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# Torbay Waste Sites Identification

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Waste Sites Appraisal  
Report  
September 2013

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Torbay Council

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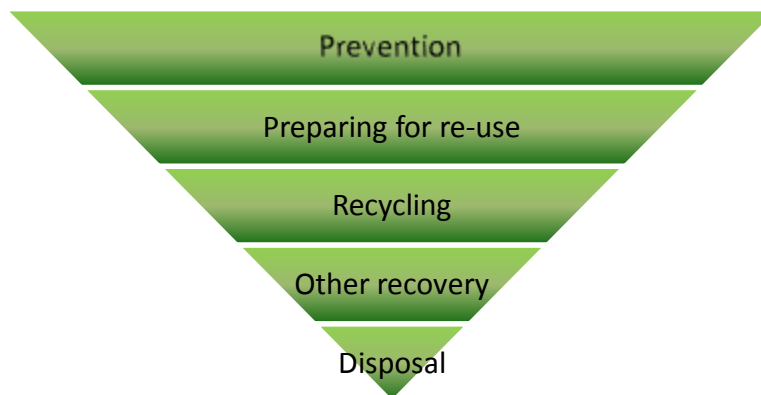
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# 1. Introduction

The Council is preparing a new Local Plan for Torbay, the "Torbay Local Plan - A Landscape for Success" (to 2032). This document is required<sup>1</sup> to include policies dealing with waste issues. All waste planning authorities should identify the areas where waste sites should be located in future in order to ensure that a sustainable and integrated approach to waste management can be achieved. Torbay's geography, environmental constraints and current lack of disposal facilities within its boundaries make the delivery of such provision particularly challenging. This Report and accompanying Appendices form part of the evidence base underpinning the emerging Local Plan and in line with the Government's Waste Hierarchy set out in PPS 10<sup>2</sup>:



Delivery of the Government's ambitions for waste management set out in the **Waste Management Plan for England** relies on the adequate provision of new waste management facilities of the right type, in the right place and at the right time.<sup>3</sup>

## 1.1 Classification of Waste

The current and planned waste provision for Torbay needs to consider a range of waste types:

- **Municipal Solid Waste /Local Authority Collected Waste (LACW):** Tor2 operates and

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<sup>1</sup> As required by the NPPF [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf) and The Waste Planning Policy Statement (PPS10 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11443/1876202.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11443/1876202.pdf) ), which will remain in place until the National Waste Management Plan is published.

<sup>2</sup> The full definition of each level of the waste hierarchy is set out in Article 3 of the revised Waste Framework Directive (2008/98/EC)

<sup>3</sup> Planning for sustainable waste management Consultation document July 2013

manages the Torbay Household Waste Recycling Centre (HWRC)<sup>4</sup> in Paignton. This facility currently processes 65,300 tonnes per annum. The recent extension and enhancement of the existing Waste Transfer Station and Household Waste Recycling Centre (HWRC) and the support of associated facilities is intended to provide an appropriate network to meet local need. The South West Devon Waste Partnership<sup>5</sup> (SWDWP) has a long term option to dispose of residual waste which is not recycled or composted, via the PFI scheme for a new Energy from Waste plant in North Yard, Devonport, Plymouth. The committed facility will have a 245,000 tonne capacity to deliver a sub-regional solution to manage household waste from parts of Devon, Plymouth and Torbay. It should be able to treat waste from Torbay from 2014/15.

- **Construction, Demolition & Excavation Waste (CDEW):** The search for potential waste management sites includes Yalberton Quarry, Paignton which has permission<sup>6</sup> for the recovery and disposal of 150,000 tonnes pa of inert waste, of which 30,000 tonnes pa will be landfilled. The progressive land filling of the quarry void provides for an operational life of 23-29 years. However it is unlikely that all of the CDEW waste generated in Torbay will be wholly managed within the Torbay area as this a private, commercial decision; there may also more conveniently located waste management sites outside Torbay.
- **Commercial and Industrial Waste (CIW):** Defra data (December 2010) and Jacobs Study<sup>7</sup> indicates that Torbay's CIW is of a similar composition to the (Municipal) LACW. Approximately 70,000 tonnes of CIW waste was generated in 2012 and this is estimated to increase to approximately 95,000 tonnes pa by 2031. This is likely to generate the need for recovery, recycling and composting for approximately 30,000 tonnes pa. The residual waste will also require disposal facilities. There are currently no CIW facilities

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<sup>4</sup> The Household Waste Recycling Centre at Paignton is a 1.3 ha site on the south-eastern side of Tor Park Road, on the Yalberton Industrial Estate, comprising a Waste Transfer Station (WTS) dealing with refuse from household collections, and from the Council's collections at commercial premises, and a Household Waste Recycling Centre (HWRC).

