

Local Members' Interest	
Mr. J.M. Pert	Stafford - Eccleshall

PLANNING COMMITTEE – 7 February 2019

WASTE COUNTY MATTER

Stafford Borough Council: [S.18/04/4124 W](#)

Date Received: 12 September 2018

Date Revised/Further Details Received: 24 October 2018 (response to Parish Council); 7 November 2018 (information concerning vehicles number of noise, and access track and surface water); 23 November 2018 (response to the Environmental Advice Team) and 17 December 2018 (Construction Environmental Management Plan and a response to Environmental Advice Team).

Mr R J Stanier, application to carry out agricultural land improvement works involving the importation of 6144 cubic metres / 10,400 tonnes of 'clean uncontaminated soil' (inert waste) at Cotes Hall Farm, Cotes Lane, Swynnerton, Stone.

Summary of Proposals

1. The proposal involves the importation of 6144 cubic metres / 10,400 tonnes of 'clean uncontaminated soil' (inert waste) to fill 'a natural depression between two areas of agricultural land' to improve the land. The maximum ground level change would be approximately 2.5 metres. The infilling operations would take place over a 12-month period.
2. The inert waste would be delivered to the site by a licensed carrier using 8-wheel rigid tipper lorries (maximum 9 cubic metre capacity). The HGV movements to and from the site would on average be 8 per day (4 in and 4 out). The applicant has confirmed that the number of vehicles 'may vary slightly depending on availability of the imported material' but would 'never exceed 10 to 12 movements per day over a very short or one-off period of time'.
3. The applicant has confirmed that the vehicles associated with the proposal would use the A51, then south on the A519 to Cotes Lane.
4. The inert waste would be imported to the site between 08.00 - 17.00 hrs Monday to Friday, and 08.00 - 12.00 hrs on Saturday, and no importation would take place on Sundays or Bank Holidays.
5. A temporary hardcore access track and turning area would be installed from the highway to the tipping area and a wheel cleaning facility would be installed prior to the importation of any material.
6. A lockable cabin, portable toilet and car parking facilities for site operatives and visitors would be provided for the duration of the operation.

The Site and Surroundings

7. The field is located approximately 242 metres to the south west of Cotes Hall Farm, Cotes (the nearest residential properties).
8. Cotes Heath is located approximately 590 metres to the west. The town of Stone is approximately 5 kilometres to the east. Yarnfield is approximately 3 kilometres to the southeast. The village of Swynnerton is approximately 800 metres to the north west and the Meece Landfill is approximately 500 metres to the south east.
9. Access to the site would be gained from Newcastle Road (A519), then Cotes Lane which is subject to a 7.5 tonne weight limit (except for access).
10. The boundary of the North Staffordshire Green Belt is approximately 15 metres to the north of the access track (approximately 160 metres from the area to be infilled).

The Applicant's Case

11. The applicant has explained that the import of inert waste would allow the re-profiling of the field for growing barley, wheat, potatoes and temporary grass on a regular crop rotation basis and would provide a safe surface on which to operate plant and machinery.
12. The applicant contends that the amount of inert waste is the minimum amount required to carry out the operation in accordance with the Policy 1.4 of the Waste Local Plan.

Relevant Planning History

13. No planning permissions have been granted by Staffordshire County Council.

Environmental Impact Assessment (EIA)

14. **Screening Opinion:** YES **Environmental Statement:** NO
(Screening Opinion ref. [SCE.249/S.18/04/4124 W](#) dated 5 October 2018).

Findings of Consultations

Internal

15. Highways Development Control Team on behalf of the Highways Authority – no objection to the proposal subject to compliance with the submitted Construction Environmental Management Plan (CEMP).
16. The Environmental Advice Team (EAT) commented as follows:

Ecology – there are no ecology or tree protection issues to raise.

Landscape – although a formal landscape impact assessment has not been submitted, given the scale of the proposed operation and its location, it is considered that the information provided is adequate. The subsoils and topsoils should be stored separately, and if stored for more than 6 months then they should be seeded and

maintained in a weed free condition. All works should be in accordance with the [Construction Code of Practice for Sustainable Use of Soils on Construction Sites](#). EAT have recommended that a geotextile membrane is installed between in situ soils and the materials for the access road, to prevent contamination of in situ soils with road material and to allow for ease of removal.

