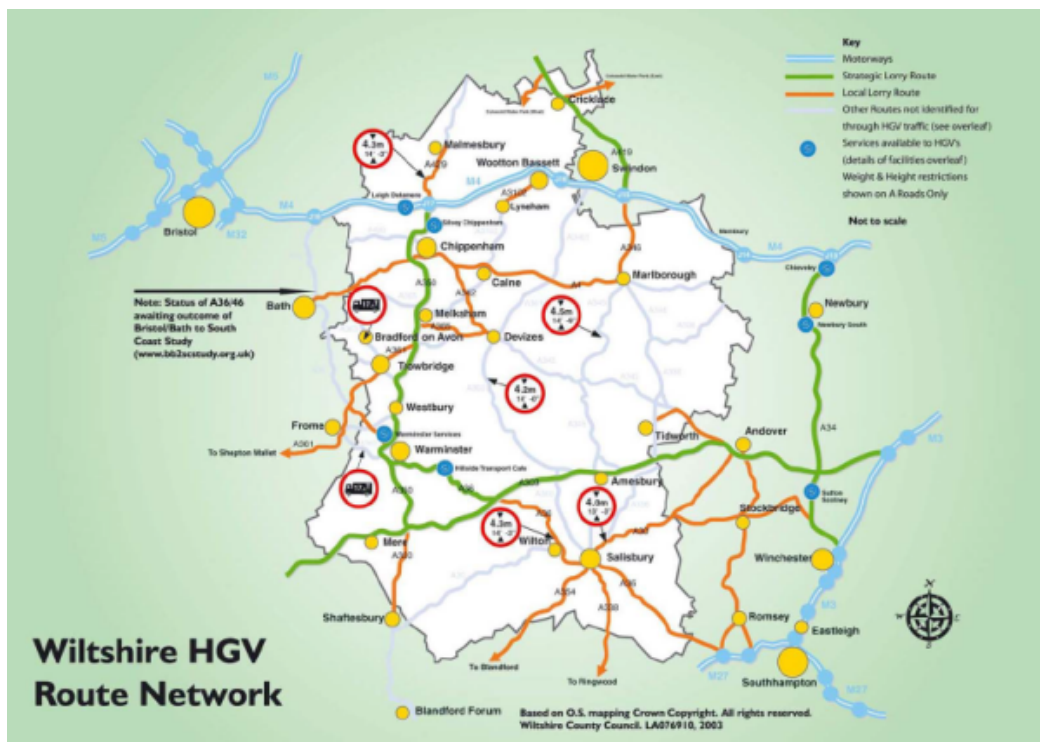
12.31 The current proposals are considered to be appropriate to the Lower Compton site; the site is classified as a 'strategic-scale' site and the facilities proposed are consistent with what the Local Plan envisaged could take place at such locations.

### Transport links

12.32 Policy WDC11 of the Waste Development Control Policies DPD (sustainable transportation of waste) requires that a waste proposal has direct access or suitable links with the Wiltshire HGV Route Network or Primary Route Network.

12.33 The application site is located close to the A4 between Calne and Cherhill. The A4 from Marlborough to Calne and Chippenham is identified as a Local Lorry Route in the Wiltshire HGV Route Network, and also forms a Principal Route within Wiltshire's Strategic Transport Network.

12.34 The Wiltshire LTP Freight Strategy was published in March 2011 as an aid to implement the lorry route networks, shown below in the freight map reproduced below. The freight map is used to guide new minerals and waste development.



12.35 The Wiltshire HGV Route Network sets out the most appropriate routes for HGVs to use, making the distinction between 'strategic' and 'local' lorry routes. It should be noted that the allocation of a site in the Waste Site Allocations Local Plan as a 'strategic' scale site should not be confused with 'strategic' lorry route, or be taken to imply that strategic 'sites' must be located on strategic 'routes'. The proposals are therefore considered in this respect to be compliant with Policy WDC11 of the Waste Development Control Policies DPD.

## Alternatives

12.36 Objectors also contend that more appropriately located and ‘less harmful’ alternative sites for such a facility exist elsewhere, in particular one close to junction 17 of the

M4 at Stanton St Quintin. However, there is no statutory or Development Plan policy requirement for applicants to consider alternative locations or to demonstrate that an application site is the best location for the proposed development when compared with alternative locations. The application site is allocated in the Waste Site Allocations Local Plan and accordingly has 'preferred area' status. The Lower Compton site is one of the sites considered, following extensive assessment and appraisal work, to represent the best and most deliverable options for future waste management development.

- 12.37 With regard to the EIA Regulations, Paragraph 033 of the NPPG explains that *'Where alternative approaches to development have been considered, the Environmental Statement should include an outline of the main alternatives studied and the main reasons for the choice made, taking into account the environmental effects'*. The Applicant has complied with this requirement.

#### Permanency

- 12.38 The municipal MRF and landscaped bund were first granted planning permission in March 1997. The permission was granted subject to 12 conditions. Planning Condition Number 3 requires the use of the MRF and screening bund to be discontinued on or before 31 December 2016, removed and the land restored within 6 months. The effect of this condition was to make the permission temporary and effectively limits the lifetime of the planning permission. The end date of 2016 coincides with the end date of the municipal waste management contract, although the reason stated on the decision notice for imposing the condition reads: *"in the interests of the satisfactory restoration of the site"*.
- 12.39 The reasons for and function of the condition was therefore to secure the removal of the use, buildings and infrastructure, presumably in line with the restoration of the wider mineral extraction and landfill operations. However, since 1997 the way in which waste is dealt with has changed significantly with more materials collected for recycling and infrastructure provided at Lower Compton to divert waste away from landfill. The Lower Compton site has subsequently been allocated in the Wiltshire and Swindon Waste Development Plans. As noted above, there is a need to retain existing capacity and to provide new capacity to meet waste management requirements in Wiltshire.
- 12.40 National Planning Practice Guidance advises that a condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity. The Guidance goes on to advise that it will rarely be justifiable to grant a second temporary permission – further permissions should normally be granted permanently or refused if there is clear justification for doing so.
- 12.41 Officers do not consider that because other uses in the vicinity are time limited it would be appropriate to time limit the current application. The application should be looked at on its own merits and National Planning Policy for Waste does not advocate the use of temporary consents as a matter of routine. Given the proposal both meets a need (which is not temporary) and the site is a 'preferred area' for waste development, it is considered the MRF can be retained at Lower Compton and a time limit is no longer necessary.

