



Committee and date
South Planning Committee
26 April 2016

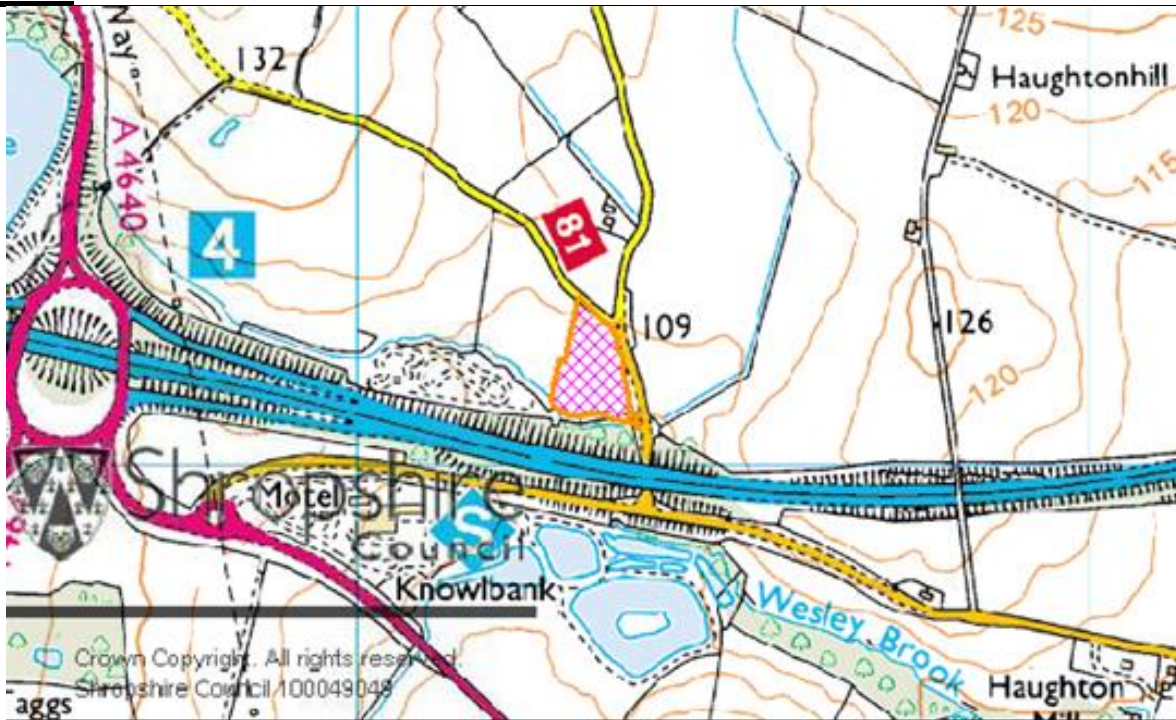
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 15/05598/VAR	Parish: Shifnal
Proposal: Variation of Condition 7 attached to Planning Permission 10/00783/MAW, which replaced MB2001/0749/BR and SC/MB2006/1014/BR dated 29 April 2010 to increase the maximum permitted input over any 12 month consecutive period from 20,000 to 25,000 tonnes	
Site Address: Simpro Ltd Recycling Centre Woodhouse Lane Redhill Shifnal	
Applicant: Mr James Cook	
Case Officer: Kelvin Hall	email: planningdmc@shropshire.gov.uk

Grid Ref: 373302 - 309129



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Contact: Tim Rogers (01743) 258773

Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

1.1 Open air composting operations have been taking place at the site since 2005. The current planning permission (ref. 10/00783/MAW) allows for the composting of green waste at the site for a temporary period to 2020. Condition 7 of the permission restricts the amount of waste to be imported to the site to 20,000 tonnes in any 12 month period. This application seeks permission to vary condition 7 to increase the amount of waste that can be imported by 5,000 tonnes to 25,000 tonnes per year.