Archaeology and the Historic Environment – there are no historic environment concerns regarding the proposals in this instance and it is recommended that no further action is required.

Rights of Way – no public rights of way cross the application site.

17. The Flood Risk Management Team (on behalf of the Lead Local Flood Authority) has commented as follows:
 - the site is not within the Updated Flood Map for Surface Water (uFMfSW) 1 in 100 year outline and there are no recorded flooding hotspots within 20 metre or records of Ordinary Watercourses within 5 metre.
 - there would be no significant change to the impermeable area and so little change to the surface water runoff generated by the site.
18. The County Council's Noise Engineer has no objection following receipt of further information from the applicant regarding the operations and the plant/equipment to be used.
19. Planning Regulation Team – no objections subject to the inclusion of conditions to: limit the number of vehicles; ensure that no mud is deposited onto the highway; require the access track and turning area to be constructed prior to the commencement of tipping; define the hours of operation; and; set time limits for the importation of waste and completion of restoration works.

External

20. Stafford Borough Council Environmental Health - no response.
21. Environment Agency (EA) – no objection and have advised that EA Exemptions Type U1 allows for 5000 tonnes to be used in any construction activity. As more material than this is required in this case the developer will have to apply to the Environment Agency for a full Environmental Permit.
22. Natural England - no comments.
23. Severn Trent Water - no response.
24. Western Power Distribution have confirmed the location of their apparatus adjacent to the access track.

District/Parish Council

25. Stafford Borough Council has no objection provided that care is taken to preserve neighbour's amenity during the construction phase.

26. Standon Parish Council has objected for the reasons summarised below:
- a) The Parish Council has longstanding concerns about the speed of traffic on the A519 through Cotes Heath and this is a very sensitive junction with poor visibility on a blind bend;
 - b) This proposal would pose a real threat to motorists in the absence of a speed limit on the A519 through Cotes Heath. The Parish Council considers the threat to speeding motorists travelling from Eccleshall towards Newcastle is such that a collision resulting in serious injuries or fatalities would seem inevitable;
 - c) Cotes Lane is a narrow lane with few passing places and vehicles go onto the verge;
 - d) The traffic associated with the proposal would lead to large amounts of mud being tracked onto Cotes Lane; and,
 - e) The Parish Council has 'petitioned' this year for consideration of a speed limit on this stretch of road through the village of Cotes Heath.
27. The Parish Council have indicated that a temporary speed restriction would be essential for the duration of the works, if Cotes Lane/A519 junction is to be used and that an alternative route using Birch House Lane would be the safer option.

Publicity and Representations

28. Site notice: YES Press notice: YES
29. 19 neighbour notification letters were sent out and 6 representations have been received. The representations raised can be summarised as follows:
- a) Impact on highway safety: -
 - i. there have been accidents at the A 519/Nelson Crescent;
 - ii. excessive speed of vehicles along the A519 (the Parish Council have previously requested the speed limit be lowered from 60 mph);
 - iii. restricted visibility along the A519 and at the A519/Cotes Lane 'T' junction;
 - iv. the A519/Cotes Lane 'T' junction is unsafe for rigid 8-wheel heavy goods vehicles;
 - v. inadequate signs and road markings;
 - vi. vehicles should use Birch House Lane;
 - vii. poor road surface along A519 and Cotes Lane – the proposal would exacerbate the problem;
 - viii. a temporary speed limit should be imposed, or temporary traffic lights used;
 - ix. Cotes Lane floods - the proposal would exacerbate the problem;
 - x. inadequate access on to Cotes Lane from the field;
 - xi. limited passing places are available on Cotes Lane, leading to damage to the highway verge;
 - xii. mud/dirt would be transported from the field on to Cotes Lane;
 - xiii. surface water would flow from the field and flood Cotes Lane;

- b) Insufficient justification for the import of inert waste;
- i. existing soil (used for grazing) should be suitable for the growth of arable crops;
 - ii. the existing landform could be re-profiled without the need for the import of inert waste;
 - iii. no information has been submitted to support the gradients are unsafe.
- c) Impact on local area from dust and noise;
- d) No details concerning how the site would be regulated ensuring the quality of the material;
- e) The import of inert waste material should take place over a shorter timescale; and,
- f) The County Council should monitor noise and dust levels and the vehicles movements associated with the development.
30. The Local Member (Cllr Pert) requested that the alternative route recommended by the Parish Council be evaluated.

