

Planning and Regulatory Committee

Tuesday, 17 May 2016, County Hall, Worcester - 10.00 am

		Minutes
Present:		Mr R C Adams (Chairman), Ms P Agar, Mr A T Amos, Mrs S Askin, Mr P J Bridle, Mr M H Broomfield, Mr S J M Clee, Mr P Denham (Vice Chairman), Mrs A T Hingley, Mr A P Miller, Mr S R Peters, Mr D W Prodger and Mr A C Roberts
Available papers		The Members had before them: A. The Agenda papers (previously circulated); B. A copy of the summary presentations from public participants invited to speak (previously circulated); and C. The Minutes of the meeting held on 22 March 2016 (previously circulated). A copy of documents A-B will be attached to the signed Minutes.
935	Named Substitutes (Agenda item 1)	Mr S R Peters substituted for Mr R J Sutton.
936	Apologies/ Declarations of Interest (Agenda item 2)	An apology was received from Mr R Sutton. Mr R C Adams declared interests in agenda item 5 as a public participant Mr Surman was an acquaintance of his through his farming activities and Mr Adam's wife was the Secretary of the local point-to-point equestrian event but she had no discussions with applicant or objectors about the application. Mr D W Prodger declared an interest in Agenda item 8 as a Director of Worcester Racecourse.
937	Public Participation (Agenda item 3)	Those representations made are recorded at the Minute to which they relate.
938	Confirmation of Minutes	RESOLVED that the Minutes of the meeting held on 22 March 2016 be confirmed as a correct record and signed by the Chairman.

(Agenda item 4)

939 Proposed minerals extraction of about 1.4 million tonnes of sand and gravel and erection of a temporary wharf with progressive restoration to a landscaped lake on land at Ryall's Court, Ryall Court Lane, Ryall, Upton-upon-Severn, Worcestershire (Agenda item 5)

The Committee considered a County Matter planning application for the proposed minerals extraction of about 1.4 million tonnes of sand and gravel and erection of a temporary wharf with progressive restoration to a landscaped lake on land at Ryall's Court, Ryall Court Lane, Ryall, Upton-upon-Severn, Worcestershire.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set the Head of Strategic Infrastructure and Economy's comments in relation to alternatives, Worcestershire's landbank of sand and gravel reserves, best and most versatile agricultural land and sieve test/methodology, landscape character and appearance of the local area, residential amenity (including noise, dust and light impacts), the water environment, ecology and biodiversity, traffic, highway safety and impact upon public right of way, historic environment, restoration and aftercare of the site, other matters – economic impact, cumulative effects, impact upon tourism, consultation, Human Rights Act 1998, and land ownership.

The Head of Strategic Infrastructure and Economy concluded that the proposed development seeks to bring forward the development of an allocated minerals site within the adopted Minerals Local Plan and an area of land immediately to the south, which had been identified as an area of known deposits. Sand and gravel would be extracted on a campaign basis, in 5 phases over an 8 year period and would be transport by barge along the River Severn to the existing Ryall House Farm processing plant. A separate application had been made to the Mineral Planning Authority to retain this facility.

The NPPF advice was that minerals planning authorities should plan for a steady and adequate supply of aggregates by making provision for the maintenance of landbanks of at least 7 years for sand and gravel. Worcestershire's landbank was less than 1 year and consequently, the County Council currently did not have sufficient reserves of sand and gravel available with planning permissions to meet its share of the sub-regional apportionment and annual provision requirements based on sales in accordance with national planning policy and guidance.

The proposed development would be located on best and

most versatile agricultural land. Policy 2 of the adopted Minerals Local Plan set out criteria for which sites that were not a preferred area of sand and gravel extraction should be assessed. The southern part of the application site needed to be judged against this sieve test. Best and most versatile agricultural land was a primary constraint within Policy 2, however, as Natural England had not raised an objection to the proposal on grounds of impact upon best and most versatile agricultural land or permanent pasture land, the Head of Strategic Infrastructure and Economy considered that refusal of planning permission on these grounds could not be upheld on appeal.

The Head of Strategic Infrastructure and Economy considered that whilst there would be changes to the visual appearance of the site, these impacts would be localised in effect and mitigation measures would limit the extent of the disturbance visible at any one time. Based on the advice of the County Landscape Officer, it was considered that the proposed development would not have an unacceptable impact upon the character and appearance of the local area, including the Registered Park and Garden of 'The Park', subject to the imposition of appropriate conditions.

The Head of Strategic Infrastructure and Economy considered that, subject to the imposition of appropriate conditions relating to operating hours, requiring a detailed lighting scheme and implementation of the mitigation measures outlined in the submitted Environmental Statement (Air Quality and Noise Sections) there would be no adverse air pollution, noise, dust or lights impacts on residential amenity or that of human health.