1.2 No other changes to the composting operation are proposed.

2.0 SITE LOCATION/DESCRIPTION

2.1 The composting site is located approximately 670 metres to the east of junction 4 of the M54 which runs at an elevated level on a tree covered embankment immediately to the south of the site. The site occupies an area of approximately 1.3 hectares in the south-east corner of an agricultural field. It is bordered to the east by a C class public highway, to the north by an unclassified public highway, and to the south by an existing access track beyond which is the Wesley Brook. Land to the west is in agricultural use.

2.2 The site is accessed from the public highway to the east, which passes beneath the M54. The nearest properties are the motorway service station and hotel approximately 230 metres to the south-west. The nearest residential properties are two dwellings approximately 450 metres to the south-east. These, and the motorway service station, are located on the opposite side of the M54 to the site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The view of the Town Council is contrary to the Officer recommendation. The Local Member has requested that the application is determination by the Planning Committee, and this request has been supported by the Chairman of the South Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 Shifnal Town Council Objects.

Clarification is sought on the following points before a decision is made:-

- Environmental Agency to look at the possibility of contamination to Wesley Brook
- Highways Department to investigate the potential damage to roads with the increased traffic of heavy vehicles
- Shropshire Council to investigate the flooding and drainage implications.

Once documentation has been received by Shifnal Town Council, an informed decision will then be made.

Further comments 6 April 2016

Councillors voted unanimously to REFUSE this planning application.

No reports have been received from any Agencies and therefore, the concerns of Shifnal Town Councillors regarding this application have not been satisfactorily met.

4.1.2 **Environment Agency** No objections.

The applicant has confirmed that a Permit variation will be submitted to regularise the environmental permitting situation. In the absence of the Permit being 'twin tracked' with the planning application, we sought information to clarify whether the revised operation was appropriate for its location, in line with the NPPF, looking at the assessment of those impacts.

In considering these impacts, we note that whilst the process tonnage is to be increased, this would not involve any physical alterations at the site, the process, or the "anticipated levels of emissions". The applicant has confirmed that the operation has been carried out for many years with "no significant issues". There have been no substantiated complaints and we acknowledge that the service station (closest receptor) is approximately 250m away, with other receptors more distant (beyond 500m) with reference to emissions and amenity issues. The applicant has also included the findings from the Site Specific Bio-Aerosol Risk Assessment (SLR Consulting, December 2006). This indicates that the risk from these emissions is not considered to be significant.

We are not in a position to comment further on the Fire Prevention Plan/impacts. This would be considered in detail through the Permit variation. It is understood that this is due to be progressed over the coming weeks.

On the basis of the above, and given the Permit controls in place/through the variation, we would not raise an objection to the variation of condition no.7 attached to planning permission 10/00783/MAW in this instance.

4.1.3 **Natural England** No comments. The application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process.

4.1.4 **SC Highways** No objections. It is considered that this site already benefits from good vehicular links between the site and the principal road network, which is of sufficient capacity to accept these additional trips associated with the increased input tonnage.

4.1.5 **SC Public Protection** No objections as it is not considered likely that the increase in tonnage will result in significant odour or noise issues arising at the site.

4.1.6 **SC Drainage** No comments to make.

4.1.7 **Telford and Wrekin Council** No response.

4.2 **Public Comments**

4.2.1 The application has been advertised by site notice and in the local press. In addition 8 residential properties and businesses in the local area have been directly notified. No representations have been received.

5.0 **THE MAIN ISSUES**

- Principle of development
- Siting, scale and design, and Green Belt considerations
- Local amenity and other considerations
- Highways and access consideration
- Flood risk, drainage and pollution considerations

6.0 **OFFICER APPRAISAL**

6.1 **Principle of development**

6.1.1 Composting operations at the site commenced in 2005, following the granting of a temporary planning permission in 2001 (ref. MB2001/0749/BR). Subsequent to this, two further permissions were granted in 2007 and 2010, and these allowed for an extension of the temporary period and also an extension to the size and capacity of the site. The principle of green waste composting at the site for a temporary period has therefore been established through these successive permissions.

6.1.2 The National Planning Policy for Waste sets out the government's waste planning policies, and is a material consideration in determining this planning application. It states that 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. Core Strategy policy CS19 encourages proposals for additional capacity to divert waste away from landfill in a way consistent with the waste hierarchy.

