

COUNTY OF DEVON

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992

GRANT OF CONDITIONAL PLANNING PERMISSION

To: **Ms Janine Anning, Watchford Farm, Yarcombe, Honiton, Devon, EX14 9LZ**

Agent for: **Wood Yew Waste (Exeter) Ltd, Unit 50, Greendale Business Park, Woodbury Salterton, Exeter, Devon, EX5 1EW**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **27 February 2016**, and the plans and drawings attached thereto numbered: location plan 6854-100 rev A and Site Plan 001.

brief particulars of which are as follows:

Retrospective application for storage and processing of plasterboard as a waste stream additional to waste wood and UPVC at Unit 50, Road to Greendale Business Park, Greendale Business Park, Woodbury Salterton, EX5 1EW

subject to the conditions set out in the attached sheets



Jan Shadbolt - County Solicitor

Date: 20 June 2016

NOTE

This is not a decision under the Building Regulations

Failure to adhere to the details of the approved plans or to comply with the above conditions constitutes a contravention of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

If this planning permission is for development by Devon County Council it can enure only for the Council's benefit.

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Schedule of Conditions - East Devon District Council Application No. 16/0626/CM
Devon County Council Ref. DCC/3835/2016**

1. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered Planning Statement January 2016; location plan 6854-100 rev A; Site Plan 001 except as varied by the conditions below.

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

2. Stockpiles of waste materials and processed materials shall only be stored within either the building or the yard area. Where stored outside of the building the stockpiles shall not exceed a height of 6 metres (measured from the finished level of the yard area) and shall be stored in such a way as not to interfere with the movement of traffic within the site.

REASON: To ensure the protection of visual amenity of the site and in accordance with the Development Plan specifically policy W12 of the adopted Devon Waste Plan.

3. All shredding, size reduction treatment and mechanical sorting, other than that done by a single Low Speed Shredder, shall take place within the building.

REASON: To protect the living conditions of nearby residents from noise and dust and in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

4. Individual stockpiles of waste wood, processed wood, unprocessed waste UPVC, and unprocessed gypsum, shall be kept in discrete areas within the site, with sufficient distance between stockpiles to prevent cross contamination and reduce the risk of fire spreading.

REASON: To protect the living conditions of nearby residents in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

5. No processed wood shall be stored at the site for longer than 4 weeks and no pre-crushed feedstock material or unprocessed wood (which has not been subjected to any mechanical processing to reduce its size) shall be stored at the site for longer than 3 months.

REASON: To minimise the risk of spontaneous combustion in the interests of protecting the air quality and amenity of local residents and nearby occupiers of the site in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

6. Processed UPVC and gypsum shall be stored only within the processing building, separate from stored processed wood and the stored processed UPVC. The processed UPVC and gypsum shall be removed within 7 days of processing.

REASON: To ensure satisfactory operation at the site in the interests of the amenity of the area and in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

7. Combined waste imports and processing at the site shall not exceed 25,000 tonnes per annum.

REASON: To ensure satisfactory operation at the site in the interests of the amenity of the area in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

8. The operator shall keep detailed records demonstrating the weekly importation of waste materials, the quantity of waste processed and the weekly exportation of processed material. The records shall identify specific waste streams and shall be made available to the Waste Planning Authority within 14 days of any such request being made.

REASON: To enable the Waste Planning Authority to adequately monitor operations at the site in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

9. Unless otherwise agreed in writing by the Waste Planning Authority no waste processing operations shall take place on a Sunday, bank holiday, other public holiday or outside of the following hours:

0800 and 1730 hours Monday to Friday; and
0800 to 1300 on Saturdays.

REASON: To protect the amenity of the area in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

10. The acoustic fence erected in accordance with details required by planning permission reference 12/0844/CM shall be retained and maintained to a level appropriate to providing noise attenuation for the life of operations at the site.

REASON: To protect the amenity of the area in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

11. The approved Noise Management Plan shall be updated to reflect the additional use for waste gypsum within one month of the date of this permission and any additional measures required to control noise shall be implemented as soon as is practically possible. Following this review of the Noise Management Plan, the Plan shall be reviewed on an annual basis, or following any significant confirmed noise incident (whichever is the sooner), and any new measures required to control noise identified in the update to the Plan shall be implemented as soon as is practically possible to do so.

REASON: To protect the living conditions of nearby residents in regard to noise in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

12. All plant and machinery at the site shall be silenced in accordance with manufacturers' specifications and all plant and machinery shall be maintained in accordance with the manufacturers' specifications.

REASON: To protect the living conditions of nearby residents in regard to noise in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

13. All site vehicles shall be fitted with the 'white noise' reversing alarms and these alarms shall be operated for the duration of waste operations at the site unless an alternative system is approved in writing by the Waste Planning Authority.

REASON: To protect the living conditions of nearby residents in regard to noise in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

14. The approved Dust Management Plan shall be updated to reflect the additional use for waste gypsum within one month of the date of this permission and any additional measures required to control dust shall be implemented as soon as is practically possible. Following this review of the Dust Management Plan, the Plan shall be reviewed on an annual basis,

or following any significant confirmed dust incident (whichever is the sooner), and any new measures required to control dust identified in the update to the Plan shall be implemented as soon as is practically possible to do so.

REASON: To protect the living conditions of nearby residents in regard to dust in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

15. The development shall be operated in accordance with the approved Travel Plan prepared by Atkins dated June 2009 which has been as required by condition 2 of planning permission 08/0893/CM.

REASON: To maintain the transport arrangements during the operation of the facility in accordance with the Development Plan specifically policy W17 of the adopted Devon Waste Plan.

16. Unless prior written agreement to an alternative arrangement has been obtained from the Waste Planning Authority, access to and egress from the site shall be via the private road leading from the A3052 for all vehicles.

REASON: To maintain the transport arrangements during the operation of the facility in accordance with the Development Plan specifically policy W17 of the adopted Devon Waste Plan.

17. Details of any external lighting to be used in the development hereby permitted shall be submitted to and approved in writing by the waste planning authority before the building is occupied. Development shall be carried out in accordance with the approved details.

REASON: To protect the amenity of the area in terms of light pollution in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

18. Unless alternative details are agreed in writing by the Waste Planning Authority, the specification, manner of operation and the location of the Low Speed Shredder shall accord with the details approved by the Waste Planning Authority in its determination of conditions approval dated 1 June 2016.

REASON: To protect the amenity of the area in terms of noise pollution in accordance with Policy W18 of the adopted Waste Local Plan.

19. Details of the manner and provision for the covering of the processed and unprocessed plasterboard shall be submitted and approved in writing by the waste planning authority within one month of the date of this Decision Notice. Development shall be carried out in accordance with the approved details.

REASON: To protect the amenity of the area in terms of dust pollution in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

20. All shredding, size reduction treatment and mechanical sorting of plasterboard shall only take place within the building.

REASON: To protect the living conditions of nearby residents from noise and dust and in accordance with the Development Plan specifically policy W18 of the adopted Devon Waste Plan.

INFORMATIVE NOTE

Statement of compliance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement of the NPPF, as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015.