The development plan policies and proposals relevant to this decision

31. Refer to [Appendix 1](#) for the development plan policies and proposals, and the other material planning considerations, relevant to this decision.

Observations

32. This is an application to carry out agricultural land improvement works involving the importation of 6144 cubic metres / 10,400 tonnes of 'clean uncontaminated soil' (inert waste) at Cotes Hall Farm, Cotes Lane, Swynnerton, Stone.
33. Having given careful consideration to the application and supporting information, including the information subsequently received, the consultation responses and the representations received, the relevant development plan policies and the other material considerations, all referred to above, the key issues are considered to be:
- The waste planning policy considerations
 - The potential effects on the environment and local amenity (specifically the traffic impacts, noise and dust impacts)
 - Other matters raised by consultees or in representations

The waste planning policy considerations

34. The '[Waste Management Plan for England](#)' sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and waste management and highlights the importance of putting in place the right waste management infrastructure at the right time and in the right location. The Plan sets out the need to drive waste management up the waste hierarchy, ensuring that waste is

considered alongside other spatial planning concerns, to provide a framework in which communities and businesses are engaged to take more responsibility of their own waste, helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, and in ensuring design and layout complements sustainable waste management.

35. The [National Planning Policy Framework](#) (NPPF) does not contain specific policies about waste. Waste planning policy is provided in the [National Planning Policy for Waste](#) and in the [Staffordshire and Stoke-on-Trent Joint Waste Local Plan](#). These documents promote the principles of sustainable waste management and guidance on the provision of waste management facilities that are *the right type, in the right place and at the right time*. The proposals are now assessed against this general guidance and the site-specific considerations are discussed later.

The right type

36. [The Staffordshire and Stoke on Trent Waste Local Plan](#) (Policy 1.1) recognises waste as a resource in its aim to divert waste away from landfill, and in supporting waste development which would manage waste higher in the 'waste hierarchy'.
37. Policy 1.3 recognises the recycling of construction, demolition & excavation waste and the diversion of inert waste to quarries requiring backfill for restoration purposes will be favoured over new inert landfill / landraising proposals.
38. Policy 1.4 in relation to the use of waste for landscaping, screening, engineering purposes or for the improvement of agricultural or forestry land advises that where inert waste is to be used, the applicant should demonstrate that the proposal addresses the following:
- i. It can demonstrate that the nature and extent of landscaping and screening is reasonable and necessary;
 - ii. The amount of waste proposed to be deposited is the minimum necessary for the intended / agreed purpose;
 - iii. It will not undermine the restoration of quarries that require the inert materials for restoration purposes;
 - iv. It can demonstrate that flood risk will not be increased, and surface run-off will be managed safely;
 - v. It would not raise the level of the land to an unacceptable degree such that it would create an adverse visual impact on the landscape and/or reduce openness of the Green Belt;
 - vi. The proposals are comprehensive, detailed, practicable and achievable within the proposed timescales.
39. Paragraph 5.18 of the Waste Local Plan explains that:
- there may be reasons why Construction, Demolition and Excavation wastes (C,D&E waste) are proposed to be used for landscaping, screening and

engineering purposes, for example in order to resolve problems such as infilling, land-raising of uneven land level and to allow development to take place on the land or nearby;