6.1.3 The facility accepts green waste materials from authorities across the West Midlands, but predominantly the Telford and Wrekin Council area. The site is also able to accept waste from commercial waste producers such as landscape contractors. A substantial proportion of the composted product is used for spreading onto agricultural land as a soil conditioner to improve soil structure and moisture retention. The proposal would allow for a greater amount of green waste to be composted at the site. This would allow more locally derived waste to be composted and put to a sustainable use, consistent with the waste hierarchy. The proposal is in line with national and Development Plan policies for additional sustainable waste management provision and as such is acceptable in principle.

6.2 **Siting, scale and design, and Green Belt considerations**

- 6.2.1 The site is located within the West Midlands Green Belt where additional policy protection applies to development proposals. The NPPF states that when considering any planning application, planning authorities should ensure that substantial weight is given to any harm to the Green Belt. SAMDev Plan Policy MD6 states that development in the Green Belt must be able to demonstrate that it does not conflict with the purposes of the Green Belt.
- 6.2.2 Core Strategy policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policy MD14 supports the development of waste transfer, recycling and recovery facilities where, amongst other matters, the potential adverse impacts on Shropshire's natural and historic environment can be satisfactorily controlled.
- 6.2.3 The existing temporary planning permission has established that the composting operation as permitted is an acceptable use of land in this part of the Green Belt. The proposed increase in permitted tonnage from 20,000 to 25,000 tonnes per year would enable a greater amount of waste to be stored and composted at the site. Nevertheless it is not proposed that the permitted area of the site would be extended. Officers consider that the potential impact on the openness of the Green Belt from additional waste piles would not be significant, and as such the proposal would not conflict with Green Belt policy.
- 6.2.4 The proposal would not have a significant impact on the visual character of the area, and as such would be in line with Core Strategy policies CS6 and CS17, and SAMDev Plan policy MD14.

6.3 **Local amenity and other considerations**

- 6.3.1 Core Strategy policy CS6 seeks to safeguard residential and local amenity. SAMDev Plan policy MD14 supports the development of waste transfer, recycling and recovery facilities where, amongst other matters, the potential adverse impacts on the local community can be satisfactorily controlled.
- 6.3.2 Open windrow composting operations can generate odour, dust and bio-aerosol emissions. The site is relatively distant from residential and other properties, and the M54 embankment presents a substantial barrier to emissions from the site affecting properties on the southern side of the motorway. The applicant considers that the additional waste quantities can be processed using existing infrastructure and operational methods. Officers are not aware of any particular issues with the operation of the site. Site management controls will continue to be imposed through the conditions of the existing planning permission. The Environmental Permit for the operation would provide an additional level of control over emissions, and the Environment Agency has raised no objections to the proposal. Overall it is considered that the proposed increase in waste quantities can be accommodated at the site without adversely affecting local amenity.

6.4 **Highways and access considerations**

6.4.1 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The application states that, at an input rate of 25,000 tonnes per annum as proposed, the facility would attract an average of approximately 20 vehicle deliveries per day during peak periods (March to October). The site has relatively good access to the principal road network, via the A464 which connects to the M54. The Council's Highways Officer considers that these road links have sufficient capacity to cater for the additional vehicle movements that would be associated with the increased tonnage.

6.4.2 It is noted that the Town Council has raised concerns regarding the potential damage to roads, and has requested that the Highways team investigate this. The Highways Officer has raised no objections to the proposed development and has not raised any concerns over the potential damage to the approach roads. With reference to the guidance provided in para. 32 of the NPPF, it is not considered that the impacts of the development on transport grounds would be severe. As such it is not considered that a refusal of the application on the grounds of the potential damage to the public highway could be substantiated.