- 12.42 National Planning Practice Guidance advises (paragraph 047) that when determining planning applications for waste the waste planning authority should not assume that because a particular area has hosted, or hosts, waste disposal facilities, that it is appropriate to add to these or extend their life. As noted above, the Lower Compton site is allocated for strategic-scale waste management use and the appropriateness of the site continuing to provide such a facility was found to be sound through the plan-making process.

### ***Conclusions in relation to principle of development***

- 12.43 The Waste Site Allocations Local Plan states that in principle the councils will be supportive of applications for appropriate waste management facilities within the locations set out in the document. The Lower Compton site is one of the sites included in that document.
- 12.44 The waste management capacity that would be provided by the proposed development is consistent with policy WCS3 of the Waste Core Strategy which sets out the capacity requirements for municipal waste that will need to be provided for over the plan period to 2026.
- 12.45 The proposed development is located on a site that has been allocated for strategic waste development in the Waste Site Allocations Local Plan, consistent with Policy WCS2 and Policy WCS3 of the Waste Core Strategy which encourages the use of site allocations and current waste sites for the development of MRF and WTS capacity. It is considered the retention and expansion of municipal waste management capacity at Lower Compton would play an important role in diverting waste from landfill in accordance with the objectives of the Waste Core Strategy and national policy.

### **Consideration of impacts**

- 12.46 The National Planning Policy for Waste states that when determining waste planning applications, waste planning authorities should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B (to the policy document) and the locational implications of any advice on health from the relevant health bodies.
- 12.47 The Waste Development Control Policies DPD sets the key criteria that will be used to assess whether a planning application should be permitted and detailed policies on individual subjects or impacts that can be generated from waste management developments. The main impacts relevant to this planning application are:
- Landscape and visual impact including the setting of Heritage Assets;
  - Impact of transportation of waste and access considerations; and
  - Air quality and odour impact.

### **Landscape and Visual Impact including the Setting of Heritage Assets**

#### **Landscape and Visual Impact**

- 12.48 Whilst the application site lies outside of any designated landscape area, the North Wessex Downs Area of Outstanding Natural Beauty (AONB) lies to the east of the C15 road corridor, to the east of the application site. Compton Bassett Park is



located to the west of the C15 and the villages of Compton Bassett and Cherhill are also designated as a Conservation Area.

- 12.49 Policy WDC7 (Conserving Landscape Character) of the Waste Development Control Policies DPD requires that proposals for waste management development include an assessment of the adverse impacts upon Wiltshire and Swindon's landscape character and the landscape character of adjacent areas, as deemed appropriate to the scale and nature of the development, and in particular in relation to the following designated areas: ...*The North Wessex Downs Area of Outstanding Natural Beauty*. It is stated that proposals for waste management development should include appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape.
- 12.50 Core Policy 51 of the Wiltshire Core Strategy requires that landscape character is protected, conserved and enhanced and where there is potential for landscape character harm, negative effects must be mitigated through sensitive design.
- 12.51 The Lower Compton Site is allocated in the Waste Site Allocations Local Plan. The Local Plan includes a Site Profile which lists a requirement for any application in respect of the site for a landscape and visual impact assessment to determine the impacts on local residences and the nearby North Wessex Downs Landscape, townscape and visual Area of Outstanding Natural Beauty (AONB). It is stated any landscape and visual impacts from a waste treatment facility will need to be mitigated through sensitive site planning and screen planting.
- 12.52 The proposal is to extend the existing Materials Recovery Facility building at the same height to the north, together with the reconfiguration of the circulation space and parking. A native tree and shrub planting belt is proposed along the east facing bund slope to in the long term, minimise views of both the existing and proposed buildings. Native tree and shrub planting is also proposed within the core of the application site, to reinforce and continue the pattern and layout of tree and shrub planting internally.
- 12.53 A Landscape and Visual Impact Assessment (LVIA) has been carried out of the proposed development together with an assessment of cumulative and in-combination effects likely to arise from the other known developments. The LVIA includes an assessment of impacts during the construction phase and those should development not proceed (i.e. the existing site elements [building, bund, lighting and associated vegetation] all removed and returned to an agreed after use in accordance with the extant temporary planning permission). In light of the 'no project scenario' considered by paragraph 8.6 above, the existing bund would be the subject of a further restoration scheme to be approved within six months of the extant consent's expiry date (December 2016). The LVIA report submitted considers a scenario whereby there is bund removal, resulting in the loss of visual screening of the wider waste activities taking place at Lower Compton and Sands Farm. This would lead to direct, long-term and permanent minor negative impact upon the North Wessex AONB, landscape character, the setting of Heritage Assets and local landuse.
- 12.54 The LVIA notes that land uses locally include the restored, working and currently disturbed landscapes associated with the former mineral and landfill areas to the north and west, with a predominantly pastoral agricultural landscape beyond to the north, east and south. Views of the application site are limited to views from the local landscape to the north-east, east and south. These include views from residential properties, road corridors and public rights of way. The visual assessment has

identified a range of views from truncated to fully open views in close proximity to the site; partial views where the site and the existing building is visible between or glimpsed through intervening vegetation or as part of a long distance view and wider panorama.