Based on the advice of the Lead Local Flood Authority, South Worcestershire Land Drainage Partnership and the Environment Agency, the Head of Strategic Infrastructure and Economy considered the impacts upon the water environment including hydrology, hydrogeology and users of the River Severn would be acceptable subject to the imposition of appropriate conditions.

It was considered that the "derogation tests" in the Habitats Directive could be met, and that the proposal would not have an unacceptable adverse impact on ecology and biodiversity at the site or on the surrounding area, including the nearby Upton Ham and Earl's Croome Meadow SSSI's, subject to the imposition of appropriate conditions, as recommended by the County Ecologist and Worcestershire Wildlife Trust; and the proposal

would result in a net increase in biodiversity, in accordance with Section 11 of the NPPF.

Based on the advice of the County Highways Officer and County Footpath Officer, the Head of Strategic Infrastructure and Economy was satisfied that the proposal would not have an unacceptable impact upon traffic, highway safety or Public Rights of Way, subject to the imposition of appropriate conditions. The Head of Strategic Infrastructure and Economy also welcomed the use of the River Severn to transport sand and gravel as a more sustainable form of transport compared to freight.

A number of heritage assets were located within the context of the application site, this includes Severn End a Grade II* Listed Building and associated Grade II Listed buildings and structures, located on the western bank of the River Severn. Based on the advice of Historic England and the County Archaeologist it was considered that the proposed development would not have an unacceptable impact upon heritage assets, subject to the imposition of an appropriate pre-commencement condition, in accordance with Policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan.

The Head of Strategic Infrastructure and Economy acknowledged that the NPPF afforded significant weight to the need to support economic growth. It was considered that the proposal would provide a small number of direct employment opportunities, secure the continued operation of processing sand and gravel at Ryall House Farm Quarry, thereby securing the existing jobs, as well as contributing to the wider growth aspirations for the county through the supply of local aggregates to the market. Therefore, it was considered that the proposal would provide substantial sustainable economic development benefits to the local economy in accordance with the NPPF.

It was considered that the proposal could have a minor and limited adverse impact upon tourism, and in the long-term the final restoration landform had the potential to have a positive impact upon tourism to Upton-upon-Severn and the surrounding area. Finally, the Head of Strategic Infrastructure and Economy did not consider that the cumulative impact of the proposed development would be such that it would warrant a reason for refusal of the application.

On balance, taking into account the provisions of the

Development Plan and in particular Saved Policies 1 and 2 of the adopted County of Hereford and Worcester Minerals Local Plan and Policies SWDP 1, SWDP 2, SWDP 3, SWDP 4, SWDP 5, SWDP 6, SWDP 21, SWDP 22, SWDP 23, SWDP 24, SWDP 25, SWDP 28, SWDP 29, SWDP 31, SWDP 32, SWDP 39 and SWDP 40 of the adopted South Worcestershire Development Plan, it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

The representative of the Head of Strategic Infrastructure and Economy introduced the report and commented that members had visited the site. Members travelled along Ryall Court Lane and the bridleway up to Day House Cottages. Members observed the proposed location for the storage of soils and subsoils and phases 1 and 3 of the proposed extraction site. Members walked to the location of the proposed wharf and travelled though Upton-upon-Severn and observed the site from Severn End across the river. Further letters of representation had been sent to all members of the Committee from a local objector and Upton Rowing Club. A further letter of representation had been received in support of the application. In addition a letter had been received objecting to the application on archaeological grounds. In response to this letter, the County Archaeologist had been consulted and on his advice it was proposed that condition hh) be revised to read "Prior to the commencement of the development hereby approved, a plan showing the position of the haul routes and the details of their construction shall be submitted to and approved in writing by the Mineral Planning Authority, thereafter the development shall be carried out in accordance with the approved details."

Mr Oliver Surman an objector to the proposal addressed the Committee. He commented that he was commenting as part owners of the site and tenant farmers of the remainder. The family supported the principle of mineral workings but subject to changes in the proposed restoration, after-use and access. The application should be after-use led, based on rowing and leisure use, and combined with conservation. Long term sustainable after use was more important than mineral extraction lasting just eight years.

He added that the Rowing Club proposal for a 1000m six lane facility combined with other water based disciplines was supported. Benign water based leisure activities could sit comfortably alongside conservation areas, but

they needed to be planned at the outset not as an afterthought.

He stated further that the application site was privately owned and Cemex did not have control of any part of the site. Agreement had yet to be reached on any aspect of the proposal let alone how the after-use would be managed. The present restoration and after-use proposal would not be signed up to.

He added that the nature reserve would be costly to maintain and no organisation with appropriate financial and physical resources had been nominated in the plan to manage it long term. Conversely the Rowing Club proposal would provide an income stream to facilitate maintenance of the site and would provide a lifeline to the local economy. The proposal was supported by four local councils, local businesses, landowners, schools, and other organisations.