<sup>5</sup> The South West Devon Waste Partnership (SWDWP) is a collaboration between Plymouth City Council, Devon County Council and Torbay Council. Website: [www.plymouth.gov.uk/swdwp.html](http://www.plymouth.gov.uk/swdwp.html)

<sup>6</sup> Ref: Planning Application P/2010/0638. Permission granted for a Phased approach to recovering and disposing of in-situ and imported waste, the progressive land filling of the quarry void with inert waste and the construction of an appropriate geological barrier in conjunction with waste recycling operations and restoration and ceasing of mineral extraction

<sup>7</sup> See the Devon Waste Core Strategy Evidence Base Report (April 2011): <http://www.devon.gov.uk/evidencebasereport.pdf>

(other than that collected as municipal waste/LACW) in Torbay due to the lack of waste management sites available and very limited scope for the development of commercial & industrial waste facilities. There is therefore a high degree of cross boundary movement of this waste stream for recovery and disposal. Who deals with the CIW waste is a private, commercial decision. However it is likely that this waste is catered for at facilities within the south Devon sub region<sup>8</sup> Whilst the EfW facility at North Yard, Plymouth may have capacity to cater for some of South-West Devon's commercial and industrial (C&I) waste during the plan period, this will not be sufficient to deal with all waste arising nor is all such waste suitable for thermal treatment.

- **Hazardous Waste** includes materials which are harmful to human health or the environment when they are produced or as they degrade over time. Hazardous waste often includes chemicals which have been produced during industrial and manufacturing processes. Hazardous waste accounts for a small proportion of the total waste arisings. As a result of this and its specialist waste management requirements, hazardous waste is often managed on a regional basis, which provides the economies of scale and specialist processing techniques required. Torbay's hazardous waste (approximately 2,600 tonnes pa<sup>9</sup>) has been treated outside the Bay in Devon or beyond.
- **Agricultural Waste** includes a number of different elements. These include organic elements such as manures, slurries, and waste produce (which could be managed as part of the Commercial and Industrial Waste stream), chemicals (which could be managed as part of the hazardous waste stream), inert waste (which could be managed as part of the Construction Demolition and Excavation Waste stream), plastics and mechanical wastes. Following the legislation (2006) which identified agricultural waste as a controlled substance, the Waste Local Plan must give appropriate consideration to agricultural waste in terms of arisings, forecasts and future management capacity. However it has proved very difficult to specifically identify agricultural waste arisings in Hazardous, CDEW or CIW as a whole. DCC<sup>10</sup> used the EA Waste Data Interrogator

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<sup>8</sup> 'A large amount of waste generated in Torbay is landfilled at Heathfield near Kingsteignton'. See the Devon Waste Plan Consultation Document (April 2011) Para 9.4.3 p52 Torbay Council (LACW and CIW) Recovery 38,000-48,000pa Disposal 25,000-33,000pa pg53) (2031)

[http://www.devon.gov.uk/120508\\_waste\\_plan\\_consultation\\_document\\_for\\_webpage.pdf](http://www.devon.gov.uk/120508_waste_plan_consultation_document_for_webpage.pdf)

<sup>9</sup> Source: Waste Forecast for 2013 Hazardous Waste Interrogator 2008

<sup>10</sup> See the Devon Waste Core Strategy Evidence Base Report (April 2011): Section 2.6 pp23-27  
<http://www.devon.gov.uk/evidencebasereport.pdf>

(2008). It is likely that a small proportion of the 'agricultural waste sub-class' is currently being managed as part of the CIW (CDEW and hazardous) waste streams<sup>4</sup>. It appears that agricultural waste figures are fairly insignificant to the overall waste stream.

- **Waste water treatment facilities** form a vital part of community infrastructure and are necessary to protect human health and water quality. Torbay's largest treatment facility is located at Brokenbury Quarry, Churston Brixham. Whilst there are currently no new major waste water treatment facilities proposed to cater for the proposed levels of growth projected over the Plan period, the need for new and extended facilities will be kept under review by South West Water and the Council.

## 1.2 Scope and Structure of Appraisal

For the waste types arising, a short-fall in facilities for Commercial and Industrial Waste (CIW) in Torbay has been identified. However, there have been difficulties in identifying sites in Torbay for this purpose that are either suitable, viable or deliverable. Consequently it is likely that the additional waste management capacity for the Plan period will need to be catered for within the wider sub-region through a mixed spatial approach for future waste management in Devon<sup>11</sup>. The **Devon Waste Plan** has identified this approach in the 'Issues and Options' consultation (April - July 2011) and this was supported in the Preferred Strategy, Site Options and Draft Policies Consultation (May - August 2012). The County Council is developing the pre-submission draft of the Devon Waste Plan, which will undergo further public consultation in the Autumn (2013) before the Plan is submitted to the Secretary of State for examination. This approach allows for Devon-wide self sufficiency but addresses existing cross-boundary waste movements and associated capacity requirements by allowing for the operation of medium sized facilities. To refresh the supporting Evidence Base for this approach, Torbay Council officers have revisited the previous research into potential Waste Management Facility sites within Torbay, appropriate waste arisings data and associated growth scenarios.