- 12.55 In its conclusion, the LVIA records that the development proposals have been prepared in consideration of policies at the national and local level and meets the requirements of maintaining the existing landscape character; minimising landscape and visual impacts and impacts on existing heritage assets through the evolution of the scheme design and through the re-use of the existing operational area; proposes to manage and reinforce the existing off-site planting to further minimise landscape and visual effects; and proposes significant areas of planting and thereby extending the existing landscape structure into the application site consistent with the immediate landscape setting to the site.
- 12.56 The Council's Landscape Officer is satisfied that the LVIA has been prepared to current best practice, accords with the relevant planning policy tests and with reference to the North Wessex Downs AONB Management Plan. The AONB Officer has also raised no concern with regard to potential impact upon the protected landscape.
- 12.57 In terms of landscape and visual effects the extension of the building at the same height and colour would make it seem as one, and although it is larger the LVIA has demonstrated there will be no significant adverse effects.
- 12.58 The application site is currently lit, with lighting fixed to the buildings, lighting the operational areas together with a line of low level lighting columns following the eastern fenceline along the western edge of the bund. These columns are set below the height of the bund. Overall the proposals would increase of the extent of lighting on the site. However, all new lighting would be designed so no light is emitted directly into the sky. The lighting would be mounted as low as possible on the building to still achieve the required illumination levels and minimise the number of columns required around the site. Where columns are required along the east perimeter, they are below the height of the bund.

#### The Setting of Heritage Assets

- 12.59 All heritage assets have significance, some of which are designated. The contribution made by their setting to their overall significance also varies. Where some settings have the ability to accommodate change without 'harm' to the designated heritage asset, others do not (NPPF, paras 132-134).
- 12.60 In terms of heritage assets locally, there are a collection of individual Scheduled Monuments associated with Cherhill and a number of Listed Buildings are designated locally, with clusters associated with settlements (and broadly associated with the Conservation Areas) together with individual properties relating to farmsteads and lodges. Listed Buildings of note in the local landscape to the site, particularly in terms of setting include:
- Church of St Swithin: Grade I in Compton Bassett (within the Conservation Area);
  - Church of St James: Grade II\* in Cherhill (within the Conservation Area);
  - Together with those individual properties beyond the Conservation Areas encircling
  - the Site:

- Tudor Lodge: Grade II, east of the C15, in particular;
- Sands Farmhouse: Grade II;
- Meadow Cottage: Grade II, east of Marsh Lane;
- Quemerford Gate Lodge: Grade II, north of the A4; and
- Hayle Farmhouse: Grade II, north of the A4.

12.61 The LVIA report concludes that there is no intervisibility between the application site and the Conservation Areas of Compton Bassett, Cherhill and Calne. In light of advice provided by Heritage England, Officers are satisfied that the proposed development would not result in harmful impacts to the settings of the designated heritage assets listed above and therefore accord with Core Policy 58 of the Wiltshire Core Strategy and WDC9 of the Waste Development Control Policies DPD.

### ***Conclusion on Landscape and Visual Impact including the setting of Heritage Assets***

12.62 The application includes a LVIA which satisfactorily assesses the likely impacts of the development on landscape character and on the North Wessex AONB and includes appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape, including satisfactory consideration of the 'no project scenario'. There would also be no resulting harm to the setting of nearby heritage assets. Officers consider the proposed development to accord with Policies WDC7 and WDC9 of the Waste Development Control Policies DPD and Core Policies 51 and 58 of the Wiltshire Core Strategy.

### **Traffic and Access**

12.63 One of the key issues arising from consultation on this application is that of traffic impact associated with HGVs transporting waste to and from the site.

12.64 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.

12.65 Core Policy 65 of the Wiltshire Core Strategy seeks to achieve sustainable freight transportation and encourages the movement of bulk materials to make use of rail or water. It also requires that overnight lorry parking is provided in the vicinity of the advisory freight network and encourages Heavy Goods Vehicles (HGVs) traffic to use those roads where a minimum of community and environmental impacts will occur, principally the advisory freight network. Where problems caused by HGVs making unnecessary and undesirable use of routes are identified (other than on advisory freight routes), freight management processes will be employed.

12.66 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”.*

- 12.67 The Waste Site Allocations Local Plan (Table 2.3) also recommends that improvements should be made to the site access road by means of increased width, or a more sufficient access management plan for the access road. It is stated that the level of mitigation required will be dependent upon an anticipated increase in traffic using the site and planning/third party land constraints. It is also recommended that the existing speed hump on the access road is removed to minimise the impact of noise and vibration upon local residents together with the submission of a Transport Assessment (TA) and a robust Travel Plan.

#### Transport Assessment

- 12.68 A full TA has been prepared in support of the planning application, examining the effect of the proposed development on the local transport network.

#### ***Impact upon the Highway Network***

- 12.69 Concerns have been raised by Parishes and local residents in terms of the suitability of the road network serving the site both in terms of ability to accommodate HGV traffic and in terms of public safety. The C15 (Lower Compton Road) forms the main access road to the site and is considered to be a suitable link to the A4 as advised by the Wiltshire Local Transport Plan Freight Strategy. The A4 forms part of the Wiltshire HGV Route Network as a Local Lorry Route which is designed to accommodate HGVs seeking to gain access to the Strategic Lorry Routes (A350 and A419) and the M4 Motorway.
- 12.70 The TA has considered the impact of the development upon the highway network in the local area, including an assessment of impacts upon the C15, Cherhill, A4 west of C15, A4 south of A3102, A3102 south of Calne, A4 west of mini-roundabout junction with Curzon Street, A4/Curzon Street Roundabout and Curzon Street / New Road / Cox's Hill / The Strand Signalised Junction.
- 12.71 The C15 would see the greatest net increase, where in forecast year 2015 total traffic flows south of the access roundabout are predicted to increase by 3.2% and 4.0% during weekday AM peak hour and over the course of a typical weekday respectively. HGV volumes during the AM peak hour along the C15 are predicted to increase by some 13.3% and by some 10.5% over the course of a full average weekday. This would equate to 6 additional two-way vehicle trips during the AM peak hour (between 08:00-09:00), which tends to not be the busiest operational time for the site. It is considered that this increase would be 'diluted' by the traffic associated with commuters travelling from Lower Compton village towards the A4 during this time.
- 12.72 Personal Injury Accidents (PIA) data has also been considered for the surrounding highway network. No incidents leading to injury related to HGVs on the local road network and none occurred on the main access road, supporting a conclusion that the surrounding road network could safely accommodate an increase in vehicle movements associated with the proposed development.
- 12.73 The Local Highways Authority is satisfied with the conclusions whereby the impact upon the local highway network as a result of the net increase in HGV traffic would be negligible. Officers are satisfied that any potential impact upon the highway network has been adequately considered by the application and has met the

