

**Cyngor Sir
CEREDIGION**

**ADRAN Y GWASANAETHAU
AMGYLCHEDDOL A THAI**



**DEPARTMENT OF ENVIRONMENTAL
SERVICES AND HOUSING**

**CEREDIGION
County Council**

PLANNING DECISION

Town and Country Planning Act 1990

PLANNING PERMISSION

Applicant:

Mr M Davies
Crugmore Farm,
Penparc
Cardigan
Ceredigion SA43 1RD

Agent

Miss M Rees
Asbri Planning Ltd
1a Axis Court
Riverside Business Park
Mallard Way
Swansea Vale
Swansea
SA7 0AJ

Part 1 - Particulars of application

Date of application 07/08/2012

Application No. A120564

Particulars and location of development

Crugmore Farm, Penparc, Cardigan

Construction of inert waste recycling and green waste composting facility and associated works

Grid reference: 220271 247229

Part 2 - Particulars of decision

Cyngor Sir Ceredigion hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority a minimum of 14 days prior to commencement
2. Except where otherwise required by any condition attached to this planning permission, the development hereby approved shall be carried out in complete accordance with the approved plans and supporting documents received 7 August 201

3. The site shall be used only for the composting of green waste and the recycling of inert construction, demolition and excavation waste materials (stone, concrete, brick, rubble, hardcore and soil) and for no other purposes (including any other purpose in Classes B2, B1 or B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).
4. The volume of inert materials brought onto the site for screening, crushing and recycling shall not exceed 10,000 tonnes in any calendar year.
5. The volume of green waste materials brought onto the site for composting shall not exceed 20,000 tonnes in any calendar year
6. Separate log shall be kept of every load of material brought in for composting, or for screening, crushing and recycling, which records the date, tonnage and source of each load and the contract to which it relates, together with the cumulative tonnage received during that calendar year. This record shall be retained on site and made available to the authority for inspection on site whenever the site is operational; or in the case of any written request by the authority to view the records, the requested records shall be submitted to the authority within five working days of the date of such request.
7. Except as maybe necessary in order to carry out the development hereby approved including any landscaping agreed in compliance with any condition attached to this permission, or where the material is incorporated into any other development on the land for which either planning approval has been (or is subsequently) granted, or the development is permitted under the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision or replacement of that Order) none of the materials to be brought on to the site for aggregate recycling shall be disposed of on site.
8. The storage of any skips on the land shall only be incidental to the use of the site and shall be confined to an area and overall height which shall have previously been approved in writing by the Local Planning Authority.
9. Notwithstanding the provisions of Part 4 and 8 of Schedule 2 under Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order, with or without modifications), details of any screens, crushers, moveable structures, works, plant or machines not included in the submission documents that are to be used on site shall be submitted to and agreed in writing by the Local Planning Authority before being brought into use. Thereafter only those screens, crushers, moveable structures, works, plant or machines agreed, or any alternatives subsequently put forward and agreed by the Local Planning Authority shall be used on site.
10. The stockpiling of inert waste and recycled aggregate products shall only take place within the dedicated holding bays; and no green waste, compost, inert waste materials or recycled aggregate products shall be deposited or stockpiled to height exceeding 5 metres.