6.5 **Flood risk, drainage and pollution considerations**

6.5.1 Core Strategy Policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. SAMDev Plan Policy MD2 requires that developments incorporate sustainable drainage techniques in support of Policy CS18. The Shifnal Neighbourhood Plan 2014-2026 is currently undergoing independent examination. Upon adoption it will form part of the development plan for Shropshire. One of the objectives of the Plan is that any new development should seek to reduce flood risk and should not adversely affect drainage and flooding in the town. Draft policy EN3 states that development will be expected to be designed to reduce the overall level of flood risk within the parish; and provide appropriate surface water drainage. In relation to the current application, the Town Council has requested that the Environment Agency look at the possibility of contamination to Wesley Brook, and that the Council investigates flooding and drainage implications.

6.5.2 The existing site has been engineered to ensure that runoff from the composting waste is prevented from being shed onto surrounding land. The proposed increase in tonnage would not affect these arrangements. Composting operations are undertaken on a concrete pad. A perimeter kerb ensures that runoff is contained within the pad, and the pad is laid to a fall to direct water to an underground sealed tank. It is considered that the surface water management design of the site is acceptable.

6.5.3 The southern part of the site lies within Flood Zones 2 and 3, signifying areas of increased flood risk from the adjacent Wesley Brook. At the time that the previous application for composting at this site was being considered, the Environment Agency noted that any flood water on the eastern (i.e. compost site side) bank of the brook could flow down the access track and around the bund during flood events. They raised no objection to that proposal, and have raised no objection to the current proposal. Furthermore, no objection has been raised by the Council's Flood and Water management team. The applicant has advised that the compost

site does not flood, and Officers are not aware of any reports of contamination of the brook. As such it is not considered that the current proposal, which would allow for the storage of additional green waste on the site, would increase flood risk or pollution risk. On this basis, and in the absence of any concerns from the pollution control and drainage authorities, Officers do not consider that refusal of the application based upon the concerns of the Town Council could be supported.

7.0 **CONCLUSION**

7.1 The proposal seeks to increase the permitted tonnage of green waste that can be processed at the existing temporary composting site at Knowlbank. This would enable a greater amount of locally-derived waste to be managed in a sustainable way, and is supported in principle by national and local planning policies. The additional waste would be processed using existing infrastructure at the site, and no other changes are required to the permitted operation. Given that it is an existing permitted site, the proposal would not affect the openness of the Green Belt, or otherwise adversely affect the visual character of the area. Existing controls over site management would continue to be applied to the site, to ensure that potential impacts on local amenity and highway safety are avoided, and to ensure that the proposal does not increase pollution or flood risk. The proposal is in line with Development Plan and national planning policies, and as such it is recommended that planning permission for the variation of the condition to allow for an increase in permitted tonnage from 20,000 to 25,000 tonnes can be granted subject to the re-imposition of the conditions (where relevant) imposed on permission ref. 10/00783/MAW.

8. **Risk Assessment and Opportunities Appraisal**

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.
- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

9. Financial Implications

There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

10.1.1 Shropshire Core Strategy

- Policy CS5 (Countryside and Green Belt)
- Policy CS6 (Sustainable Design and Development Principles)
- Policy CS17 (Environmental Networks)
- Policy CS18 (Sustainable Water Management)
- Policy CS19 (Sustainable Waste Management)

10.1.2 SAMDev Plan

- Policy MD2 (Sustainable Design)
- Policy MD12 (Natural Environment)
- Policy MD14 (Waste management facilities)

10.2 Central Government Guidance:

10.2.1 National Planning Policy Framework (NPPF)

10.3 Relevant Planning History:

10/00783/MAW To extend the area and capacity of the existing on-farm composting facility to form a new consolidated planning permission for a period of 10 years (renewal of planning permission Ref SC/MB2006/1014/BR) *GRANT* 30th April 2010

SC/MB2006/1014/BR To extend the area and capacity of the existing on-farm composting facility to form a new consolidated planning permission for a period of 10 years *PERMIT* 5th March 2007

SC/MB2001/0749/BR On-farm composting site *PERMIT* 24th May 2002

11. **Additional Information**

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) The application ref. 15/05598/VAR and supporting information and consultation responses.
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Cabinet Member (Portfolio Holder) Cllr M. Price
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Local Members Cllr Kevin Turley

Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development hereby permitted shall be undertaken in accordance with the approved details, as set out below:

Details approved under permission ref. 10/00783/MAW
Letters from Crestwood Environmental dated 5 and 6 December 2006, 10 April and 13 November 2007 and 26 February 2010

Form MW2 dated 23 November 2006 revised 7 December 2006

Form3 dated 23 November 2006

Supporting Statement dated November 2006, revised 7 December 2006

Site Specific Risk Assessment of Potential Bioaerosol Releases dated December 2006

Landscaping and planting Schedule dated November 2007

Drg CE/TLFD/04, Site Location Plan

Drg CE/TLFD/03 Compost Product Application Sites

Drg CE/TLFD/09a Revised Site Layout Plan

Drg CE/TLFD/09 Revised Site Layout Plan (Risk Assessment)

Details approved under discharge of conditions application ref. 13/00613/DIS

Landscaping and Planning Schedule, dated May 2007

Email from Malcolm Marshall dated 18th February 2013 regarding skip dimensions

Drawing entitled Telford Site Extension showing location of skip

Details approved under permission ref. 15/05598/VAR

Supporting Statement entitled Planning Documentation, dated December 2015

Letter from Veolia dated 1st March 2016 regarding Industrial Emissions Directive; National Planning Policy Framework; Implications of Increased Throughput; Other Specific Items Identified by the Environment Agency; Conclusion.

Letter from Veolia dated 1st March 2016 regarding surface water drainage arrangements, including Surface water storage requirements for sites

Email from James Cook dated 11th March 2016

Email from James Cook dated 11th April 2016

Reason: To define the development permitted.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

3. No composting, importation of waste or stocking of waste or partially or finished compost shall take place at the Site after 30th April 2020.

Reasons:

To define the development permitted.

To enable a review of the links between this development and other uses in the Green Belt which justify the site's location in the Green Belt, including the use of the compost on adjacent farmland within the Green Belt, to determine if these links have become established and maintained over a reasonable period of time.

4. No waste shall be imported to the Site other than "green waste". For the avoidance of doubt green waste includes garden prunings, grass cuttings, horticultural waste, cut trees and brushwood, leaves, plant waste arising from gardens, civic amenity sites, and landscape and ground maintenance works and cut reed and waterweed from watercourses and does not include hazardous waste, food or kitchen waste, animal bedding/manure, commercial food processing waste, paper, card, sawdust, animal carcasses, parts of animal carcasses, products of animal origin or waste that has been in contact with animal carcasses or products of animal origin, or waste which originates from premises where animal carcasses or products of animal origin are handled or foodstuffs containing or coming into contact with them are prepared or produced.

Reasons:

To define the permitted development in accordance with the development applied for.

To protect surface and groundwaters from pollution.

To protect local amenities of occupants of adjacent land from visual intrusion, pests, litter, unpleasant odour.

5. The quantity of waste imported to the Site shall not exceed 25,000 tonnes in any 12 month consecutive period.

Reasons:

To define the permitted development.

To ensure that the operating capacity of the site is not exceeded.

To protect local amenities and the Green Belt from visual intrusion.

To protect the amenities of the surrounding area from excessive traffic movements.

In the interests of highway safety

6. The operator shall record the number of vehicles delivering waste to the Site and the weight of waste delivered every calendar month and forward a copy of this information in writing to the Local Planning Authority within 7 working days of the end of each calendar month or such longer period as may be approved in writing by the Local Planning Authority.

Reason:

To allow the proper monitoring of planning conditions relating to controls on the rate of waste importation

7. The site operator shall notify the Local Planning Authority in writing of the date of that the importation of waste ceased permanently within 7 days of the permanent cessation of waste importation, hereinafter referred to as the "Cessation Date".

Reason:

To enable the Local Planning Authority effectively to monitor the impact of the development and compliance with planning conditions.

8. No vehicle shall enter or leave the Site other than by way of the vehicular access marked "Site Entrance" on Drg CE/TLF/09a.

Reasons:

In the interests of highway safety.

To define the planning permission.

9. No waste shall be imported to the Site unless a notice clearly legible by drivers of vehicles leaving the Site and advising drivers of permissible routes from the Site is in place at the Site.

