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## TOWN & COUNTRY PLANNING ACT 1990

**TOWN & COUNTRY PLANNING  
(DEVELOPMENT MANAGEMENT  
PROCEDURE) ORDER 2010**

Application N<sup>o</sup>  
2/2014/0529/PLNG

Date Received 28 April 2014

## GRANT OF PLANNING PERMISSION

**LOCATION OF DEVELOPMENT:** Land to the South of A354, Milborne St Andrew, Dorset

**DESCRIPTION OF DEVELOPMENT:** Proposed development of a Storage Lagoon.

In pursuance of their powers under the above mentioned Act, the DORSET COUNTY COUNCIL being the Local Planning Authority, HEREBY GRANT PLANNING PERMISSION for the development described above in accordance with the details given in the application number above, and subject to the following 13 conditions:-

### Time Limit - Commencement

- 1 The development hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

### Reason

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

### Adherence to approved plans and details

- 2 Unless otherwise approved in writing by the Mineral Planning Authority, no development shall be carried out other than in strict accordance with the Drawing Nos. 5114/004 dated April 2014, 5114/006 dated July 2014, 140601-01 and 140601-03. Operations on the application site shall be carried out in accordance with the approved plans and details and no part of the operations specified therein shall be amended or omitted without the prior written approval of the Waste Planning Authority.

TO: Mr Alan Hannify  
Alliance Planning  
35 Old Queen Street  
London  
SW1H 9JA

SIGNED

Head of Economy

DATED : 19<sup>th</sup> December 2014

PLEASE SEE OVERLEAF

Reason

To maintain planning control over the site and to ensure the permission is implemented in accordance with Policies 1 and 4 of the Bournemouth, Dorset and Poole Waste Local Plan.

Exportation of Waste

- 3 No digestate stored within the lagoon hereby approved shall be exported off the agricultural holding containing the lagoon.

Reason

To ensure that the traffic movements and any associated environmental and highway impacts connected with the use of the lagoon are maintained at acceptable levels in accordance with the submitted application and Policies 1, 4 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

Importation of Waste

- 4 Only digestate generated from the Piddlehinton AD Facility as approved by Planning Permission 1/D/08/000989 (or any subsequent consent granted over the same area) shall be imported into the site.

Reason

To ensure that the traffic movements and any associated environmental and highway impacts connected with the use of the lagoon are maintained at acceptable levels in accordance with the submitted application and Policies 1, 4 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

Construction Environmental Management Plan

- 5 The development hereby permitted shall not be commenced until a Construction Environmental Management Plan incorporating pollution prevention measures has been submitted to and approved by the Waste Planning Authority. The Plan shall be implemented in accordance with the approved details and agreed timetable.

Reason

To prevent pollution of the water environment having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan.

Access Crossing

- 6 Prior to the commencement of any other part of the development hereby permitted the first 15.00 metres of the access crossing measured from the nearside edge of the carriageway shall be laid out and constructed to a specification first submitted to and approved in writing by the Waste Planning Authority.

Reason

In the interests of road safety having regard to Policies 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

Parking and Loading Areas

- 7 The development hereby permitted shall not be occupied or brought into use until the areas shown the submitted plans for the manoeuvring, parking, loading and unloading of vehicles have been made available for these purposes. Thereafter, these areas shall be maintained, kept free from obstruction and available for the purposes specified.

Reason

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In the interests of road safety having regard to Policies 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

#### Entrance Gates

8 Any entrance gates shall be set back a minimum distance of 15.0 metres from the edge of the carriageway and hung so that the gates can only open inwards.

#### Reason

In the interests of road safety having regard to Policies 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

#### Visibility Splays

9 Prior to the commencement of the development hereby permitted, the visibility splay areas as shown on the submitted plans shall be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free from all obstructions

#### Reason

In the interests of road safety having regard to Policies 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

#### Wheel Washing Facilities

10 Prior to the commencement of development a scheme showing precise details of the design, specification and position of wheel washing facilities shall be submitted to and approved by the Waste Planning Authority. The approved scheme shall be implemented and maintained in full working order for use throughout the duration of the development.

#### Reason

In the interests of road safety having regard to Policy 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

#### Construction Traffic Management Plan

11 The development hereby permitted shall not commence until a Traffic and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours, signage and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The Traffic Management Plan shall include a scheme of temporary signing of the heavy goods vehicle route for construction vehicles and appropriate permanent advance warning signs at the access itself. The development shall be carried out strictly in accordance with the approved Traffic and Construction Management Plans.