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11. No deliveries of waste shall be accepted at the site, and no crushing, screening or ancillary plant or vehicles shall be operated on the site, outside the following hours: 07:30hrs to 18:00hrs Monday to Friday and 08:00hrs to 16:00hrs on Saturday. No crushing, ancillary plant or vehicles shall be operated on the site at any time on Sundays, Bank Holidays, or Public Holidays. In addition, no screen or crusher shall be operated before 08:00hrs Monday to Friday, or before 10:00hrs on Saturday, unless it can be demonstrated by the developer that the rating level of the noise emitted from the site, as determined at location N2 identified on plan No. 196-01-02-D07 (applying measurements and assessments according to BS 4142:1997) will not exceed the existing background noise level by more than 3dB LAeq.
12. The noise levels arising from the development hereby approved shall not exceed 53dB(A) LAeq (1 hour) measured at monitoring point N2 identified on plan No. 196-01-02-D07.
13. In the event that noise levels arising from the development recorded at location N2 should exceed 53dB(A) LAeq then within one month of the developer being notified that the maximum permitted levels have been exceeded a scheme and programme of measures for the minimisation and suppression of noise, including provision for monitoring and review of the scheme, shall be submitted to and approved in writing by the Local Planning Authority; and thereafter the scheme shall be implemented as approved and complied with at all times.
14. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.
15. The noise emitted at any time from the site shall not contain any discrete continuous note, i.e. whine, hiss, screech, hum or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) distinguishable at any of the monitoring locations identified on plan No. 196-01-02-D07
16. No vehicles under the control of the operator using the site shall be fitted with reversing beepers. Instead, all such vehicles shall be fitted with and always use a non-audible safety device or a "smart" form of reversing alarm, in accordance with specifications to be submitted and approved within 3 months of the date of this permission.
17. The 'Dust Management Protocol' set out in the 'Dust Suppression Method Statement including the provision for monitoring, annual review of the scheme and the submission of an annual review document to the Local Planning Authority shall be implemented as submitted and complied with at all times.
18. The results of dust monitoring for each 12 month monitoring period shall be submitted to the Local Planning Authority within 21 days of the end of each monitoring period.
19. The highway access/junction approved under planning permission A100642, as modified by plan reference 031a-100-002 approved under this permission, and the new access road approved under this permission shall be completed and certified in writing as complete by or on behalf of the Local Planning Authority before any other part of the development commences.
20. Notwithstanding the fact that planning permission A100642 provides for a new internal access road between the Trunk Road and Crugmor Farm there shall be only one access road constructed and only the access road approved under this permission shall be used by traffic accessing the land in connection with the composting and inert waste facility hereby approved.

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21. No development other than the construction of the access/junction and new access road shall be carried out until a scheme has been submitted to and approved in writing by the Local Planning Authority, which indicates how all future traffic requiring access to the site will be prevented or discouraged from accessing the site via the existing access lane to the north of Crugmor Farm. Thereafter the scheme shall be implemented as approved.
22. The visibility splays of the new access/junction shall be maintained free of any obstruction exceeding 600mm above road level at all times.
23. The best practicable means shall be taken to ensure that all vehicles leaving the site are in such a condition as not to emit dust, or deposit slurry, mud, or other material from the site upon the roads in the vicinity. No commercial vehicles shall enter the public highway unless their wheels and chassis are clean.
24. No loaded vehicles shall leave the site un-sheeted except those only carrying bagged materials or materials in closed containers, or aggregate materials in excess of 500mm.
25. Before any green waste is brought onto the site for composting a revised surface water drainage scheme shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The revised scheme shall include: the provision of a sealed drainage system to collect any leachate and organic rich run-off generated by the composting facility; and the provision of additional oil interceptors to intercept run off from any areas where there are vehicle movements and storage. Such scheme shall be designed so that it does not generate any increased flows into a watercourse.
26. Any repair, maintenance and refuelling of plant and machinery, shall only take place on an impervious surface drained to an oil interceptor.
27. No tipping or temporary storage of materials shall take place within 10 metres of any watercourse; and under no circumstances shall tipped material be allowed to enter any watercourse or culvert.
28. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls or in proprietary double skinned tanks. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
29. In addition to the hedgerow planting and screening referred to in the submission documents, the developer shall provide and maintain additional soft landscaping and planting including screening to the west and south of the composting area in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority prior to commencement of work on site.
30. All landscaping and planting in the approved scheme shall be carried out within 12 calendar months of commencement of the development or in such phases as may be agreed in writing with the Local Planning Authority.