Reason:

To help prevent the use of roads unsuitable for traffic leaving the Site and to make drivers aware of existing restrictions.

10. No vehicles shall use the access and vehicle turning and unloading areas shown on Drg CE/TLF/09a unless the surface of these areas is maintained to be free of potholes and with an even gradient.

Reason:

To protect local amenities from the potential adverse impact of noise, dust and mud leaving the Site.

11. Steps shall be taken to prevent mud and dust arising at the Site being taken on to the public highway. Such steps shall include, as required, the maintenance and sweeping of the access road to keep it clear of mud dust and other deleterious materials and/or the use of wheel cleaning facilities in accordance with details previously approved in writing by the Local Planning Authority.

Reason:

To protect local amenities from the potential adverse impact of noise, dust and mud leaving the Site.

12. Surface water drainage shall include provision for drainage to underground storage tanks as detailed in the letter from Veolia dated 1st March 2016.

Reason:

To prevent pollution of the water environment.

13. No fuel, oil or chemicals shall be stored at the Site unless located on an impervious base surrounded by impervious bund walls. The volume of the bunded area must be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage the bunded compound shall be at least the equivalent of the largest tank, vessel or combined capacity of interconnected tanks, whichever is the larger, plus 10%. No filling point, vent or sight glass must be located other than within the bunded area, unless they have a separate secondary containment. All filling points and tank overflow points must be detailed to discharge downwards into the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall only be located above ground and protected from accidental damage. No filling point or tank/vessels overflow pipe outlet shall be detailed and constructed so as to discharge in any manner other than downwards into the bunded area.

Reason:

To prevent the pollution of the water environment.

14. No vehicle circulation, turning, or unloading area, and no stocking, screening or windrow area shall be used at the Site unless surfaced with reinforced concrete as set out in the Supporting Statement accompanying the planning application or such other impermeable hardstanding, the specification of which has been previously approved in writing by the Local Planning Authority.

Reason:

To prevent discharges to ground and pollution of the water environment.

15. No operations hereby permitted shall take place unless measures are taken to ensure that the existing drainage systems at the Site and adjacent land are diverted and continue to operate efficiently. No development hereby permitted or required shall take place in such a manner as to make the drainage of adjacent land less efficient than existed before the development was implemented and the owners of riparian rights upstream and downstream of the Site are not adversely affected.

Reason:

To ensure the drainage of adjacent land is not adversely affected.

16. No building, fixed plant, machinery or structures of the nature of buildings fixed plant or machinery shall be erected at the Site in addition to the existing weighbridge and office shown on Drg CE/TLF/09, and the skip shown on drawing Telford Site Extension, and in any event no such development shall take place within 8 metres of the top of any bank or watercourse.

Reasons:

To protect the openness of the Green Belt.

To protect local amenities and amenities of local residents from visual intrusion.

To define the permitted development.

To maintain access to the watercourse for maintenance or improvements and to provide for overland flood flows

17. No plant shall be used at the Site other than a mobile grinding/shredding machine, a mobile screen for the final compost, and front shovel loader referred to in the Supporting Statements dated November 2006.

Reasons:

To define the permitted development.

To protect the amenities of the local area from visual intrusion and the adverse effect of noise and dust.

To protect the openness of the Green Belt.

18. No structures shall be erected for area lighting at the Site.

Reason:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion.

19. No fence, soil mound or hard surface shall be provided at the Site other than as set out in the approved plans and documents subject to the terms other planning conditions attached to this planning permission.

Reason:

To protect the openness of the Green Belt and local amenities and amenities of local residents from visual intrusion.

20. No operations for the importation, shredding, or handling of waste, the construction and turning of windrows or screening or handling of compost or removal of waste or compost shall take place at the Site except between 08:00 to 18:00 hours Monday to Saturdays with the exception that waste may be received on Sundays between 08:00 and 16:00 hours. Notwithstanding the hours of operation set out above no operation hereby permitted or required, other than the delivery of waste, shall take place on any Bank or Public Holiday.

Reason:

To protect the Green Belt, local amenities and amenities of local residents from disturbance from noise and traffic outside normal working hours.