He commented that the access passed through the curtilage of his family home, it was a private space where young children played. Furthermore there were no restrictions on the number or frequency of vehicle movements passing through this private and sensitive area. He argued that a better access had been identified. The Day House would be severely and unfairly impacted by the proximity of the site. The thriving bed and breakfast business would have to close.

He concluded that a period of further consultation before final determination would seem a sensible way forward to ensure that this once in a lifetime project had a lasting positive legacy.

In response to a query about whether Sport England had been consulted, Peter Surman responded that Upton Rowing Club had contacted Sport England, as well as the British Rowing Association and they had indicated that they would support a rowing feature. Sport England had also indicated that they would look favourably on providing funding for it.

Mr Ian Southcott addressed the Committee on behalf of the applicant. He commented that Ryall House Farm had been an important source of construction materials and rural employment for over 20 years. This application sought to extend the operation by digging sand and gravel from the Ryall North. If permission was granted, materials would travel by barge to the processing area at Ryall House Farm. In essence, little would change

except the actual location of the extraction area. Traffic movements of processed material would be the same and vehicles would leave and enter the plant via the A38 as they did now. The extraction of these materials was a low key activity using excavators and dumpers and would be carried out in a progressive manner on a campaign basis. Progressive meant that the site was worked in phases and as one area was prepared for extraction, its restoration followed on immediately thus leaving only relatively small areas being worked at any one time.

He added that the campaign approach meant that extraction would only take place during four, seven week campaigns during the year. During these campaigns, a stockpile would be created as barges were loaded from the stockpile. This loading activity would continue throughout the year. The machinery for extraction would be brought to site for each campaign and would create approximately 48 traffic movements in any one 52 week period. The vast majority of consultees supported the application, albeit naturally subject to various conditions.

He stated further that the applicant had actively engaged with local residents, and Town/Parish Councils through an exhibition and direct meetings, County Council and Wildlife Trust officers and councillors and other bodies such as the Rowing Club and Point to Point Committee to consider how best the site might be restored. The applicant was sympathetic to these aims and recognised the importance of tourism to Upton in particular. However, the limited geological information available indicated that although the land to the south of the current application boundary did contain sand and gravel, there was insufficient information on which to build a business case to work this land at present. To accommodate such a plan at this point in time would have created a significant delay and would have meant that the processing plant would have to be mothballed as material from the current site would soon be exhausted. This would also jeopardise the employment of up to 20 people. However, should permission be granted, there was a window of approximately three years in which a variation to the restoration plan could be agreed to accommodate the desired after-use.

He concluded that the application should be supported to maintain the supply of these vital construction materials for the local market, of which there was an acknowledged shortage when compared to Government policy, to ensure the continuation of the jobs associated with the site and to secure the long term and beneficial restoration

of the site

The following issues were raised with the representative of the applicant:

- What was the applicant's response to the concerns expressed by objectors about the long term maintenance of the nature reserve in the north of the site? Mr Southcott responded that a 10 year aftercare scheme was proposed. Experience had shown that following the 10 year period, the aftercare of the site would become self-sustainable. The scheme had been devised in consultation with the County Ecologist and the County Landscape Officer
- There had been delays in the restoration work at Saxon Lode. Did this reflect a lack of commitment by the applicant towards the restoration works at the site? Mr Southcott acknowledged that the restoration works at Saxon Lode were not as advanced as they should be but this was due to circumstances out of the applicant's control. The site was being filled with silt so restoration could only take place when the silt was available. In addition, Great Crested Newts had had to be removed from the site which had caused delays. The application site did not require the import of materials and could be restored as work progressed
- In response to a query regarding consultation with the landowners, Mr Denny (a representative of the applicant) responded that at least one meeting had been held with the Surman family.

In the ensuing debate, the following principal points were raised:

- The application had been rushed through and was not the best scheme to meet the aspirations for public benefit. The proposed access along Ryall Court Lane was unsuitable as an access to a working quarry, was narrow with no passing places, had a poor road surface and would lead to a loss of amenity for residents who lived along it. The applicant should contribute to the maintenance of the access road. There was a better access from the A4104 to the South of the site. The access also went through Ryall Court Farm which would have an adverse effect on its residents particularly in terms of safety and impact on residential amenity