- C,D&E waste can be recovered for use as engineering fill and other low grade uses avoiding the need to use valuable primary aggregates; and,
 - the applicant should demonstrate clearly that the amount of waste to be used in the process is the minimum necessary, and the nature and extent of landscaping, screening and engineering works would move waste management up the waste hierarchy toward re-use and recovery and not constitute a landfilling operation.
40. Paragraph 5.20 also explains that a balance needs to be struck between encouraging re-use and recycling, and the impact that this type of work may have on the site and its surroundings.
41. The applicant has proposed to raise the ground level of a natural depression by reducing the gradient and length of the slopes. The justification provided explains that the land has been used for grazing and it is proposed to be used for growing barley, wheat, potatoes and temporary grass. The applicant contents that:
- a. the change in ground level is required because the proposed crops would require the land to be worked using large heavy agricultural machinery, which due to the topography of the site, creates health and safety dangers;
 - b. the amount of waste is dictated by the requirement to re-profile the land;
 - c. that the import of 6144 cubic metres of soil is the minimum amount required to carry out the operation [the use of less waste would not achieve the objectives of the improvement scheme].
42. The applicant has also confirmed that, in the event of that waste is not available to deliver the improvements, an alternative proposal would be to use locally won sandstone from an adjacent field. The applicant considers the use of sandstone would represent an 'unnecessary waste of natural resources'.
43. It is considered that the import of clean uncontaminated soil' (inert waste) would create a landform suitable for growing crops; avoid the need to use a valuable primary aggregate (sandstone) to create the landform; and, the applicant has demonstrated that the amount of material is the minimum necessary to infill the natural depression thereby achieving the intended purpose (ref. WLP Policy 1.4).
44. *Conclusion:* Having regard to the policies, guidance and other material considerations referred to above, it is reasonable to conclude that the proposals are the right type.

The right place

45. The Staffordshire and Stoke on Trent Waste Local Plan contains criteria to help determine whether proposals are in the right place. Waste Local Plan (policy 2.3) refers to the broad location and seeks to encourage a network of sustainable waste management facilities which enable the movement of waste to be minimised, ensure that waste is being dealt with as close as possible to where it arises, and reduce the

need to transport waste great distances. This application involves the improvement an area of agricultural land with clean uncontaminated soil.

46. The policy also states that proposal of a 'local or sub-regional scale' will be supported provided that they are located in or close to the North Staffordshire Conurbation or Large Settlements. Proposals of a 'local scale' only will be supported if they are located in or close to the Other Significant Settlements including Stone. In this case, the proposal is of a local scale and located 5.5 kilometres from the North Staffordshire Conurbation (Stoke on Trent) and 5 kilometres from Stone.
47. The [National Planning Policy for Waste](#) also provides criteria and guidance for determining whether proposals are in the right place. In this case the relevant national criteria relate to:

The likely impact on the local environment and on amenity set out in Appendix B, namely:

- the protection of water quality and resources and flood risk management;
- land instability;
- landscape and visual impact;
- nature conservation;
- conserving the historic environment;
- traffic and access;
- air emissions, including dust; odours; noise, light and vibration;
- litter and potential land use conflict); and,
- the locational implications of any advice on health from the relevant health bodies

[Note: National guidance reminds Waste Planning Authorities to base their decisions on implementing the planning strategy in the Local Plan and not to concern themselves with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should also work on the assumption that the relevant pollution control regime will be properly applied and enforced. The Environment Agency has no objection to the proposal and has provided advice concerning the requirement for an Environmental Permit].

48. In this case the development would infill a natural depression between two areas of agricultural land with 6144 cubic metres / 10,400 tonnes of 'clean uncontaminated soil' (inert waste) allowing a change in the type of agricultural use. The applicant has indicated that infill period would be 12 months.
49. *Conclusion:* Having regard to the relevant location policy considerations and consultee responses referred to above it is reasonable to conclude that the proposals are generally in the right place.

The right time

50. [Planning Practice Guidance](#) explains that sustainable waste management facilities must be delivered at the right time to support a strong, responsive and competitive economy; to support strong, vibrant and healthy communities; and to provide an environmental role in minimising waste.
51. The applicant has explained that the change in the type of the agricultural land use

(grazing land to growing barley, wheat, potatoes and temporary grass) is due to economic and market forces. The land would be returned to full agricultural use in line with current good farming practices.

52. *Conclusion* Having regard to the guidance and other material considerations referred to above, it is reasonable to conclude that it is the right time to permit the proposals on the basis that it would facilitate the change in type of the agricultural land use.
53. *Overall Conclusion waste planning policy considerations* - Having regard to development plan policies, guidance, other material considerations and consultation responses, all referred to above, it is reasonable to conclude that in general waste planning policy terms the proposals are the right type, in the right place and at the right time. Nevertheless, it is also important to have regard to the site-specific considerations discussed below.