requirements of Policy WDC11 (sustainable transportation of waste) whereby the impact upon the local highway network has been considered.

### ***Vehicle trip generation, distribution and assignment***

- 12.74 Concerns have been raised by local residents, Parishes and Calne Town Council regarding an increase in HGV traffic as a result of the operation at the site becoming permanent and increasing the annual operational throughput (amount of waste being processed and transferred at the site) from 84,700tpa currently (2013/14), to 119,000tpa.
- 12.75 The site sits within a wider waste context, whereby other land uses (landfill and commercial and industrial waste treatment/transfer, together with the Household Waste Recycling Centre) generate traffic which also shares the main site access road and uses the local road network. Traffic generation should therefore be viewed within this wider context. The TA considers this wider context and includes (Table 6.3) a breakdown of historical, existing and proposed waste processing volumes to provide an understanding of vehicle trip generation over time and as proposed.

Table 6.3: Historical, Existing and Predicted/Proposed Waste Processing Volumes at Lower Compton (tonnes per annum)

Type of Operation at Lower Compton	2007	2011/12	2013/14	Continuing / Proposed
Landfill	317,000	193,565	140,000	105,000 (est.)
Residual "Black Bag" MSW Transfer <sup>1</sup>	0	18,113	22,700	35,000 (this planning application and TA)
Green Waste <sup>2</sup> (transfer and/or on-site composting)	32,900	35,076	34,000	40,000 (this planning application and TA)
MRF	38,563	34,934	28,000	44,000 (incl. 15,000 transferring from Porte Marsh) (this planning application and TA)
C&I Waste Treatment/Transfer	43,600	36,107	37,000	32,000 (est.)
Total	432,063	317,795	261,700	256,000

Notes:

<sup>1</sup> MSW transfer relates only to the residual black bag MSW going to Colnbrook or Westbury

<sup>2</sup> Green waste delivered to the site was initially composted with transfer to Parkgate Farm occurring after its opening in April 2012

- 12.76 The application seeks to increase the volume of recyclable material being processed at the MRF, residual municipal solid waste being transferred and green waste being transferred. This increase supports Wiltshire Council's strategic objectives relating to the waste hierarchy (Policy WCS5) and will inevitably result in an increase in vehicle trip generation. However, Table 6.3 shows that the amount of waste being disposed of to land through landfill will decrease as recycling rates increase, therefore vehicles associated with the landfill site will also decrease over time.
- 12.77 When operating at its maximum capacity, the proposed operations combined would generate a total of 66 (two-way) vehicle movements per day. This takes into consideration 44 HGVs currently associated with the Porte Marsh facility. The existing MRF receives incoming refuse collection vehicles that drop off recyclables before returning to their routes. The recyclable material is then sorted and bulked for onward transfer using fewer, but larger articulated HGVs. The general payload of each vehicle is summarised by the TA in Table 6.2 below:

Table 6.2: Vehicle Payloads for Import and Export of Waste by Type

Type of Operation at Lower Compton	Typical Payload of Vehicles used for Import	Typical Payload of Vehicles used for Export
Landfill	9.09	N/A
MSW Transfer	9.9	23
Green Waste (transfer and/or on-site composting)	7.3	23
MRF	2.74	22
C&I Waste Treatment/Transfer	3.48 to 7.3	15.97 to 26.49

- 12.78 All waste delivered to the site is generated by Wiltshire's residents. The only onward destination for transferred waste materials within Wiltshire itself is green waste, which is transported by road to Parkgate Farm, Purton, located approximately 18 miles to the north. The remaining material is transported out of Wiltshire, with recyclate travelling UK-wide to specific processing facilities and municipal solid waste travelling to Berkshire to the energy from waste facility at Colnbrook. The TA includes consideration of origin-destination data which assesses the assignment of predicted HGV traffic associated with the proposed development. The Local Highway Authority has expressed no concerns regarding vehicle trip generation, distribution and assignment therefore Officers are satisfied that all HGVs would utilise suitable routes within Wiltshire as identified by the advisory Wiltshire HGV Route Network.
- 12.79 As considered by paragraph 8.6 above, the TA has considered the removal of the existing MRF operation. It concludes that "should the existing temporary MRF permission at Lower Compton expire and not be replaced by a new permission (as applied for as part of this current planning application), then the waste will simply be processed at another MRF". It also considers that if an alternative site is not available, then waste would be landfilled.
- 12.80 The no project scenario as it relates to the transfer operations has also been considered by the Applicant. The green waste transfer operation would continue under the extant composting consent reference N/09/01498/WCM. This would generate an additional 8.9 vehicle movements per day. With regards to municipal solid waste there are no alternative sites to meet bulk wastes collected from Wiltshire's households in relatively small loads. If the waste is not bulked and transferred through Lower Compton for onward recovery and specialist processing, as proposed, there is a high possibility that it will instead be landfilled and the Lower Compton landfill would be its destination. The landfilling of waste does not accord with the waste hierarchy principles, or those of sustainable development.
- 12.81 Officers are therefore satisfied that the 'no project scenario' relating to both MRF building removal and cessation of municipal waste and green waste transfer has been adequately considered and concur with the conclusions established by the revised TA.