- Day House Cottages were situated directly adjacent to a working quarry and could only be accessed via a track which would be traversed by the applicant's vehicles. The residents of that property would suffer from a loss of amenity and adverse impact on their B&B business. In addition, the property was higher than the proposed quarry site and the proposed 3 metre bunds would not reduce the noise and dust impact.
- Had the quantities of soil been validated because there was a concern that the height of the bunds would be greater than stated? A condition should be added that surplus soil should not be removed by road. The spoil would also be deposited on land of archaeological value
- It was not clear how the working barges would be moved alongside the static barge at the wharf. The proposed barges would be larger than those currently used and the Canals and Rivers Trust might not have appreciated how far the arrangements would project into the navigable channel
- There were no details of the impact of flooding, the hardstanding area, the access ramp, the wharf area, the haul road, toilet facilities and how the existing river bank would be supported. It was queried why the wharf and haul road had been sited in the proposed location on a precious local meadow. Concern was expressed about the impact of vehicle movements on the local footpath network and in particular the Severn Way National Trail, a national walking route
- The management plan for the after use of the site only covered a 10 years period and only related to the north of the site. The return of the site to its natural state could have no value to the public and proper thought had not been given to the public use in the future
- The creation of a liaison group with local residents was welcomed but should incorporate boat users at the local marina and the rowing club
- The representative of the Head of Strategic Infrastructure and Economy explained that a condition was required that soils be kept on site for restoration purposes and therefore soils would not be taken off site. He was satisfied that the proposed soil levels could be accommodated on site. The barges would be the same size as at the existing wharf and it was considered that there would be sufficient navigable space in the river. A condition stipulating that the details of the wharf

be submitted was proposed. The key reason for the proposed bund at Day House Cottages was noise attenuation. The applicant had submitted a noise assessment that had concluded that without the bunds, the noise at Day House Cottages would be above acceptable levels

- The representative of the County Highways Officer acknowledged that Ryall Court Lane was narrow but the traffic figures were based on the proposed method of operating through campaigns with relatively small numbers of vehicle movements. The applicant would inform local residents in advance when a campaign was commencing. 48 HGV movements a year were proposed which was manageable and kept disruption to a minimum. There was a condition to manage and ensure that sand and gravel was taken away by barge and not by road. The proposed access was therefore considered to be acceptable
- Consideration should be deferred to allow modifications to the application in relation to the after-use of the site, screening to the east of the site, possible economic development possibilities and alternative access to the site via the A4104. In response, the representative of the Head of Strategic Infrastructure and Economy stated that any alternative access to the site would need to be properly assessed, the EIA updated accordingly with appropriate reconsultation and might or might not be considered acceptable. Officers considered the existing application to be acceptable and members were advised to approve or refuse the application before them
- The NPPF presumed in favour of sustainable development and it was essential to provide a local supply of sand and gravel and therefore there was a strong case for approval in policy terms. The concern from local residents about the future use of the site was understood as it would be beneficial to provide a lasting water feature to increase tourism and encourage economic growth. However Malvern Hills District Council, not the County Council, was responsible for water sports and leisure development applications. There was a three year window of opportunity in which to put forward an acceptable scheme for future use of the site
- The land was privately owned and the application did not set out any means of public access to the site for its future use. The representative of the

County Highways Officer stated that access to any future sporting facilities on the site would be the subject of a separate planning application to Malvern Hills District Council. She emphasised the access to the quarry was for consideration as part of this application. The representative of the Head of Strategic Infrastructure and Economy added that members needed to consider whether the landform set out in the application was capable of being used for a beneficial aftercare use

- It was agreed that the application be approved subject to the proposed amendment to condition hh).

RESOLVED that, having taken the environmental information into account planning permission be granted for the proposed minerals extraction of about 1.4 million tonnes of sand and gravel and erection of a temporary wharf with progressive restoration to a landscaped lake on land at Ryall's Court, Ryall Court Lane, Ryall, Upton-upon-Severn, Worcestershire, subject to the following conditions:

Permission

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) The operator shall provide written notification to the Mineral Planning Authority at least seven days but no more than fourteen days prior to:
 - i. The commencement of the development hereby permitted;
 - ii. The date of commencement of mineral extraction in any phase;
 - iii. The date of commencement of soil stripping in any phase;
 - iv. The date of completion of mineral extraction in any phase; and
 - v. The completion of mineral extraction;
- c) The development hereby permitted shall be carried out in accordance with the following documents and drawings, except where otherwise stipulated by conditions attached to this permission:

Documents:

- Planning Application Statement – Ryall North

Quarry, dated 10 March 2015

- **Supplementary Supporting Statement – Ryall North Quarry – Proposed Extraction of Sand & Gravel, dated October 2015**
- **Flood Risk Assessment for Quarry development at Ryall Quarry North, Upton-upon-Severn, dated February 2016, and**
- **Memorandum, titled: Ryall North – Private Water Supply Abstraction at Day House Cottage, dated 3 March 2016;**

Drawings:

- **14_C060_RYLN_001 – Application Plan**
- **14_C060_RYLN_003 – Topographic Survey**
- **14_C060_RYLN_004_A – Location of Proposed Wharf**
- **14_C060_RYLN_005 – Cross Sections**
- **14_C060_RYLN_006_B – Indicative Wharf Design**
- **14_C060_RYLN_007 – Public Rights of Way**
- **14_C060_RYLN-009 – Crossing Detail PROW 508(B)**
- **14_C060_RYLN_010 – Crossing Detail PROW 505(B)**
- **14_C060_RYLN_12 – Tree and Hedgerow Overview**
- **14_C060_RYLN_015 – Extent of Proposed Conservation Area**
- **15-S006-RYN-D-001 – Phase 1**
- **15-S006-RYN-D-002 – Phase 2**
- **15-S006-RYN-D-003 – Phase 3**
- **15-S006-RYN-D-004 – Phase 4**
- **15-S006-RYN-D-005 – Phase 5**
- **15-S006-RYN-D-006 – Restoration Landform**
- **SO8542 D 3050 110805 – Overburden Isopachytes**
- **SO8542 D 3051 110805 – Minerals Isopachytes**
- **SO8542 D 3052 110805 – Bedrock Surface Contours;**
- **RYN/007 A – Restoration Plan**
- **15-S128-RYN-D-002 – Soil bunds and**
- **15-S128-RYN-D-003 – Cross Sections 1-3;**

- d) All mineral extraction shall cease and the site shall be restored in accordance with the approved restoration scheme as required by Condition k) before 31st December 2026. Should extraction cease before this date the Mineral Planning Authority shall be notified in writing within 1 month of extraction ceasing;**

- e) No extraction of sand and gravel shall take place outside the limit of the extraction boundary shown on the Drawing titled: 'Restoration Landform', Numbered: 15-S006-RYN-D-006;
- f) No processing or treatment of sand and gravel shall take place on the site;
- g) This permission does not allow the importation of waste material onto the site;
- h) Prior to the construction of any site compound or buildings, details of the location, design and materials of the site compound and/or buildings shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;

Working Hours

- i) Except in emergencies, all operations and uses on the site including the running of any plant or machinery and loading of barges, shall only take place between 07:30 to 18:30 hours Mondays to Fridays, inclusive, and 07:30 to 12:00 hours on Saturdays, with no operations on the site at any time on Sundays or Bank Holidays. The Mineral Planning Authority shall be informed in writing within 48 hours of an emergency occurrence that would cause working outside the stipulated hours;

Phasing

- j) The development hereby approved shall be carried out in accordance with the working programme, progressive restoration and phasing shown on Drawings Numbers: 15-S006-RYN-D-001; 15-S006-RYN-D-002; 15-S006-RYN-D-003; 15-S006-RYN-D-004; 15-S006-RYN-D-005; and 15-S006-RYN-D-006;

Restoration

- k) Within 12 months of the commencement of the development hereby approved, a detailed restoration scheme for the site, including the wharf and surge pile area shall be submitted to and approved in writing by the Mineral Planning

Authority. Thereafter the development shall be carried out in accordance with the approved scheme;

- l) Prior to soil stripping operations of Phase 3, as shown on Drawing Numbered: 15-S006-RYN-D-003, a scheme for the restoration of the fields subject to 'short-term soil & overburden storage' as shown on Drawing Numbered: 15-S006-RYN-D-001, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**

Aftercare

- m) The nature conservation area as defined on Drawing Numbered: 14_C060_RYLN_015 shall undergo aftercare management for a 10-year period; all other land within the application site shall undergo aftercare management for a 5-year period. Prior to any area being entered into aftercare the extent of the area and its date of entry into aftercare shall be agreed in writing with the Mineral Planning Authority;**
- n) An aftercare scheme for each phase shall be submitted to the Mineral Planning Authority for approval in writing within 6 months of the completion of mineral extraction in the preceding phase. Such a scheme shall specify the steps which are to be taken to bring the land up to the required standard for the land uses shown on the Restoration Scheme, as required by Condition k). These steps shall include the following:**
- i. Control of invasive species;**
 - ii. The submission of Habitat Management Plan setting out the actions that are to be undertaken to guide the initial habitat / vegetation establishment works, habitat creation and ongoing restoration including management practices such as cutting and removal of vegetation, grazing, pollarding and protection and replacement of tree and shrub plantings;**
 - iii. Management of soil, fertility and weeds;**
 - iv. Drainage;**
 - v. A timetable for undertaking the aftercare scheme; and**
 - vi. The establishment of an aftercare working**

group comprising of the operator, the Mineral Planning Authority and ecological specialists including a timetable for frequency of meetings. The working group shall assess and review the detailed programmes of aftercare operations and the setting out of actions for subsequent years having regard to the condition of the land, progress on its rehabilitation and necessary maintenance;