The potential effects on the environment and local amenity (specifically the highway, noise and dust impacts)

Impact on the highway network

54. The National Planning Policy Framework (Section 9) and Waste Local Plan Policy 4.2 seek to ensure that no demonstrable harm is caused to the highway network and that a suitable access from the adjoining highway is provided.
55. The Parish Council and local residents have raised concerns regarding the access to the site by Heavy Goods Vehicles (HGVs).
56. The applicant has provided a Transport Statement which indicates that the proposed development would attract an average of 8 HGV movements (4 in / 4 out) per day over the life of the project over a 12-month period. The Transport Statement also indicates that Cotes Lane is used by a number of HGVs on a daily basis.
57. The applicant has also provided the following response to the Parish Council's comments on the temporary speed restriction on the A519 and the use of the alternative route (Birch House Lane):
 - a) the Parish Council's concerns are noted and the applicant is supportive of the ongoing proposal to seek a reduction in the speed limit through Cotes Heath; however, a speed limit reduction is not a pre-requisite to the acceptability of the proposed development;
 - b) the use of the alternative route (leaving the A519 at the Birch House Lane junction, then Cotes Lane) would result in an additional mile being travelled along the local road network;
 - c) parts of Birch House Lane are more constrained than Cotes Lane;
 - d) the junction from the A519 to Birch House Lane is located between two bends and the junction is significantly worse than is provided at the Cotes Lane junction;
 - e) the overall visibility at the Cotes Lane junction is considered superior to that at Birch House Lane; and,

- f) it is concluded that the alternative route suggested by the Parish Council would increase the potential for conflict with other road users when compared with the proposed, more direct route.
58. Highways Development Control Team have no objection to the proposal and have recommended a condition requiring the compliance with the Construction Environmental Management Plan (CEMP).
59. Highways Development Control Team have also confirmed that “it can only comment on the details of the application put forward. In this case the Technical Assessment of the access route, supplied by the developer, was assessed and considered to be acceptable”.
60. The Parish Council’s petition to lower the speed limit on the A519 is a separate matter. Nevertheless, your officer has received confirmation that a scheme is currently being progressed to reduce the speed limit along the A519 Newcastle Road, Cotes Heath, from its current 60 mph National Speed Limit to 40mph from Moorfields Industrial Estate to Nelson Crescent and a limited section of Cotes Lane.
61. *Conclusion:* Having regard to the above-mentioned policies, guidance, consultation responses and representations, it is reasonable to conclude that, subject to the recommended conditions, the proposals can reasonably be controlled such that they would not give rise to any unacceptable adverse impact on the highway network.

Impact from noise and dust

62. The NPPF requires that local planning authorities make decisions to ensure that:
- “new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development”. [paragraph 108]*
63. Paragraph 170 (e) of the NPPF requires decisions to contribute to and enhance the natural and local environment by:
- “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality,....”.*
64. The Staffordshire and Stoke on Trent Waste Local Plan (policy 4.2) and the National Planning Policy for Waste explain that consideration should be given to the likely impact on the local environment and on amenity including air emissions including noise and odour.
65. Planning Practice Guidance on [Noise and Air quality](#) explains that the planning system controls the development and use of land in the public interest. The guidance also explains, as mentioned earlier, that these matters are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate

effectively.

66. Local residents have raised concerns about the noise and dust generated by the operations.
67. The applicant provided clarification concerning the plant and equipment (a diesel-powered bulldozer and a diesel-powered excavator) and the use of the plant and equipment is considered to be no worse than agricultural machinery in terms of noise generated.
68. The applicant has included a temporary access track using 'clean hardcore' and a 'wheel cleaning facility' to ensure no mud or deleterious material is deposited on the highway.
69. The County Council's Noise Engineer and Planning Regulation Team raised no objections. The County Council's Noise Engineer has also indicated that the nature of the site's setting makes it unlikely that noise from the operations would have a direct adverse effect. The Environment Agency has also raised no objections to the proposal.
70. Conditions are recommended to ensure best practicable means are employed at all times to minimise the generation and dispersal of dust and noise.
71. *Conclusion:* Having regard to the above-mentioned policies, guidance and consultee responses and representations, it is reasonable to conclude that, subject to the recommended conditions, the proposals can reasonably be controlled such that they would not give rise to any unacceptable adverse noise and dust impacts.