This Report considers potential strategic recovery and disposal<sup>12</sup> sites of 1 hectare<sup>13</sup> or more to meet the short-fall in facilities for CIW, together with a detailed appraisal to assess their broad

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<sup>11</sup> [www.devon.gov.uk/devon\\_waste\\_plan\\_consultation\\_2012.htm](http://www.devon.gov.uk/devon_waste_plan_consultation_2012.htm) Devon Waste Plan - Preferred Strategy, Site Options and Draft Policies Consultation (May 2012)

<sup>12</sup> In the context of recovery facilities preferred technology is specified. However there are broadly two types : biological (including anaerobic digestion) and thermal (including mass burn incineration,



suitability for waste development. The Report aims to ensure that sites identified for potential waste management/disposal facilities are deliverable and would not have unacceptable environmental, social and economic impacts.

### **1.3 Duty to Co-operate**

Where spatial planning has influences beyond Torbay, there is a need to work with adjoining and nearby local authorities, statutory bodies and other relevant organisations.

This approach has been formalised as the ‘Duty to Cooperate’, under the Localism Act 2011 and NPPF. The Act requires councils to co-operate with their neighbours “constructively, actively and on an ongoing basis” when preparing local plans. The extent of co-operation is a key test of soundness of the Plan.

Preparation of the emerging Torbay Local Plan has involved, and continues to involve, engagement and cooperation across a wide range of strategic topics.

In economic, social and environmental terms, Torbay functions as part of a much wider area. Inevitably, preparation of this Plan involves tackling issues that don’t always conform to administrative boundaries. Waste is also a prime example of a strategic plan making issue, requiring a ‘cross-border’ approach on account of the considerable levels of waste movements that take place across local authority boundaries in Devon, the south west and beyond. The management of waste is an example of strategic infrastructure that cannot usually be delivered wholly locally.

Torbay Council has been fully involved with Devon County Council in the preparation of the emerging Devon Waste Local Plan, and the emerging Torbay Local Plan has had full regard to the policies and proposals that are set out. This Torbay Waste Site Identification Report has been prepared both to inform the Waste Local Plan and the Torbay Local Plan, and comprises a further contribution to the cross boundary work in the ongoing partnership between the two waste authorities.

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gasification and pyrolysis). These two types of recovery can influence the building design, size and height of a facility. The Characteristics of different types of waste facility are described in more detail in Appendix 3 & 4 The Devon Waste Plan - Site Identification and Appraisal Methodology (April 2012) [http://www.devon.gov.uk/waste\\_site\\_selection\\_and\\_site\\_appraisal\\_methodology\\_for\\_website.pdf](http://www.devon.gov.uk/waste_site_selection_and_site_appraisal_methodology_for_website.pdf)

<sup>13</sup> Minimum 1ha for recovery facilities and 20ha for disposal facilities (land fill or land raise).

## 2. Study Methodology

The method adopted in this Report follows the Devon County Council "Devon Waste Plan Identification and Appraisal Methodology"<sup>14</sup> April 2012 (which incorporates the Locational Criteria recommended to WPAs identified in PPS10 Annex E) to ensure cross boundary consistency in the process of considering waste sites. The methodology is considered to be sufficiently robust to address, on a strategic level, the suitability of any site options to be taken forward within the emerging Torbay Local Plan. The methodology follows an iterative 'sieving' process where areas of land are assessed against a set of objectives and indicators within an appraisal matrix to determine their potential to accommodate the different types of future waste management development.

The waste policies set out in the Draft Torbay Local Plan (September 2012) provide guidance for unallocated waste management facilities (in accordance with the Key Diagram and the Waste Hierarchy) where individual sites are well related to the transport network, centres of population and sources of waste and do not have adverse impacts upon features of environmental importance, biodiversity or endanger human health.

This appraisal looks at the scope for identifying sites to meet specific waste disposal/recovery needs.

### 2.1 Site Identification Method

Potential strategic recovery and disposal sites have been identified using an in-house search for sites. This was based on a desktop study\*, utilising the existing knowledge of the local area. In the first instance, the area of search was refined to remove any areas of land containing international or national designations. Where a site partly contained a designation, it progressed for further consideration.