Thereafter, the development shall be carried out in accordance with the approved details in accordance with the approved timetable, or as amended in consultation with the Mineral Planning Authority following each annual review of performance;

Landscape

- o) Notwithstanding the submitted details, prior to the commencement of the development hereby approved, an Arboricultural Method Statement and Tree Protection Plan, which shall outline which hedgerows shall be managed to allow them to grow up, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- p) Notwithstanding the submitted details, within 12 months of the date of this permission a detailed planting scheme to include native species, sizes, numbers, spacing, densities; locations; and a planting specification shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**

Soil Handling and Storage

- q) All soil handling shall be carried out in accordance with the Ministry of Agriculture, Fisheries and Food 'Good Practice Guidance for Handling Soil' (2000) and the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009);**

- r) **Soil stripping shall not take place until any standing crop or vegetation has been cut and removed;**
- s) **The topsoil shall be stripped to the full depth down to 250mm at its maximum depth, all subsoil shall be stripped to a depth of 950mm at its maximum, and wherever possible both topsoil and subsoil shall be directly placed as part of restoration following stripping;**
- t) **Topsoil and subsoil stripping shall only be carried out when the entire volume of soil to be stripped is in a dry and friable condition;**
- u) **All stripped topsoils and subsoils shall be permanently retained on site for subsequent use in restoration, as detailed in the application;**
- v) **For purposes of storage and placement of soils, topsoil shall only be mixed with topsoil and subsoil shall only be mixed with subsoil or other soil-making materials;**
- w) **Prior to the use of any area for the storage of subsoil or overburden that area shall first be stripped of topsoil;**
- x) **Plant or vehicles shall not cross areas of unstripped topsoil or subsoil except for the express purpose of stripping operations;**
- y) **The temporary topsoil storage bunds as shown as on Drawing Numbered: 15-S006-RYN-D-001 shall be constructed to a maximum height of 3 metres prior to the extraction of sand and gravel from Phase 1, and shall only be removed upon completion of sand and gravel extraction in Phase 2, as shown on Drawing Numbered: 15-S006-RYN-D-002;**
- z) **The storage of subsoils and overburden shall be in accordance with Drawings Numbered 15-S128-RYN-D-002 and 15-S128-RYN-D-003, and shall not exceed a height of 5 metres;**
- aa) **Prior to the commencement of soil stripping operations, a scheme for the seeding and management of all soil storage mounds that will remain in situ for more than 3 months or over winter shall be submitted for the written approval**

of the Mineral Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved scheme and thereafter maintained free of weeds throughout the development;

bb) Only low ground pressure machines should work on relaid topsoil or subsoil to replace and level topsoil. Topsoil shall be lifted onto subsoil by equipment that is not standing on either relaid topsoil or subsoil;

cc) Topsoil shall be re-spread to achieve at least the minimum settled depth of 250mm. The respread topsoil shall be loosened and ripped:

- i. to provide loosening equivalent to a single pass at a tine spacing of 0.3 metres or closer;
- ii. to full depth of the topsoil plus 100mm; and
- iii. any non-soil making material or rock or boulder or larger stone lying on the loosened topsoil surface and greater than 100mm in any dimension shall be removed from the site or buried at a depth not less than 2 metres below the final settled contours;

dd) Subsoil and any soil making materials shall be levelled to provide an even depth across the re-laid area so that the total thickness of settled subsoil conforms with the approved landform referred to in condition k);

Access and Highways Safety

ee) Vehicular access to and from the site shall only be gained via Ryall Court Lane only, as shown on Drawing Numbered: 14_C060_RYLN_001;

ff) The use of Ryall Court Lane for the transportation of plant and machinery shall only be used between the hours of 09:00 to 15:30 hours Mondays to Fridays, inclusive;

gg) All sand and gravel extracted from the site shall be transported by barge only;

hh) Prior to the commencement of the development hereby approved, a plan showing the position of the haul routes and the details of their

construction shall be submitted to and approved in writing by the Mineral Planning Authority, thereafter the development shall be carried out in accordance with the approved details;

- ii) No mud, dust or debris shall be deposited on the public highway;

Public Rights of Way

- jj) Notwithstanding the submitted details, prior to the commencement of soil stripping operations details of the gates to be installed at the Public Right of Way crossing points, which cross Bridleways UU-508 and EA-547 / RP-505, as shown on Drawing Numbers: 14_C060_RYLN_009 and 14_C060_RYLN_010 shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;

Lighting

- kk) Details of any lighting to be installed at the site, including the temporary wharf shall be submitted to the Mineral Planning Authority for approval in writing prior to being erected. These details shall include:
 - i. Height of the lighting posts
 - ii. Intensity of the lights
 - iii. Spread of light in metres (Lux plan)
 - iv. Any measure proposed to minimise the impact of the lighting or disturbance through glare;
 - v. Any measures to minimise the impact of lighting upon protected species and habitats, in particular bats; and
 - vi. Times when the lighting would be illuminated;