### ***Committed developments***

- 12.82 The TA considers the potential cross-boundary impacts and cumulative impacts with other local developments, whereby other 'committed developments' have been included. The residential development off Oxford Road, Calne for 200 dwellings;

residential development off Silver Street, Calne for 152 dwellings; and new Tesco foodstore and petrol filling station to the north of Porte Marsh Industrial Estate, Calne have all been considered in relation to the site.

### ***Operational hours and staffing***

- 12.83 Approximately 45 staff would work at the site. Associated staff vehicle movements would not coincide with traditional weekday AM and PM peak hours of between 08:00-09:00 and 17:00-18:00, due to staff shift patterns (between 07:00-15:00 and 12:00-20:00 on weekdays). Officers are satisfied with the approach adopted for the distribution and assignment of staff commuting trips.
- 12.84 The majority of HGV movements would avoid the traditional AM and PM peak travel times, with the busiest period of HGV arrivals and departures occurring between 12:00 and 14:00 following refuse collection rounds. The information provided gives a good indication of current HGV movements at Lower Compton by activity and demonstrates that the majority of HGV movements occur outside of traditional AM (08:00-09:00) and PM (17:00-18:00) peak hours. If permitted, all operational hours would be controlled by condition.

### ***Parking***

- 12.85 An additional 49 car parking spaces are proposed together with 7 disabled parking spaces and 4 bicycle parking spaces. Officers and the Highways Authority are satisfied that the proposed parking levels are sufficient to accommodate forecast demand. In addition, the cycle provision accords with Wiltshire Council's LTP 3 document 'Accessibility, Cycling, Powered Two Wheeler and Smarter Choices Strategies'.

### ***Sustainable Accessibility***

- 12.86 There are some nearby residential areas within walking and/or cycling distance from the site, with footways situated alongside the A4 and C15. There are also bus stops within 430m from the main site entrance and car sharing is also considered as a form of sustainable travel. There is no footpath provision along the main site access road however which has been identified as an issue for further consideration by the Applicant. This is discussed further below in the 'proposed means of access' section.

### ***TA conclusions***

- 12.87 The TA concludes that there are no highway or transportation issues that preclude the proposed development from obtaining planning approval. The Local Highways Authority is also satisfied that the local road network has capacity to accommodate the forecast flows.
- 12.88 The bulking of waste for transportation from the site would reduce the overall number of HGV movements and therefore minimise the impact of transporting waste from the site (policy WDC1). Paragraph 32 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Officers conclude that with an accurate baseline, the TA meets the policy tests established by Policies WDC1, WDC2 and WDC11 of the Waste Development Control Policies DPD and Core Policies 8 and 65 of the Wiltshire Core Strategy whereby the extent to which any adverse impact associated with vehicle movements has been demonstrated.

### Travel Plan

- 12.89 In line with the advice provided by Wiltshire Council's Scoping Opinion, a Travel Plan was submitted in support of the planning application and environmental statement in October 2014. The submitted Travel Plan sets out opportunities to encourage the adoption of sustainable travel modes by staff and visitors to the site. It sets out 5 objectives:
- **Objective 1:** To establish a management regime for the creation, implementation, co-ordination and review of the Travel Plan;
  - **Objective 2:** To reduce the total number of car trips to and from the Lower Compton site associated with Hills' staff and their visitors;
  - **Objective 3:** To encourage the use of public transport to and from the Lower Compton site;
  - **Objective 4:** To encourage employees to cycle or walk to work; and
  - **Objective 5:** To raise employee awareness in respect of the formal Travel Plan.
- 12.90 The provisional target aim for the site is to reduce staff single occupancy car travel by 10%. A travel survey of all employees at Lower Compton will be undertaken within three months of opening of the extended MRF building, which will allow a more accurate baseline of single occupancy car trips made by staff to be established. It is against this baseline that the proposed 10% target reduction will apply. No targets are set for visitors as such trips occur on an ad hoc basis.
- 12.91 The Local Highway Authority initially commented on the Travel Plan, advising that it should apply to the site as a whole and that improved pedestrian access to the site would facilitate more sustainable modes of travel to and from the site for site staff. The Local Highways Authority is now satisfied that it now applies to the entire site, following the submission of a revised Travel Plan.

### Proposed Means of Site Access

- 12.92 The site access road is currently 5m wide at its greatest width. The Applicant contends that no improvements to the site access road are required stating "*It is not necessary to widen the access road or provide a footway alongside it, as the road was widened for the HRC and, historically, has safely accommodated much higher traffic flows compared to both the situation today and that proposed for this scheme*". There is some concern however about the lack of pedestrian provision alongside the access road, together with the potential for queues to form on the access road and extend back onto the public highway during normal operating hours. The Applicant does however propose to remove the speed bump and advises that management of traffic remains a priority.
- 12.93 The Waste Site Allocations Local Plan (Table 2.3) recommends that improvements be made to the site access road in the form of increased width if possible, or a more sufficient access management plan for the access road. It is stated the level of mitigation will be dependent upon anticipated increase in traffic using the site and planning/third party land constraints. It is also recommended that the existing speed bump on the access road is removed to minimise the impact of noise and vibration upon local residents.



12.94 The Highway Authority has expressed a number of material concerns relating to the site access. In summary, the concerns relate to:

- the current inadequate width of the access road as demonstrated by the considerable kerb damage and verge over-run;
- the signposted speed limit along the access road being breached and the absence of enforcement measures;
- compromised visibility along the access road, which has narrow sections; and
- Occurrences where exiting traffic is committed and inbound traffic has to give way to outbound traffic, negating the control mechanism to keep inbound flows free.

12.95 It is considered that such concerns relating to the access road alone would not form a robust reason for refusal therefore it is proposed to condition site access road improvements.