Following the initial filtering processes, a search for potential waste sites was carried out using a number of opportunity criteria such as proximity to industrial or employment sites and worked or active quarries for recovery and landfill sites respectively. Other opportunity criteria including proximity to sustainable transport modes, heat user (loads) and electrical power substations were also considered. Consequently 14 sites were identified within and in close proximity to

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<sup>14</sup> The Devon Waste Plan - Site Identification and Appraisal Methodology (April 2012)  
[http://www.devon.gov.uk/waste\\_site\\_selection\\_and\\_site\\_appraisal\\_methodology\\_for\\_website.pdf](http://www.devon.gov.uk/waste_site_selection_and_site_appraisal_methodology_for_website.pdf) \* except for Stage 1, paragraph 2.2.1

Torbay's boundary, including those considered in the SWEEG<sup>15</sup> study (2006) for Advanced Thermal Treatment to produce Energy from Waste. However, the Millward Farm (Marldon) and Yannon Lane (Kingskerswell) sites were ruled out from further consideration because they are located outside of the Torbay area. The Barton Way Gas Works Site, Torquay was also ruled out as it is less than half a hectare in size and below the minimum site size (1ha) for recovery facility.<sup>16</sup> The remaining eleven waste sites have been taken forward or newly identified for detailed appraisal. These were considered for recovery, disposal or both recovery and disposal development. A full list of sites identified is displayed in Table 2.1 below.

**Table 2.1: A List of Sites Identified for Detailed Appraisal**

Site	Location	Proposed for
Kerswell Gardens	Torquay	Recovery
Torbay Hospital Grounds	Torquay	Recovery
Browns Bridge Road, Barton Employment Allocation	Torquay	Recovery
Occombe Farm	Paignton	Recovery
Claylands	Paignton	Recovery
Tor Park Road, Yalberton Industrial Estate	Paignton	Recovery
Yalberton Depot, Borough Road	Paignton	Recovery
Yalberton Road Employment Allocation	Paignton	Recovery
Churston Court Farm	Brixham	Disposal*
Lummaton Quarry	Torquay	Disposal* & Recovery
Yalberton Tor Quarry	Paignton	Disposal* & Recovery

\*(inert disposal)

<sup>15</sup> The South West Energy and Environment Group (SWEEG) is a partnership between local authorities in the South West and the Centre for Energy and the Environment at the University of Exeter. The partnership aims to share experience, information, research and technical advice between its members on energy and climate change issues. Website: <http://emps.exeter.ac.uk/research/energy-environment/cee/sw EEG/>

<sup>16</sup> See DCC Site Identification and Appraisal Methodology para 3.2.3: [http://www.devon.gov.uk/waste\\_site\\_selection\\_and\\_site\\_appraisal\\_methodology\\_for\\_website.pdf](http://www.devon.gov.uk/waste_site_selection_and_site_appraisal_methodology_for_website.pdf)



Figure 2.1: Location of Potential Waste Sites Identified for Appraisal

## 2.2 Site Appraisal Method

Site assessment followed an iterative process and comprised **five key stages** where sites were assessed against a set of objectives and indicators. The appraisal was carried out by Torbay Council's Strategic Planning Team and a range of other Council Officers with detailed knowledge of specific topic areas.

Site appraisal matrices were used by officers to record the suitability of each site for waste management/disposal development against a series of specific criteria based indicators, through desktop based research. The matrix comprises social, economic and environmental objectives and indicators relevant to waste management.

**Stage one** represents an initial screening to consider whether the proposed site meets the basic site requirements and includes general description, location details, site size, the nature of potential operations and international and national designations. If the site does not pass these 'absolute constraints' or meet these basic requirements, it would not progress forward for further consideration. Churston Court Farm and Lummaton Quarry sites were ruled out at this stage due to location within the AONB and designation as a Geological Site of Special Scientific Interest (SSSI) respectively.

**Stage two** represents further evidence gathering to inform the appraisal process using mapped information predominantly in the form of Geographical Information System (GIS) layers. The purpose of this stage was to highlight possible constraints and opportunities which may present at each site. A flag system was used to reflect the site's proximity to a range of receptors, which may be affected by waste development or assist in the delivery of development at the site. At this stage, Occombe Farm was ruled out from the appraisal process due to proximity to national designations namely Occombe SSSI and Grade 2 & 3a Agricultural Land.

**Stage three** focuses on developing judgement on the information gathered at stages one and two. During this stage five colours have been used to indicate 'potential for risk of harm' or 'potential to realise opportunity'. Definition of these levels of risk/opportunity was developed in DCC Waste Identification and Appraisal Methodology<sup>17</sup>. A summary of the colour scoring methodology used is displayed in this section below. Mitigation measures and further assessment were also proposed as appropriate at this stage.