Other matters raised by consultees or in representations

Justification and alternatives

72. Concern has been raised concerning about the amount of information submitted to justify the proposal and the alternatives should be considered.
73. The applicant has indicated that the land has historically only been able to be used for grazing due to the topography of the site, the import of waste material would allow the land to be used for growing barley, wheat, potatoes and temporary grass on a regular crop rotation basis and this would require the ground to be worked using large heavy agricultural machinery, which due to the topography of the site, creates health and safety dangers.
74. The applicant has explained that an alternative proposal would involve the use of locally won sandstone from an adjacent field and that the use of sandstone would represent an 'unnecessary waste of natural resources'.

Monitoring of operations

75. Concern has been raised regarding site monitoring to ensure the right quality of the material is being deposited.
76. The applicant has indicated that the import of waste would be supervised by a technically competent manager holding the necessary Certificate of Technical

Competence under the Waste Management Industry Training and Advisory Board rules. The applicant has also explained that strict waste acceptance procedures would be implemented at the site to ensure only clean inert waste are accepted. The applicant has also provided details of the '[waste classification codes](#)' of the waste types which would be suitable. These include waste from non-metalliferous excavations; waste sand and clay and soils and stone.

77. The County Council's Planning Regulation Team would monitor the operation of the site in terms of compliance with planning permission. A condition has been recommended to ensure that records are kept concerning the vehicle movements and the type and quantity of the waste imported to the site.
78. The site would also be subject to an Environmental Permit, regulated by the Environment Agency.

[Note: Planning Practice Guidance states that '*Conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning*' (ref. [Use of planning conditions](#), [What approach should be taken to imposing conditions?](#), paragraph: 005).]

Duration of operations

79. Concern has been raised regarding the duration of the operation, (the import of material) and that it should take place over a shorter timescale.
80. The applicant has indicated that the import would take place over a 12-month period, but "is hoped to be less". The applicant would need to ensure that suitable material is imported to the site and it is considered that the timescale is reasonable, a shorter timescale would also increase the number of vehicles entering and leaving the site per day.

Overall Conclusion

81. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given consideration to application, the supporting information, the consultation responses, the representations and the other material considerations, all referred to above, it is reasonable to conclude that the proposals should be permitted, subject to planning conditions, the heads of terms of which are recommended below.

RECOMMENDATION

PERMIT the application to carry out agricultural land improvement works involving the importation of 6144 cubic metres / 10,400 tonnes of 'clean uncontaminated soil' (inert waste at Cotes Hall Farm, Cotes Lane, Swynnerton, Stone subject to conditions.

The conditions to include the following:

Definition of Consent

1. To define the permission with reference to documents and plans;

Commencement

2. To define the commencement of the development;

Duration of Operations

3. To limit the duration of the import of waste to 12 months from the date of commencement;
4. To require notification of commencement and cessation of the development;

Type of waste

5. To define the type of waste imported to the site – 'inert uncontaminated clean soil';

Highway Safety

6. To define the vehicular accesses;
7. To limit the number of HGV movements associated with the import of inert uncontaminated clean soil' to an average of 8 per day (4 in/4 out) (calculated over a 8 week period) and a maximum of 12 per day (6 in / 6 out);
8. To ensure the compliance with the submitted Construction Environmental Management Plan (CEMP);
9. To require that no mud or deleterious material is carried onto the public highway;
10. To require loads to be securely sheeted or otherwise contained;

Operating hours

11. To limit operating hours for all activities on site:
 - 0800 to 1700 Monday to Friday;
 - 0800 to 1200 Saturday;
 - No such activities shall be carried out on Sundays, Bank or Public Holidays.