#### Reason

In the interests of road safety having regard to Policies 1 and 21 of the Bournemouth, Dorset and Poole Waste Local Plan.

#### Landscaping

12 Prior to the commencement of the development hereby approved a scheme of soft landscaping shall be submitted to and approved by the Waste Planning Authority. These details shall include:

- Planting plans to include a schedule of plants, noting species, planting sizes and proposed numbers / densities where appropriate;
- Implementation timetables; and

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- Details for the retention, protection and management of existing vegetation for the life of the development.

The approved landscaping shall be carried out in the first available planting season. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Waste Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason

To safeguard the environment of the surrounding area having regard to Policy 4 of the Bournemouth, Dorset and Poole Waste Local Plan.

Fencing Details

13 Prior to the commencement of the development hereby approved a detailed specification of the proposed perimeter fencing shall be submitted to and approved in writing by the Waste Planning Authority. The development shall then be carried in accordance with these approved details.

Reason

To safeguard the environment of the surrounding area having regard to Policy 4 of the Bournemouth, Dorset and Poole Waste Local Plan.

**INFORMATIVES**

The applicant is advised that notwithstanding this consent Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before commencement of any works on the public highway, Dorset County Council's Dorset Highways should be consulted to agree on the detailed specification. They can be contacted by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ.

The site falls within a groundwater Source Protection Zone II (SPZ2). This is a zone of protection surrounding a nearby drinking water borehole, which is vulnerable to pollution. It therefore requires careful protection from contamination. Further information on SPZs can be found at <http://www.environment-agency.gov.uk/homeandleisure/37833.aspx>

Construction Environmental Management Plan (CEMP)

The applicant should note the sensitivity of groundwater in this area and ensure that installation contractors are competent to install such liners and that they pay particular attention to the integrity of welded seams. We therefore recommend inclusion of a condition requiring submission of a detailed construction method statement prior to development in order to protect controlled waters.

Environmental Permit

The applicant can get a standard rules permit for storing digestate (SR2010No17) <http://www.environment-agency.gov.uk/business/topics/permitting/117260.aspx> providing that they meet the conditions of this permit.

Construction standards for earth lagoons

The lagoon must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010. To comply, it has to be built in accordance with British Standards set out in CIRIA (Construction Industry Research and Information Association) Report 126.

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The applicant is advised to contact our local Environment Management team on 01258 483307 for further guidance.

Technical standards for this can be found in CIRIA 126 and at: <https://www.gov.uk/government/publications/altering-or-installing-new-earth-bank-slurry-stores-and-tanks>.

We would require 'secure storage' for polluting materials (as required above). For your lagoons, we would expect construction to be of the same standard as for agricultural slurry lagoons covered under The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010, as amended 2013.

#### Statement of Positive Involvement

In accordance with paragraphs 186 and 187 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- i. updating the applicant's agent of issues as they arose in the processing of the application;
- ii. discussing possible solutions to material concerns raised; and
- iii. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

Further details including application documents and Planning Officers report can be viewed using the Application No. above at the following url:

<http://countyplanning.dorsetforyou.com/ePlanningOPS/searchPageLoad.do>

Signed



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## NOTES

1. This permission does not carry any approval or consent which may be required under any enactment, bye-law, order or regulation (eg., in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.
2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 (1) of the Town and Country Planning Act, 1990, within six months of receipt of this notice. (Appeals may be made on-line at the following url:

<http://www.planningportal.gov.uk/england/public/planning/appeals/>

or if you are unable to use the online service, please contact the The Planning Inspectorate Customer Services Team on 0117 372 6372 for a paper form. The Planning Inspectorate address is Department of the Environment, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN). The Secretary of State for the Environment has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State for the Environment need not consider an appeal if it seems to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Order and to any other direction given under the Order. **Please note, only the applicant possesses the right of appeal.**

3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the county district in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.
4. In certain circumstances, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State for the Environment on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 and related provisions of the Town and Country Planning Act, 1990.
5. Commencement of development: The attention of the applicant/developer is drawn to the fact that development pursuant to this planning permission may not lawfully commence unless and until all pre-start conditions have first been approved or agreed in writing. The applicant/developer or their agent should accordingly be aware of their responsibility here. If you have not already done so, you are advised to put arrangements in place for the timely submission of these and to check that there are no omissions in terms of the details required