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<sup>17</sup> [http://www.devon.gov.uk/waste\\_site\\_selection\\_and\\_site\\_appraisal\\_methodology\\_for\\_website.pdf](http://www.devon.gov.uk/waste_site_selection_and_site_appraisal_methodology_for_website.pdf)



**Stage 3 Constraint Criteria:**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>High (1)</b>	<b>High/medium (2)</b>	<b>Medium (3)</b>	<b>Medium/low (4)</b>	<b>Low (5)</b>

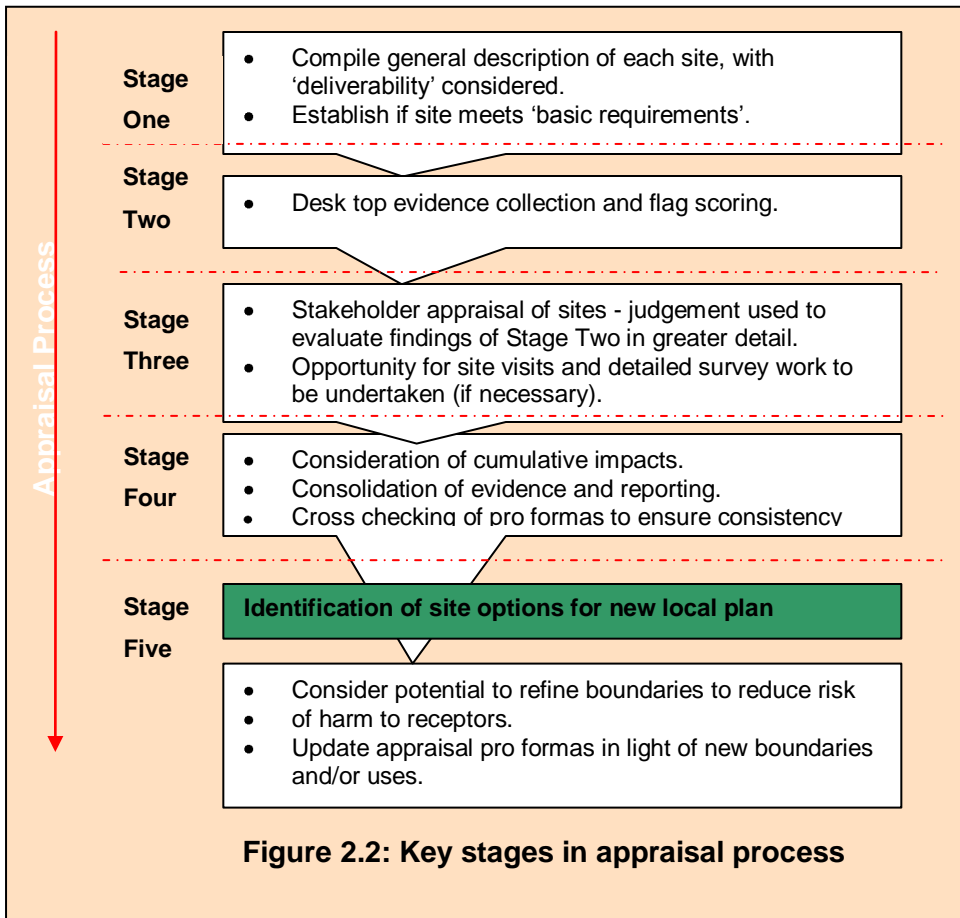
**Stage 3 Opportunity Criteria:**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Low (1)</b>	<b>Medium/low (2)</b>	<b>Medium (3)</b>	<b>High/medium (4)</b>	<b>High (5)</b>

Following the consideration of constraints and opportunities upon individual sites, **Stage four** considers, on a strategic level, potential cumulative impacts of sites which may be located in relative proximity to one another and to the proposed areas of growth in the Torbay Local Plan.

Cumulative effects arising from more than one of the potential sites being developed simultaneously and in close proximity to each other have been considered for Kerswell Gardens, Browns Bridge Road, Barton Employment Allocation and Torbay Hospital Grounds in Torquay. Cumulative effects have also been considered for Tor Park Road (Yalberton Industrial Estate), Yalberton Depot, Claylands and Yalberton Road Employment Allocation in Paignton.

At **Stage five** the information collected through Stages one to four were consolidated and a site appraisal report drafted. The completed site appraisal report provides an indication as to which sites have emerged as offering most potential for waste management. Figure 2.2, below illustrates the whole process.



**Table 2.2: Summary of Appraisal Stages**

Site	Location	Appraised for	Stage 1	Stage 2	Stage 3 & 4	Stage 5	Const- raints Score*	Opport- unities Score**
Kerswell Gardens	Torquay	Recovery					187	23
Torbay Hospital Grounds	Torquay	Recovery					183	22
Browns Bridge Road, Barton Employment Allocation	Torquay	Recovery					188	25
Occombe Farm	Paignton	Recovery					179	12
Claylands	Paignton	Recovery					188	28
Tor Park Road, Yalberton Ind. Estate	Paignton	Recovery					187	25
Yalberton Depot Borough Road	Paignton	Recovery					185	25
Yalberton Rd Employment Allocation	Paignton	Recovery					182	21
Churston Court Farm	Brixham	Disposal					165	12
Lummaton Quarry	Torquay	Disposal & Recovery					-	-
Yalberton Tor Quarry	Paignton	Disposal & Recovery					184	21
<b>Total number of sites remaining at each Stage</b>			<b>9</b>	<b>8</b>	<b>8</b>	<b>3</b>		

\*Aggregated Stage 3 Score for **constraints** criteria<sup>18</sup>

\*\*Aggregated Stage 3 Score for **opportunity** criteria

	Meets stage requirement		Does not meet stage requirement
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<sup>18</sup> It should be noted not all indicators have the same weight and therefore a good overall numerical score will not necessary mean that there are not significant constraints for particular indicators.