#### ***Transport and Access conclusion***

12.96 It is considered that the application recognises the potential for HGV impact upon the access road as a result of an increase in HGV movements. The exportation of waste via bulked HGVs which are larger in size and, in light of the Highway Authority's comments, carry the potential to have an adverse impact upon the access road and its users, including the public. The TA does however recognise that improvements could be secured through the use of condition. It is therefore considered that the site access has been satisfactorily considered in line with the requirements of the Waste Site Allocations Local Plan, Waste Development Control Policies WDC1, WDC2 and WDC11.

#### **Air quality**

12.97 Air quality in Wiltshire is predominantly good with the majority of the county having clean unpolluted air. There are however a small number of locations where the combination of traffic, road layout and geography has resulted in exceedances of the annual average for nitrogen dioxide (NO<sub>2</sub>) and fine particulates (PM<sub>10</sub>).

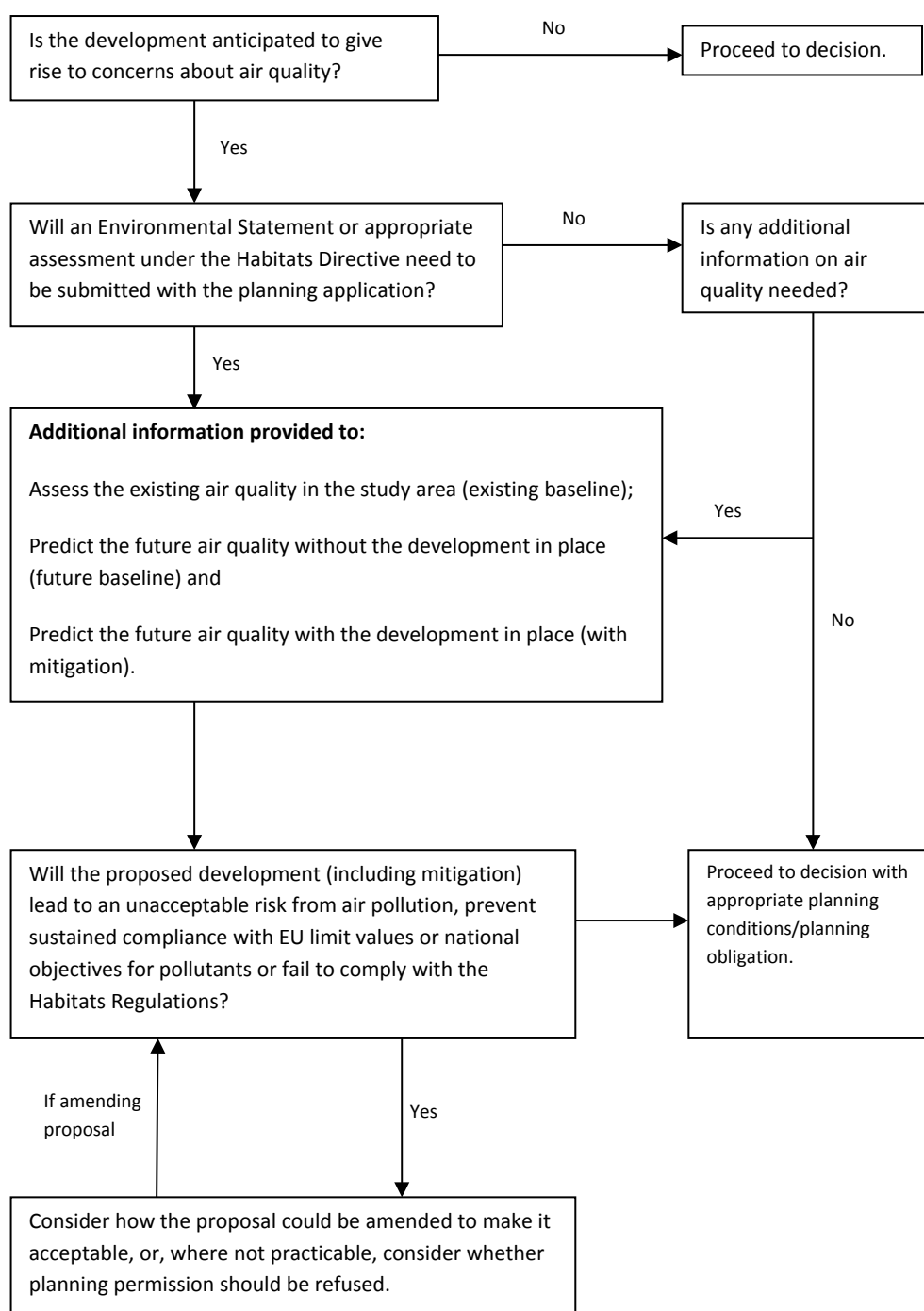
12.98 Core Policy 55 of the Wiltshire Core Strategy requires that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect 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.

12.99 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"*.

- 12.100 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.

### ***Vehicle emissions***

- 12.101 Concern has been raised by local residents, Parishes, Calne Town Council and the Environmental Health Officer regarding the impact of HGV traffic associated with the proposed development upon the Calne Air Quality Management Area (AQMA). The AQMA was designated in February 2014 by Wiltshire Council under Section 83(1) of the Environment Act 1995 due to high nitrogen dioxide levels.
- 12.102 The site itself does not sit within the Calne AQMA however traffic generated by the development does travel through it. The effects of traffic and air quality are inherently linked therefore an Air Quality Assessment (AQA) accompanies the application to assess the impact upon air quality as a result of the proposed development. The 2013 base year used by the AQA is considered as appropriate as this was the most recent year for which annual mean monitoring data were available at the time of the assessment.
- 12.103 Existing conditions within the AQA's study area show good air quality, other than along the A4 through Calne, where concentrations of nitrogen dioxide exceed the annual mean objective. An Air Quality Management Area has been declared at this location and an Action Plan to improve air quality is underway.
- 12.104 As recorded above, the objector group 'Wiltshire Waste Alliance' contends the proposed development would contribute to increased nitrogen oxide levels in Calne and to grant permission for a proposal that allowed for an increase in Nox levels in the Calne AQMA, which is already in breach of EU and national limits, would be both unlawful and contrary to the NPPF. However, the Council is advised by Counsel that the proposition that breach of EU/UK thresholds must result in refusal of a planning application is not a proposition that finds articulation anywhere in UK law. Paragraph 124 of the NPPF advises "planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the air quality action plan". Paragraph 124 does not go so far as saying that development which is inconsistent with a local air quality action plan must be refused, to do so would bypass the statutory duty to address and weigh all relevant material considerations.
- 12.105 Planning Practice Guidance sets out how considerations about air quality fit into the development management process:



12.106 Core Policy 55 (Air Quality) of the Wiltshire Core Strategy states that development proposals which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity. Policy WDC2 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

mitigate against, or compensates for significant adverse impacts relating to air emissions and climate change.

12.107 For this proposal, the AQA has demonstrated that the proposed scheme will only increase traffic volumes on local roads by a small amount. These changes will lead to an imperceptible increase in concentrations of PM10 and PM2.5 at all existing receptors, and the impacts will all be negligible. In the case of nitrogen dioxide, there will be imperceptible increases at all receptors and the impacts will all be negligible. Concentrations within the AQMA remain above the annual mean nitrogen dioxide objective whether the scheme is developed or not.

12.108 The AQA has demonstrated that the additional traffic generated by the proposed scheme would cause an imperceptible increase in concentrations of nitrogen dioxide, PM10 and PM2.5 at relevant locations and the impacts would all be negligible. The AQA also concludes that the overall operational air quality impacts of the development are judged to be insignificant.

12.109 It is therefore considered that the proposed development will not lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants. On this basis there are no grounds for refusal and planning permission can be granted.

12.110 As considered by paragraph 8.6 above should the MRF and municipal waste transfer operation cease as part of the 'no project scenario' then the result would be for all waste currently recycled would instead be landfilled. The only available landfill for the waste stream is at Lower Compton therefore the vehicle movements associated with the existing operation would remain, purely serving the landfill site.

12.111 The data presented in the TA and AQA, from the 2011 Origin-Destination surveys indicates that more than half (56%) of the HGVs associated with the site currently travel through the AQMA. Whilst any increase in traffic through the AQMA is undesirable, it should also be acknowledged that the A4 between the site and Calne is also specified as a 'Local Lorry Route' by the Wiltshire Local Transport Plan's Freight Strategy. Wiltshire Council has published, in October 2014, a draft Air Quality Action Plan designed to address the air quality problems identified within the 8 air quality management areas (AQMA's) declared in Wiltshire. The Applicant has expressed an intention to participate in Air Quality Action Planning in Calne; provide 'eco-driving' training to all the Company's HGV drivers; and continue to be a member of the Well Driven? Scheme.

### ***Dust and odour***

12.112 A risk assessment of the potential impacts of odour and an assessment of dust have been undertaken.

12.112 The construction of the MRF extension has the potential to give rise to dust. A dust management plan is proposed in line with the 'Construction Dust Assessment Procedure'.

12.113 The odour risk assessment has identified that the risk of odour effects for the receptors surrounding the proposed extension to the MRF is negligible for all receptors. It is judged that a risk of negligible odour impacts should not provide a constraint to the development of the extension at the MRF.

12.114 Overall, the construction and operational air quality impacts of the proposed scheme are judged to be insignificant.

### ***Air Quality Conclusion***

12.115 The proposition that breach of, or exacerbation of, EU/UK air quality thresholds must result in refusal of a planning application is not a proposition that finds articulation anywhere in UK law. Indeed paragraph 124 of the NPPF does not direct that planning permission should be refused. Instead, it asks for planning decisions to ensure that any new development in AQMAs is consistent with the local air quality action plan. However the Air Quality Action Plan for Wiltshire is in draft form.

12.116 With the above in mind, the site itself does not sit within the AQMA and the AQMA designation is not the direct result of the MRF and waste transfer operation at Lower Compton alone. The A4 running through Calne town Centre is a designated Lorry Route, intended to carry HGV traffic.

12.117 The AQA has demonstrated that the additional traffic generated by the proposed scheme would cause an imperceptible increase in concentrations of nitrogen dioxide, PM10 and PM2.5 at relevant locations and the impacts would all be negligible. It is therefore considered that the proposed development will not lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants. On this basis, there is no justification for the application to be refused on air quality grounds and Officers consider that the proposed development accords with Core Policy 8, Core Policy 55 and WDC2.

12.118 In recognition of local concerns regarding the air quality issues in Calne the Applicant has stated the intention to participate in Air Quality Action Planning in Calne, through an agreed Terms of Reference to include attendance at the Calne Area Board Air Quality Working Group, when invited to attend, and responding to public consultation on local air quality action planning proposals. The Applicant would also provide 'eco driving' training for staff as well as join the 'Well Driven?' scheme. A staff Travel Plan would also allow for more sustainable options for staff to travel to and from work at the site.

## **13. Conclusion**

13.1 The Council is of the opinion that the proposed development is in accordance with the Development Plan and that there are no material considerations that indicate the decision should be made otherwise.

13.2 The site is allocated by the Waste Site Allocations Local Plan and therefore the site is 'strategically' acceptable and would enable the ongoing management of recycleable material collected from Wiltshire's residents. Officers consider that the need and principles of self-sufficiency for the overall development have been demonstrated, and that it is in accordance with the development plan, specifically policies WCS1, WCS2, WCS3 and WCS5 of the Waste Core Strategy. It is also stated at paragraph

1.4 of the Waste Site Allocations Local Plan that, in principle, the councils will be supportive of applications for appropriate waste management facilities within the locations set out in the document.