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31. All existing and proposed trees, bushes and hedgerows including those to be planted in accordance with the approved landscaping and planting scheme shall be retained and maintained, and shall not be wilfully damaged or destroyed or uprooted, felled, lopped, or topped without the previous written consent of the Local Planning Authority. Any trees, bushes or hedgerows being removed without such consent or dying, being severely damaged or becoming seriously diseased shall be replaced with shrubs of such size and species as may be agreed in writing by the Local Planning Authority.
32. The developer shall conform to the recommendations of British Standard 5837:2005 'Trees in relation to construction – Recommendations' to provide a buffer between the woodland area / stream and the area of Phase 2 of the proposed development.
33. The recommendations set out under Section 6 of the Phase 1 Habitat Survey prepared by Excal Ltd. dated July 2012 shall be implemented in full within 12 calendar months of commencement of the development or in such phases as may be agreed in writing with the Local Planning Authority.
34. Details of the location, height, design, sensors, and luminance of any floodlighting and security lighting to be used in connection with the development hereby approved (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways), shall be submitted to and approved in writing by the Local Planning Authority before being erected. Thereafter no security lighting or floodlighting, other than that approved, shall be used on the site without the prior written approval of the Local Planning Authority.
35. Any floodlights to be utilised shall not be illuminated between the hours of 18:15 to 07:30 Monday to Friday, nor between 00:00 to 08:00 or 16:00 and 24:00 on Saturday or at any time on Sunday or National Holidays (save for security lighting activated by unauthorised entry by persons or vehicles), unless otherwise agreed in writing with the Local Planning Authority.
36. The developer shall ensure that a professionally qualified architect is present during the undertaking of any ground works in the development area, so that an archaeological watching brief can be carried out. The archaeological watching brief will be undertaken to the standards laid down by the Institute for Archaeologists. The developer shall inform the planning authority in writing, the name of the said archaeologist at least two weeks prior to the commencement of the development.

Reasons:

1. Pursuant to Section 91 of the Town and Country Planning Act 1990
2. To ensure compliance with the approved plans.
3. In order to protect the visual amenities of the area and to regulate the use of land.
- 4, 5. To enable the authority to adequately control the scale of the development and to minimise its impact on the residential amenity of the area.
6. To allow the Local Planning Authority to adequately monitor activity at the site and in the interests of the amenity of the residents of the area.
7. To regulate the use of land; and to limit the visual impact of the development and protect the character of the area.
- 8, 9. To protect residential and local amenity.
10. In the interests of visual amenity
- 11, 12. To protect amenities of local residents and the amenities of the locality

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- 13, 16. from the effects of any noise arising from the development.
14. To ensure minimum disturbance from operations and avoidance of nuisance to the local community.
15. To protect the amenities of the locality from the effects of any noise arising from the development.
17. To protect the amenities of the locality from the effects of any dust arising from the development.
18. To enable the Local Planning Authority to monitor the effectiveness of the dust suppression scheme, in the interests of the amenities of local residents and the amenities of the locality.
19. In the interests of highway safety.
20. To ensure that there is not an over provision of access roads to the detriment of the visual amenities of the area.
21. In the interests of highway safety; and to protect the amenities of local residents.
22. In the interests of road safety and the free flow of traffic.
23. In the interests of highway safety and to prevent mud and dust getting on the highway.
24. To prevent mud and dust getting on to the highway in the interests of highway safety and safeguarding the local environment
25. To minimise the risk of pollution of watercourses and aquifers; and to prevent flooding.
26. To minimise the risk of pollution of watercourses and aquifers.
27. To minimise the risk of flooding and pollution of watercourses and aquifers.
28. To prevent pollution of the water environment.
- 29, 30. To ensure that the site is properly landscaped in the interests of the visual amenity of the area and for biodiversity
31. In the interests of protection of biodiversity on the site and in the locality and to ensure the development is adequately screened in the interests of the visual amenities of the area.
- 32, 33. In the interests of protection of biodiversity on the site and in the locality.
34. To minimise nuisance and disturbance to residential and local amenity; and in the interests of highway safety.
35. To minimise nuisance and disturbance to neighbours (and the surrounding area); and in the interests of highway safety.
36. To enable a site of archaeological interest to be adequately investigated and recorded

Informatives:

For the avoidance of doubt the supporting documents referred to under condition 2 are all the documents shown bulleted on the letter from Asbri Planning dated 6 August 2012, which accompanied the application).