### **3. Conclusion of Sites Appraisal**

The handling and processing of waste at any location is often contentious and this underpins the importance of directing this type of development to the right locations within Torbay in a robust and considered manner. This is also important given the potential for significant negative social, environmental, and economic impacts if proposals are brought forward at the wrong locations.

The approaches outlined within this Report resulted in the identification of a number of potential sites. The sites were assessed using the methodology outlined in section 2 of this Report. A summary of site assessments is provided below and a full assessment can be accessed in Appendices 1 to 3 accompanying this Report.

#### **3.1 Kerswell Gardens, Torquay Road, Torquay**

This prominent gateway site is located on the periphery of a key area of future growth identified in the emerging Local Plan (Policy SDT3) and allocated for future employment, residential and leisure use, where high quality well landscaped development is proposed. A strategic waste recovery/landfill facility would conflict with these aspirations.

The site scores generally well through the appraisal process. An existing waste recycling operation occurs on part of the site (outside the Torbay Boundary). The site could have high/medium risk on AQMA in Teignbridge DC; however the forthcoming South Devon Link Road could improve the air quality in the area. Most of the site lies within GH bat strategic flyway (250m buffer) and therefore a bat survey will be required at the project level. There are some constraints associated with the site in relation to impact upon landscape character, surface water bodies, priority habitats and the site could conflict with National Grid infrastructure.

#### **3.2 Torbay Hospital Grounds, Lawes (Lowe's) Bridge, Torquay**

The site scores generally well through the appraisal process in relation to the majority of the constraint indicators with only one scoring high/medium and three scoring medium/low risk of harm. These were linked to proximity to a large number of residential/commercial properties, parkland priority habitats and surface water bodies. The site is heavily used with high demands on parking to service the hospital. If the site was put forward for recovery facility this may cause air quality issues to sensitive receptors.

The site lies within SDT3 (Torquay Gateway) of the emerging Local Plan where high quality design and enhancement of the built and natural environment is required. The site forms a functional part of the Torbay Hospital campus (staff car parking, controlled by NHS Health Care Trust) and new education research buildings have been constructed in close proximity since the site was first considered by SWEEG in 2006. There may be potential for a recovery facility if the Care Trust would be willing to work in partnership with a suitable operator/provider. Further assessment is required.

### **3.3 Browns Bridge Road, Barton Employment Allocation, Torquay**

There are some constraints such as land contamination, land instability and air quality issues associated with development of the site as a recovery facility. It could however be suitable for a household waste recycling facility in the long-term (beyond the second 5 year review of the development plan). However the site is currently being considered for employment use in the Local Plan and Torquay Neighbourhood Plan.

The site is also in close proximity to a large residential area, particularly health deprived wards. The site is allocated for employment use (Adopted Local Plan) and would re-use previously developed land. However, the employment site forms part of an important economic drive to deliver around 3,000 jobs in



Torquay over the Plan period and is currently being promoted for employment/commercial use. The site has potential to provide opportunities for district heating and is well located to the road network and potential rail network access. However the very close proximity of residential properties overlooking the site and the allocated recreation space immediately adjacent are recognised as a conflicting uses. There may therefore be unacceptable amenity impacts arising from a strategic waste facility in this location.

### **3.4 Occombe Farm, Preston Down Road, Paignton**

The site scores generally well through the appraisal process and has good access to the strategic road network. It has scored high/medium risk of harm for two indicators. This includes

risk of harm to Occombe SSSI and loss of agricultural land Grade 2 & 3a. There are some constraints associated with the site in relation to impact upon landscape character, surface water bodies, BAP priority habitats and species and Strategic Nature Areas<sup>19</sup>.

Whilst the existing small scale, rural wood fuel operation functions in a complementary way to the overall Occombe Farm facility (part of a Local Nature Reserve), a strategic recovery facility would conflict with existing and emerging policies in the Local Plan for the protection of biodiversity, landscape and rural setting.