- 13.3 The application includes a LVIA which satisfactorily assesses the no project scenario and cumulative and in-combination effects, the likely impacts of the development on landscape character and on the North Wessex AONB and includes appropriate provisions to protect and where possible enhance the quality and character of the countryside and landscape. There would also be no resulting harm to the setting of nearby heritage assets. Officers consider the proposed development to accord with Policies WDC7 and WDC9 of the Waste Development Control Policies DPD and Core Policies 51 and 58 of the Wiltshire Core Strategy.
- 13.4 Development of this nature gives rise to HGV movements, the impact of which can be noticeable, however the surrounding freight network is designed to carry HGV traffic, with the site being served by the A4, a Local Lorry Route. It is also considered that the application recognises the potential for HGV impact upon the access road as a result of an increase in HGV movements. The exportation of waste via bulked HGVs which are larger in size and, in light of the Highway Authority's comments, carry the potential to have an adverse impact upon the access road and its users, including the public. The TA does however recognise that improvements could be secured through the use of condition. It is therefore considered that the site access has been satisfactorily considered in line with the requirements of the Waste Site Allocations Local Plan, Waste Development Control Policies WDC1, WDC2 and WDC11.
- 13.5 The AQA has demonstrated that the additional traffic generated by the proposed scheme would cause an imperceptible increase in concentrations of nitrogen dioxide, PM10 and PM2.5 at relevant locations and the impacts would all be negligible. It is therefore considered that the proposed development will not lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants. On this basis, there is no justification for the application to be refused on air quality grounds and Officers are satisfied that the proposed development accords with Core Policy 8, Core Policy 55 and WDC2.

## **RECOMMENDATION**

That having taken the environmental information into consideration the application is APPROVED, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Elevations\_1335-PLAN3 building.dwg (dated 10/06/2014)
- Plan-section\_1335-PLAN3 building.dwg (dated 10/06/2014)
- Location 339/MRF1 (17/07/2014)
- Combined Landscape and Ecological Masterplan: HILLS/1011-DWG-012-REVD (dated 05/08/2014)
- Combined Landscape and Ecological Mitigation Plan: HILLS/1011-DWG-010-REVC (dated 05/08/2014)
- Site and Roof\_1335-PLAN4-site-dwg (dated 16/07/2014)
- Site and plans\_1335-PLAN4-site.dwg (dated 16/07/2014)
- Proposed Lighting Design: SP01399-LD05170-1(D) (dated 17/06/2014)

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

3. No waste other than those waste materials defined in the application details shall enter the site.

REASON: Other waste materials raise environmental and amenity issues that would require consideration afresh and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment. Delivered to and processed

4. The total tonnage of recyclable material delivered to and processed at the Materials Recycling Facility shall not exceed 44,000 tonnes in any twelve month period.

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

5. The total tonnage of municipal waste delivered to and processed at the Waste Transfer Station hereby permitted shall not exceed 34,000 tonnes in any twelve month period.

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

6. The total tonnage of green waste delivered to and processed at the Waste Transfer Station shall not exceed 40,000 tonnes in any twelve month period.

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

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

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

8. The development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Management Plan. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from the site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

REASON: To mitigate the impact of construction traffic during the construction period and in the interests of highway safety on the local and strategic road network.

9. Operations authorised by this permission, including vehicles entering or leaving the site as shown on drawing reference 339/MRF1 (dated 17/07/2014) shall be restricted to the following durations:

07:00 to 20:00 hours Monday to Friday  
07:00 to 13:00 hours Saturday

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

07:00 to 20:00 hours Bank Holidays (excluding Christmas Day and New Year's Day)  
07:00 to 20:00 hours Saturdays following Bank Holidays  
07:00 to 20:00 hours for the two consecutive Saturdays immediately following New Year's Day  
13:00 to 20:00 Saturday receipt of wastes from household waste recycling centres  
07:00 to 18:00 Sunday receipt of wastes from household waste recycling centres

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

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

10. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing MRF building.

REASON: In the interests of visual amenity and the character and appearance of the area.

11. Within 3 months of the date of this permission a detailed scheme for the improvement of the site access road, the provision of a footway into the site as from the public highway shall be submitted to the Local Planning Authority for approval. The scheme shall include a timetable for its implementation. The approved scheme shall be implemented and maintained in accordance with the approved programme and details.

REASON: In order to secure improved site access to satisfactorily accommodate the additional traffic associated with the proposal, and to encourage sustainable travel to and from the site.



12. Within 3 months of the date of this permission a Maintenance Plan shall be submitted to the Local Planning Authority for approval. The Maintenance Plan shall set out details of how the access road to the site, between the mini-roundabout and the exit point from the HRC facility (where the access road is open by invitation for public use), will be maintained in a safe manner; it shall also set out details of road cleansing, gully emptying, signs maintenance, vegetation clearance and other routine maintenance operations, as well as structural repairs to carriageway, footway and carriageway kerbs. The access road shall be maintained at all times in accordance with the approved details.

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

13. Within 3 months of the date of this permission a Green Travel Plan, based on the submitted draft dated February 2015, shall be submitted to the Waste Planning Authority for approval. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

14. Within 3 months of the date of this permission a detailed surface water management scheme, together with supporting strategy report and calculations, shall be submitted to the Local Planning Authority for approval. The submitted details shall clarify the intended future ownership and maintenance for all drainage works serving the site. The approved scheme shall be implemented and maintained in accordance with the approved programme and details.

REASON: To prevent any increased risk of surface water flooding associated with the proposed development.

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

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

## APPENDICES

## **APPENDIX 1**

### **Site Location Plan**

## **APPENDIX 2**

### **Site Layout Plan**

## **APPENDIX 3**

### **Proposed MRF building elevations**

## **APPENDIX 4**

### **Proposed MRF building layout**