General Environmental Protection

12. To require that best practicable means to be employed to minimise the noise generated by the permitted operations;
13. To require best practicable means to be employed at all times to minimise generation and dispersal of dust caused by all operations;
14. To require that no lighting is installed without prior approval;
15. To prevent burning of waste on site;

Soil handling

16. To require that no topsoil is removed from the site;
17. To require that no topsoil or subsoil bund exceeds 2.5 metres in height;
18. To require that topsoil is stripped and stored on the Site and later re-spread over the previously stripped areas following cessation of the importation of waste;
19. To require that the handling of soils is carried out in accordance in accordance with the [Construction Code of Practice for Sustainable Use of Soils on Construction Sites](#);
20. To require subsoils and topsoils to be stored separately;
21. To require stripped and stored subsoils and topsoils to be seeded and maintained in a weed free condition – if stored for more than 6 months;
22. To require the laying of a suitable membrane to prevent contamination of in situ soils with materials used to the construct the access and parking area shown on the Site Layout Plan;

Infilling, Final Restoration and Aftercare Scheme

23. To require that the site completed to the levels shown on the proposed topographical plan and sections;
24. To require that the site to be restored and subject to 3-year aftercare in accordance with an approved scheme to achieve a condition fit for agricultural use;

Records

25. To require records for the following to be kept:
 - a) the times and total number of HGVs entering and leaving the Site per day.
 - b) the total quantity and type of the materials delivered to the Site per day.

Knowledge of the Conditions

26. To require the terms of the planning permission to be made known to the site operator;

Expiry of the Permission

27. To define the expiry of the permission.

Informatives

The Environment Agency have advised that their Exemptions Type U1 allows for 5000 tonnes to be used in any construction activity. If more material than this is required then the developer will have to apply to the Environment Agency for a full

Environmental Permit, under the Environmental Permitting (England and Wales) Regulations 2016, to deposit the waste as a recovery activity.

Western Power Distribution (WPD) Electricity / WPD Surf Telecom apparatus is located across the access track. The applicant should therefore be aware of the Western Power Distribution safe working practices. These are available from <https://www.westernpower.co.uk/Safety-and-education/Health-Safety/Public-Safety-advice.aspx>.

Case Officer: David Bray - Tel: (01785) 277273
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A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).

The development plan policies and proposals, and the other material planning considerations, relevant to this decision

The development plan policies and proposals

- a) The [Staffordshire and Stoke on Trent Joint Waste Local Plan](#) 2010 to 2026 (adopted 22 March 2013):
- Policy 1: Waste as a resource
 - Policy 1.1 General principles
 - Policy 1.3 Construction, demolition and excavation waste
 - Policy 1.4 Use of waste for landscaping, screening, engineering purposes or for the improvement of agricultural or forestry land
 - Policy 1.6 Landfill or landraise
 - Policy 2: Targets and broad locations for waste management facilities
 - Policy 2.1 Landfill diversion targets
 - Policy 2.2 Targets for new waste management facilities required by 2026 to manage municipal, commercial & industrial, and construction, demolition & excavation waste streams
 - Policy 3: Criteria for the location of new and enhanced waste management facilities
 - Policy 3.1 General requirements for new and enhanced facilities
 - Policy 4: Sustainable design and protection and improvement of environmental quality
 - Policy 4.1 Sustainable design
 - Policy 4.2 Protection of environmental quality
- b) [The Plan for Stafford Borough 2011 - 2031](#) (adopted 19 June 2014)
- Spatial Principle 1 (SP1): Presumption in favour of sustainable development;
 - Policy N1 Design
 - Policy N2: Climate Change;
 - Policy N4 The Natural Environment and Green Infrastructure
 - Policy N8: Landscape Character.
 - Policy T1 Transport

The other material planning considerations

The other material planning considerations are listed below:

- [National Planning Policy Framework – updated 24 July 2018](#) (NPPF):
 - Section 1: Introduction
 - Section 2: Achieving sustainable development
 - Section 4: Decision-making

- Section 6: Building a strong, competitive economy
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12 Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change;
- Section 15: Conserving and enhancing the natural environment;

- [Planning Practice Guidance](#)
 - [Conserving and enhancing the historic environment](#)
 - [Design](#)
 - [Environmental Impact Assessment](#)
 - [Flood risk and coastal change](#)
 - [Natural environment](#)
 - [Noise](#)
 - [Planning obligations](#)
 - [Transport evidence bases in plan making and decision taking](#)
 - [Travel Plans, Transport Assessments and Statements](#)
 - [Use of planning conditions](#)
 - [Waste](#)
 - [Water supply, wastewater and water quality](#)

[National Planning Policy for Waste](#) (published on 16 October 2014)

[Back to paragraph 31 in the report](#)