For the avoidance of doubt this planning permission only covers the use of the site for green waste composting and the recycling of inert waste. The planning permission does not extend to the use of the land for any other waste recovery, transfer or disposal operations, with the exception of those ancillary activities that are necessarily required in order to carry out the green waste composting and inert

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waste recycling operations approved under this permission. The ancillary activities permitted include the screening, removal, separation, temporary storage and onward forwarding of any contaminants incidentally found within any loads of green waste or inert waste brought on to the site, but does not include the handling, screening, removal, separation, temporary storage and onward forwarding of any waste materials derived from any loads brought onto the site that do not fundamentally comprise only of green waste or inert waste.

For the avoidance of doubt, the compost produced on site will only cease to be waste if it conforms to PAS100 standard. Compost products not conforming to this standard constitute waste and the deposition of waste on land requires planning permission for waste disposal.

Use of PAS100 compost on the land at Crugmore Farm for the agricultural benefit of the land will not require planning permission. The deposition of any compost not conforming to PAS100 on the Farm (which constitutes waste disposal) is not covered by this planning permission.

For the avoidance of doubt this planning permission does not permit the landfill disposal of any inert materials on the land. The deposition of secondary aggregates conforming to the Agregain (WRAP) protocol is permitted only in respect of any engineering operations necessary in order to carry out the development approved under this planning permission, including any engineering works necessary to provide any landscaping improvements submitted to and agreed by the planning authority in compliance with any condition attached to this planning permission.

For the avoidance of doubt this planning permission does not extend to the granting of planning permission for any development that lies outside the planning boundaries of the application site. The submission documents make reference to sourcing clay from Crugmor Farm to use in the development approved under this permission. The applicant needs to be aware that any mineral extraction operations (which includes the extraction of clay) for this purpose will require a separate planning permission. Mineral extraction on an agricultural holding for agricultural use on the holding is covered by permitted development rights. However, the development hereby approved lies outside the definition of agriculture and therefore any mineral extraction on the holding in connection with the development hereby approved lies outside the scope of agricultural permitted development.

The site is approximately 1km from the Banc y Mwldan Site of Special Scientific Interest (SSSI). The Banc y Mwldan SSSI is of special interest for rare and uncommon invertebrates and plants which depend on a series of lime-rich flushes on the SSSI. CCW have flagged up the importance of following the recommendations of the Environment Agency with regard to pollution prevention and water management, in order to safeguard the interest of the Banc y Mwldan SSSI.

There are habitats of importance for wildlife immediately adjacent to the proposed site area, including water courses and semi-natural broadleaved woodland.

British Standard 5837: 2005 'Trees in relation to construction – Recommendations' provides recommendations and guidance for arboriculturalists, architects, builders, engineers, land managers, landscape architects and contractors, planners, statutory undertakers, surveyors, and all others interested in harmony between trees and construction. This standard supersedes BS 5837: 1991 'A Guide for trees in relation to construction'.

Footpath 74/31/D dissects the site (as identified in the Design and Access

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Statement). It is essential that this right of way remains open and available both during the construction process and thereafter.

Any exterior security lights will need to be low level, and fitted with hoods to direct the light downwards below the horizontal plane, at an angle not less than twenty degrees from horizontal and away from the adjacent buildings and vegetation.

The proposed activity falls under the Environmental Permitting (England and Wales) Regulations 2010. This scale of facility will need to operate under an environmental permit issued by the Environment Agency (Wales). This will either be a bespoke permit or a standard rules permit. Standard rules permits are available for composting facilities which are to be located more than 250 metres from dwellings or workplaces. There is no guarantee that a permit will be issued.

One particular aspect of composting that needs to be controlled is the release of potentially harmful bio aerosols. The Environment Agency (Wales) take this into account before authorising any new composting facility located where the composting operations would be within 250 metres of sensitive receptors.

The applicants for environmental permits for new composting operations within 250 metres of workplaces or dwellings have to carry out a Site Specific Bio aerosol Risk Assessment (SSBRA) in support of their permit application. Before granting a permit the Environment Agency (Wales) need to be satisfied that the SSBRA shows that bio aerosols can and will, be maintained no higher than acceptable levels at the sensitive receptors.