21. No plant, including plant for the shredding, loading and transportation of waste and construction and turning of windrows, shall be employed at the Site for the purpose of carrying out the use and operations hereby permitted or required unless that plant is fitted with a silencer and/or is enclosed or acoustically screened and is maintained in accordance with the manufacturer's recommendations.

Reason:

To protect local amenities and those of local residents from the adverse impact of noise.

22. All reasonable steps shall be taken to ensure that any offensive odour arising from these areas is minimised. Such steps shall include ensuring that the windrows are maintained in an aerobic condition through good management practices as set out in submitted risk assessment.

Reason:

To protect local amenities and amenities of local residents from the adverse effects of odour.

23. All reasonable steps shall be taken to ensure that the emission of dust, particulates and bio-aerosols from the Site is minimised. Such steps shall include ensuring that the windrows are maintained in a moist condition and at sufficient temperature and all site surfaces such as access roads, tracks and windrow piles are dampened down as necessary and such other good management practices as set out in submitted risk assessment.

Reason:

To protect local amenities and amenities of local residents from the adverse effects of odour and bio-aerosols.

24. Every day the Site and, in particular, the Site periphery shall be inspected and any litter picked and removed from the Site.

Reason:

To protect local amenities and amenities of local residents from the adverse visual impact of litter.

25. No soil shall be stripped from the Site unless:
- soils are only stripped and managed as set out in the supporting statement;
 - topsoil and any subsoil is stripped separately;
 - topsoil and any subsoil are stored separately and a record kept of their separate locations;
 - soils are only stored in the soil storage mound shown on Drg CE/TLFD/09a.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of dust emissions.

To minimise damage to soils to be planted and retained for restoration to agriculture.
To define the planning permission.

26. The soil bunds shown on Drg CE/TLFD/09a shall only be constructed to a maximum height of 2.6 metres above the adjacent windrow and stocking area, and with an inner slope not steeper than 1 in 2 and an outer slope not exceeding 1:3 in the locations shown on that drawing:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion.
To define the planning permission.

27. Landscape planting shall be undertaken in accordance with the details approved on 15th May 2013 in relation to the application ref. 13/00613/DIS) for discharge of conditions of permission ref. 10/00783/MAW. Such landscaping shall be undertaken no later than the end of the first available planting season following the date of this planning permission.

As set out in the decision letter dated 15th May 2013, prior to any further extension of the composting pad, tree planting along the northern boundary of the permitted site shall be undertaken in accordance with details that have received the prior approval of the local planning authority.

Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reasons:

To protect the openness of the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of noise, dust and other emissions.

To define the permitted development.

28. The hedgerow on the northern boundary of the Site and adjacent to the area marked "Product Screening Area" on Drg CE/TLFD/09a shall be maintained in accordance with good agricultural practice to a height not less than two metres above the surface of the adjacent public road.

Reason:

To protect the openness of the Green Belt, local amenities and amenities of local residents from visual intrusion

29. The edge of the concreted area in the area marked "product screening area" on Drg CE/TLFD/09a shall not be come closer than three metres to the base of the existing hedgerow marking the boundary between the Site and lane to the north of the Site and no compost shall be stored or screened within three metres of the base of that hedgerow.

Reason:

To ensure that the root system of the existing hedgerow system is not damaged in order to protect the openness of the Green Belt, local amenities and amenities of local residents from visual intrusion.

30. No waste shall be stockpiled at the Site other than within the feedstock processing area and extension to stocking area identified on Drg CE/TLFD/09a.

Reasons:

To protect the openness of the Green Belt and local amenities and amenities of local residents from visual intrusion.

To ensure waste is confined to a properly surfaced and drained area

31. No waste shall be composted at the Site other than within the areas marked existing windrow compost pad and extension to windrow compost pad on Drg CE/TLFD/09a.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of noise, dust, odour and other emissions.

To define the permitted development.

To protect water resources.

32. No waste stockpiled at the Site shall remain at the Site for a period greater than 14 days before being placed in a windrow for composting.

Reason:

To reduce the risk of odour emissions from the Site and the risk of attracting pests.