Noise

- ll) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times, and shall be fitted with and use fully operational silencers;

mm) All mobile plant, machinery and vehicles (excluding delivery vehicles which are not owned or under the direct control of the operator) used on the site shall incorporate white noise reversing warning devices;

nn) The following measures shall be undertaken to minimise noise emissions within the site arising from all operations including vehicular movements, extraction operations, minerals, soils and overburden stockpiling and soil spreading operations:

- i. Internal haul routes shall be routed such that separation distances to noise sensitive properties is maximised;**
- ii. All haul roads are kept clean and maintained in a good state of repair to avoid unwanted rattle and body slap from vehicles;**
- iii. All mobile plant and heavy goods vehicles within the site shall move in a manner to minimise, as far as is practical and safe, noise from reverse warning systems;**
- iv. The minimisation of drop heights during loading and unloading of sand and gravel;**
- v. Plant that is used intermittently, shall be shut down when not in use;**
- vi. Any pumps, generators and compressors shall either be electrically powered and fitted with an acoustic cover where necessary; or diesel powered pumps, generators and compressors shall be installed within acoustic enclosures;**

Dust

oo) The following measures shall be undertaken to suppress dust emissions within the site arising from all operations, including vehicular movements, extraction operations, minerals, soils and overburden stockpiling and soil spreading operations:

- i. The provision of a water bowser and/or static/mobile spraying units, which shall be used at all times when there is a risk of dust arising from the moving and storage of soil and overburden, mineral extraction, processing and manoeuvring operations;**
- ii. The sweeping of access and haul roads,**

- where necessary;
- iii. The minimisation of drop heights during loading and unloading of sand and gravel;
- iv. all plant and vehicles shall have upward facing exhausts to ensure that emissions are directed away from the ground;
- v. there shall be a maximum speed limit of 10 mph within the site;
- vi. the cessation of operations in conditions when dust cannot be controlled;

Stockpiles

- pp) The height of any stockpiles of sand and gravel shall not exceed 7.5 metres;

Water environment

- qq) Prior to soil stripping operations a Flood Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;
- rr) Prior to the construction of the wharf and surge pile infrastructure hereby approved, a Method Statement and detailed scheme for the design and construction of the wharf and surge pile infrastructure shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;
- ss) Prior to the commencement of the movement of barges from the development hereby approved to the Ryall House Quarry site (Application Ref: 15/000012/CM), a series of trial runs shall take place and be overseen by the Canal and Rivers Trust to ensure that the new freight operations are safe and not detrimental to the navigation or our other users. The trial runs shall include approaching and turning at the wharf site hereby approved, to test the submitted 'Risk Assessment & Method Statement – Ryall North to Ryall Quarry' scenarios and assumptions;
- tt) Within 12 months of the date of this permission, a scheme that sets out how the water level within the restored lake would be managed shall

be submitted and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;

- uu) The following measures shall be undertaken in order to mitigate the risk of water pollution arising during the mineral extraction operations and subsequent restoration works:
- i. There shall be a maximum speed limit of 10 mph within the site to reduce the likelihood and significance of any collisions;
 - ii. All plant should be regularly maintained and inspected daily for leaks of fuel, lubricating oil or other contaminating liquids;
 - iii. Maintenance of plant and machinery should be undertaken within the site compound approved under Condition h) or off-site, as appropriate, to minimise the risk of uncontrolled release of polluting liquids; and
 - iv. Discharge water from the dewatering of the excavation shall be pumped into a settlement lagoon to remove any suspended solids before being discharged from the site;
- vv) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and site glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels, overflow pipe outlets shall be detailed to discharge downwards into the bund;

Ecology and biodiversity

- ww) The development hereby approved shall be carried out in accordance with the submitted 'Ecological Management Plan for Ryall North, Ryall's Court Farm, Ryall Court Lane, Upton-upon-Severn, Worcestershire, WR8 0PF', dated February 2015;**
- xx) Within 12 months of the date of this permission, the content, design and location of biodiversity interpretation panels and the bird hide to be erected within the nature conservation area shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- yy) Within 12 months of the date of this permission, details of the provision to be made for bird and bat boxes on the site, including specification, number, location and timetable for their installation shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- zz) Details of any otter holt to be installed at the site, including its specification and location shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- aaa) Within 12 months of the date of this permission an Ecological Monitoring Strategy shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**

Archaeology

- bbb) Prior to the commencement of the development hereby approved, a programme of archaeological work, including a Written Scheme of Investigation, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include an assessment of significance and research questions; and:**