The Environment Agency (Wales) current position for such sites is that, subject to the SSBRA assessment applicants will be issued permits where:

- the maximum quantity of waste handled at any one time does not exceed 500 tonnes, or
- if the quantity of waste handled exceeds 500 tonnes, the operations are carried out in a way and with the necessary measures (e.g. negative aeration, enclosure) to ensure that they are not likely to result in the uncontrolled release of high levels of bio aerosols.

The Environment Agency (Wales) will assess the need for monitoring at new sites as part of the permit determination, based on the individual circumstances of the particular site and taking into account the cost of monitoring.

With regard to the SSBRA, generally the complexity of a risk assessment is related to the size and complexity of the proposed facility and the uncertainty of the risk posed, varying from a qualitative, largely generic approach at one extreme to a site specific quantitative risk assessment at the other.

Standard methods of determining bio aerosol levels are available. However based on the Environment Agency (Wales) present scientific understanding of bio aerosols, the way they behave and their health impacts the Environment Agency (Wales) now consider that there is currently no suitable methodology for carrying out adequate quantitative SSBRAs for new composting facilities. Accordingly, the Environment Agency (Wales) believe that they need to take a precautionary approach and not normally permit those facilities where they would have expected a quantitative SSBRA until such time as a suitable methodology becomes available. The types of new facilities affected by this are those that would have handled more than 500 tonnes of waste at any one time and would have carried out any "composting operations in the open that are likely to result in the uncontrolled release of high levels of bio aerosols", as defined above. In practice, this would not include situations where the entire composting operation is carried out inside a building, or where composting takes place outside, but using negative aeration and

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without turning. However it would include compost maturation in conventional outdoor turned windrows, carried out following other treatment operations such as in-vessel composting, treatment in a dry AD (anaerobic digestion) plant and treatment in an MBT (mechanical biological treatment) plant.

Guidance on the evaluation of bio aerosol risk assessments for composting facilities is available on their website at:

<http://www.environment-agency.gov.uk/research/library/position/41211.aspx>.

Below are other issues which the Environment Agency (Wales) indicate will need to be addressed in order to obtain a permit.

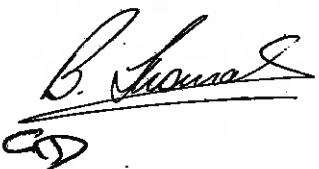
- The composting facility is likely to generate leachate and organic rich run off, this will have to go to the main sewer (under consent) or sealed drainage system.
- Odour Management will be required and a prior assessment before operation is strongly recommended.
- For the inert waste site dust and noise assessments will be required prior to operation to assess background levels.
- Run off from inert sites may be able to go through a surface water system following treatment e.g. suspended solids removal.
- Oil interceptors will be required on surface water systems where run off is collected from areas where there are vehicle movements and storage.

Regulation of flows to a watercourse may be achieved by:

- On site storage with restricted flows only being discharged;
- Soakaways in the case of small developments, which will be subject to Building Control approval. Soakaways should not be located within 6m of a road or building;
- Sustainable Drainage System, which will be subject to Building Control.

Date 22 January 2013

**Neuadd Cyngor Ceredigion,
Penmorfa, Aberaeron, Ceredigion,
SA46 0PA.**



Bryan Thomas
Cyfarwyddwr Adran Amgylcheddol a Thai
Director of Environmental Services and
Housing

The development plan covering Ceredigion is the Dyfed Structure Plan. The following Structure Plan policies were relevant to the consideration of this application.

E8

EN1A

EN23

EN7

M11

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment byelaw, order or regulation.

Appeals to The National Assembly for Wales

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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 National Assembly for Wales under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Cathays Park, Cardiff. CF1 3NQ.

The National Assembly for Wales can allow a longer period for giving notice of appeal, but it will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The National Assembly for Wales need not consider an appeal if it seems to it 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 the development order and to any other directions given under a development order. In practice, the National Assembly for Wales does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by it.

Purchase notices

If either the local planning authority or the National Assembly for Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the County 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 IV of the Town and Country Planning Act 1990.