### **3.5 Claylands, Brixham Road, Paignton**

The site has scored well for the majority of the 45 constraint indicators, and is well located (within 250m) to the HWRC. There are constraints associated with land contamination and instability. The site is adjacent to a residential area, industrial estate, a supermarket and a major tourism facility (Paignton Zoo). It is also adjacent to Clennon Valley watercourse and within 500m of the Yalberton watercourse. There are small parts of the site considered to be vulnerable to surface water flooding.

The site provides an opportunity to export heat and is well located to the Torbay HWRC at Yalberton. However the site is currently allocated for tourism use (Policy TU2.1) in the Adopted Torbay Local Plan and the Torbay Development Agency has ambitions to



restore the site and bring it forward for employment use in order to promote economic regeneration in Torbay. This would have the benefit of dealing with expensive site restoration requirements. The site is therefore not considered acceptable for a Strategic Waste Facility.

### **3.6 Tor Park Road, Yalberton Industrial Estate, Paignton**

Well located (within 600m) to the HWRC, the site scores generally well through the appraisal process. There are some constraints associated with land contamination and instability as it is a

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<sup>19</sup> Strategic Nature Areas (SNAs) are landscape scale areas of land that have been selected by Biodiversity South West as being important areas for the conservation and expansion of particular habitat types in Devon. These areas are part of the South West Nature map <http://www.devon.gov.uk/devonrefinementofnaturemap.pdf>

'gassing' former landfill site. The site is also in close proximity to a residential area and Paignton Community College. It is also close to Yalberton and Clennon Valley watercourses.

Whilst the site lies within the Yalberton Industrial Estate, it also lies immediately adjacent to some residential properties and a further residential development has been developed on the northern frontage. The impact on residential areas is therefore likely to be a significant consideration for any future large scale waste recovery facility on this site. The site is therefore not considered acceptable.

### **3.7 Yalberton Depot, Borough Road, Paignton**

The site scores generally well through the appraisal process. There are some constraints associated with land contamination and instability as it is a 'gassing' former landfill site. The site is also in close proximity to a residential area and Yalberton and Clennon Valley watercourses. Whilst well located (within 250m) to the HWRC, the site is currently used by TOR2 as part of its household waste recycling facility and therefore there is no capacity for other waste facilities. It is currently leased until 2020 with subsequent renewable 5 year contracts and therefore not considered to be available during the plan period. A new Depot site would therefore need to be found and this is not considered practicable. The site has also been identified as having residential potential (SHLAA site). The potential impact on residential amenity is therefore likely to be a significant consideration for any future large scale waste recovery facility on this site.

The western half of the site is currently used for car parking, storage area and car wash facility for Tor2 and may have potential to accommodate a waste recovery facility in the long-term, probably beyond the Local Plan period or at least beyond the second 5 year review of the development plan. The site has also been identified

in the Strategic Housing Land Assessment (PBA refresh 2013) for residential use. This is currently being considered in the Local Plan/Paignton Neighbourhood Plan.



### **3.8 Yalberton Road Employment Allocation, (Yannons Farm), Yalberton Road, Paignton**

Whilst well located (within 250m) to the HWRC, and the Yalberton Tor Quarry CDEW facility there are some strong national constraints associated with the site, most notably in relation to potential impacts on agricultural land Grade 1 & 2. There are potential negative impacts on legally protected species, BAP priority species and Strategic Nature Areas. The site is also in proximity to a residential area, and Yalberton and Clennon Valley watercourses.

The site is allocated for employment use within the Adopted Torbay Local Plan (Policy E1.16C) and in the new Local Plan (Policy SDP3), which identifies mixed employment (Class B) and residential development for the land at Yalberton Road (Yannons Farm). The new Local Plan is expected to deliver 2,600 jobs over the Plan period for Paignton and with very limited greenfield opportunities for employment development, the site has strategic importance for employment within the Bay. Residential development with planning consent will immediately abut the southern boundary. For these reasons the site is not considered acceptable.

### **3.9 Churston Court Farm, Brixham**

There are some strong national constraints associated with the site, most notably in relation to potential negative impacts on the South Devon AONB. The site also impacts upon agricultural land, integrity of the South Hams SAC and legally protected habitats and species. Development of the site as a waste facility could also have negative impacts on existing neighbouring residential properties, County Wildlife Sites, Public Rights of Way (PROW), surface water vulnerability, Lupton Park (Grade II\* historic park and garden) and lead to potential loss of or damage to non-designated heritage assets. The development is likely to have a detrimental effect on the environment, in conflict with the NPPF (para 115), which provides for the highest status of protection to the AONB. The site is therefore not considered acceptable.

### **3.10 Lummaton Quarry, Torquay**

The whole site at Lummaton Quarry is designated as a geological SSSI and it is currently fully occupied for industrial uses. The site therefore fails the 'absolute constraint criteria' and is not considered to be an acceptable strategic waste site location. There are also accessibility restrictions associated with the site.