33. No waste or compost at the Site shall be stockpiled stored or deposited at the Site to a height greater than 5 metres above ground level.

Reasons:

To protect the openness of the Green Belt and local amenities and amenities of local residents from visual intrusion.

To define the permitted development.

34. In the event of any waste not permitted under the terms of this planning permission entering the Site the unauthorised waste shall be rejected immediately, or if this is not possible, shall be stored temporarily in a covered skip or container within the storage area and then removed to an authorised site as soon as is practicable.

Reasons:

To protect the openness of the Green Belt, and to protect local amenities and the amenities of local residents from visual intrusion and the adverse effects of dust, odour, litter and other emissions.

To protect water resources from pollution.

35. No skip or other container for waste shall be located at the Site other than a skip or container to accommodate unauthorised waste.

Reasons:

To protect the openness of the Green Belt, and to protect local amenities and the amenities of local residents from visual intrusion and the adverse effects of dust, odour, litter or other emissions.

To protect water resources from pollution.

36. No waste shall be exported from the Site other than unauthorised waste referred to in the condition above.

Reasons:

To protect the openness of the Green Belt, and to protect local amenities and the amenities of local residents from unnecessary traffic movements.

To define the planning permission.

37. Except for composting within the windrows no waste shall be treated at the Site other than shredding, chipping or other treatment of waste, in the "feedstock processing area" and "extension to stocking area" identified on Drg CE/TLFD/09a.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of noise, dust, odour and other emissions.

To define the permitted development.

38. No waste shall be burned at the Site.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of smoke emissions.

To prevent air pollution.

To define the planning permission.

39. Prior to any further extension of the concrete pad the northern boundary of the Site edged red on Drg CE/TLFD/09a shall be clearly demarcated on the ground by a barrier the location and specification of which has been previously approved in writing by the Local Planning Authority.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from visual intrusion and the adverse effects of noise, dust, odour and other emissions.

To define the permitted development.

40. There shall be no retail sale of compost or other materials from the Site.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from additional traffic.

To prevent the establishment of uses inappropriate to the Green Belt.

To define the permitted development

41. The Site shall not be used as a reception point for waste delivered directly by the public.

Reasons:

To protect the Green Belt, local amenities and amenities of local residents from additional traffic.

To prevent the establishment of uses inappropriate to the Green Belt.

To define the permitted development

42. No soils shall be removed from the Site.

Reason:

To ensure soils are available for the restoration of the Site to agriculture to the required standard.

43. A copy of this planning permission and any schemes approved under the terms of this planning permission shall be kept at and available for inspection at the Site office at all times when the Site is operational.

Reason:

To ensure that staff at the Site are aware of the terms and conditions of the planning permission and facilitate compliance with them.

44. By 29th April 2021 or within 12 months of the Cessation Date referred to above, whichever is the sooner, the Site shall be cleared of all hard surfaces, kerbing, tanks, buildings, plant, fences, the weighbridge, vehicles, containers, skips, waste and compost and be spread with the original soils retained and restored to agriculture to the same standard as existed prior to the development.

Reason:

To provide for the re-instatement of the land to agriculture to a standard that now exists following the cessation of the permitted development.

45. Following the restoration of the Site to agriculture, in accordance with the above condition, the Site shall be managed for a period of 5 years in accordance with a scheme of aftercare satisfactory to the Local Planning Authority and submitted to them for approval within 6 months of the permanent cessation of composting at the Site.

Reason:

To provide for the establishment of the restored agricultural to the standard now existing by management in accordance with good agricultural practice.

Informatives

1. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 187.
2. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

Shropshire Core Strategy

- o Policy CS5 (Countryside and Green Belt)
- o Policy CS6 (Sustainable Design and Development Principles)
- o Policy CS17 (Environmental Networks)
- o Policy CS18 (Sustainable Water Management)
- o Policy CS19 (Sustainable Waste Management)

SAMDev Plan

- o Policy MD2 (Sustainable Design)
- o Policy MD12 (Natural Environment)
- o Policy MD14 (Waste management facilities)

3. Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.