### **3.11 Yalberton Tor Quarry, Yalberton Road, Paignton**

Well located (within 100m) to the HWRC, the site is a former limestone quarry and an inert landfill site and therefore it could potentially cause land contamination and stability issues. The site currently has permission for processing of waste. It is operating a phased approach to recovering and disposing of in-situ and imported waste, the progressive land filling of the quarry void with inert waste, the construction of an appropriate geological barrier in conjunction with waste recycling operations, and restoration and ceasing of mineral extraction. This is operating as a suitable CDEW facility for the Plan Period (23-29 years processing for 150,000 tonnes of material pa). The site has good potential for multiple and complimentary waste uses and therefore it could accommodate a recovery facility in the long-term (beyond the second 5 year review of the development plan) depending on the rate of processing and recovery; this would also depend on the private, commercial decision of the operators.

## **4. Further Work**

A more detailed assessment of the potential sites at Torbay Hospital Grounds and Yalberton Depot sites has been carried out between February and April 2013. This involved discussions with Torbay Hospital land owners and the Torbay Development Agency (TDA), which raised concerns about deliverability and concern over a lack of operator interest for the scale of the potential development. A summary of the findings of this additional work has been provided in this section below, which indicates that no suitable waste facilities sites have been found in Torbay.

### **4.1 Yalberton Depot, Borough Road, Paignton**

Discussions have taken place with the Torbay Development Agency regarding the potential for the 1.3ha south west portion of the site adjoining the Tor2 Depot at Yalberton Road to accommodate a waste recovery facility. Torbay Council's preference is for this land to be used to increase and maximise employment provision in Torbay. It is recognised that the land itself is contaminated, which will influence what the land can and cannot be used for. This site is currently being marketed by the TDA on behalf of Torbay Council for an employment use and it is expected that a tenant will be found in the near future. If in the future Torbay Council were to decide that alternative uses would be acceptable, this decision would be taken by Members and officers in the context of the Asset Rationalisation Programme.

### **4.2 Torbay Hospital Grounds, Lawes (Lowe's) Bridge, Torquay**

Discussions with South Devon Healthcare NHS Foundation Trust & Torbay and Southern Devon Health and Care NHS Trust have taken place regarding the potential for Torbay Hospital to accommodate a waste recovery facility. A new plan for the comprehensive development and redevelopment of the Torbay Hospital campus is now nearing completion. The hospital authority has indicated that the accommodation of a waste recovery facility is not included in this strategy and as a consequence there is no potential for the introduction of such a facility in the short to medium term. Concerns have been expressed by the organisation that extra vehicles on site associated with such a use could have an impact on patient and staff safety.

### **4.3 Site Visit**

A visit to a number of waste sites identified earlier in this Report was organised by the JVC Client Manager and the Environment Policy Service Manager in May 2013. This was to test and to consolidate conclusions reached in this study and to arrive at a comprehensive set of recommendations on whether or not sites to be taken forward in the Torbay Local Plan. Five sites were visited namely Yalberton Depot, Yalberton Quarry, Claylands, Barton and Lummaton Quarry. During the site visit to Yalberton Depot, a presentation by the Tor2 HWRC Service Manager was made which provided officers with good understanding of the current work and future plans for Yalberton Depot site.



## 5. Recommendations

Following the desktop study, more detailed assessment and site visits, it was concluded that none of the sites investigated are suitable to be taken forward within the Local Plan period (up to 2032). However, there are three sites that have the potential to be developed as strategic waste facilities in the long-term.

1. **Kerswell Gardens:** the site should not be taken forward for further consideration in the Local Plan.
2. **Torbay Hospital Grounds:** following further considerations, the site should not be taken forward for further consideration in the Local Plan.
3. **Browns Bridge Road, Barton Employment Allocation:** the site could be suitable for recycling centre in the long-term but should not be taken forward, as a strategic CIW recovery facility, for further consideration in the Local Plan.
4. **Ocombe Farm:** the site should not be taken forward for further consideration in the Local Plan.
5. **Claylands:** although the site could be suitable for waste recovery facility in the long-term, it should not be taken forward for further consideration in the Local Plan.
6. **Tor Park Road, Yalberton Industrial Estate:** the site should not be taken forward for further consideration in the Local Plan.
7. **Yalberton Depot:** the site could have potential to accommodate waste recovery facility in the long-term probably beyond the Local Plan period. However, following additional investigations, the site should not be taken forward for further consideration in the Local Plan.
8. **Yalberton Road Employment Allocation:** the site should not be taken forward for further consideration in the Local Plan.

9. **Churston Court Farm:** the site should not be taken forward for further consideration in the Local Plan.
10. **Lummaton Quarry:** the site should not be taken forward for further consideration in the Local Plan.
11. **Yalberton Tor Quarry:** the site currently operates as Torbay's CDEW. It could accommodate CIW recovery facility in the long-term.