1. The programme and methodology of site investigation and recording;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision and timetable to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision and timetable to be made for archive deposition of the analysis and records of the site investigation; and
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;

Thereafter the development shall be carried out in accordance with the approved scheme;

- ccc) Prior to soil stripping operations, details of the medieval ridge and furrow protective fencing to be installed within the fields subject to 'short-term soil & overburden storage' as shown on Drawing Numbered: 15-S006-RYN-D-001 shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;

Topographical Survey

- ddd) A topographical survey of the site shall be carried out annually and supplied to the Mineral Planning Authority. Supplementary topographical surveys shall be undertaken upon the written request of the Mineral Planning Authority and supplied to the Mineral Planning Authority within four weeks of a written request;

Local Liaison

- eee) Within 6 months of the date of this permission a scheme that sets out measures for liaison arrangements with the local community shall be submitted to, and approved in writing by the Mineral Planning Authority. The approved scheme shall be implemented for the duration of the development; and

In the event of Cessation of Workings

fff) In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the approved restoration and aftercare schemes which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of reclamation and aftercare, shall be submitted to and approved in writing by the Mineral Planning Authority, within 6 months of written notice from the Mineral Planning Authority of the requirement of such a scheme. The revised scheme shall be implemented within 12 months of its approval in writing by the Mineral Planning Authority or such revised timescale as shall be determined by the Mineral Planning Authority.

940 County matter application to vary condition 15 of planning permission 407501, dated 18 June 2001 to enable the continued temporary retention of aggregate wharf, aggregates processing plant, ancillary uses and structures, access and fresh water lagoons at Ryall House Farm Quarry, Tewkesbury

The Committee considered a County Matter planning application to vary Condition 15 of planning permission 407501, dated 18 June 2001 to enable the continued temporary retention of an aggregate wharf, aggregates processing plant, ancillary uses and structures, access and fresh water lagoons at Ryall House Farm Quarry, Tewkesbury Road, Ryall, Upton-upon-Severn, Worcestershire.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set out the Head of Strategic Infrastructure and Economy's comments in relation to landscape character and appearance of the local area and residential amenity, the water environment, ecology and biodiversity, traffic, highway safety and impact upon public rights of way, restoration and aftercare, other matters – economic impact, historic environment, and crime and security.

The Head of Strategic Infrastructure and Economy concluded that subject to the imposition of appropriate conditions carried forward from the extant planning permission, the proposal would be acceptable in terms of its noise and dust impacts and would not cause any unacceptable overbearing, overshadowing or overlooking implications that detract from residential amenity due to

**Road, Ryall,
Upton-upon-
Severn,
Worcestershire
(Agenda item 6)**

its design, size and location and would have no adverse or detrimental impact upon the character and appearance of the local area.

The Environment Agency, Lead Local Flood Authority, South Worcestershire Land Drainage Partnership and Severn Trent Water Limited all raised no objections to the proposal. The proposal would not alter the existing wharf arrangements, drainage arrangements, or working practices at the site, therefore, the Head of Strategic Infrastructure and Economy considered that there would be no adverse effects on the water environment.

Based on the advice of Natural England, Worcestershire Wildlife Trust and the County Ecologist, the Head of Strategic Infrastructure and Economy considered that subject to the imposition of appropriate condition carried forward from the extant planning permission and the imposition of conditions recommended by the County Ecologist, that the proposal would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area.

Based on the advice of the County Highways Officer and County Footpath Officer, the Head of Strategic Infrastructure and Economy was satisfied that the proposal would not have an unacceptable impact upon traffic, highway safety or Public Rights of Way.

With regards to the restoration of the processing plant, the applicant had confirmed that extant planning permission (Application Ref: 407501) required Ryall House Farm Quarry and Wharf to be restored in accordance with approved drawing no. RYA3/6. The applicant did not propose to deviate from this requirement and had confirmed that significant stockpiles of soils remained within the site for eventual use in the restoration of the plant site and wharf. A condition was recommended to require the restoration of the plant and wharf area.

Taking into account the provisions of the Development Plan and in particular Policies WCS 1, WCS 2, WCS 5, WCS 5, WCS 6, WCS 8, WCS 9, WCS 10, WCS 11, WCS 12 and WCS 14 and Policies SWDP1, SWDP 2, SWDP 3, SWDP 4, SWDP 6, SWDP 21, SWDP 22, SWDP 24, SWDP 25, SWDP 28, SWDP 29, SWDP 31 and SWDP 32 of the adopted South Worcestershire Development Plan, it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

The representative of the Head of Strategic Infrastructure and Economy commented that members had visited the site and walked along the public right of way to the existing wharf and observed the processing plant in operation. A further letter of support had been received.

In the ensuing debate, the following principal points were raised:

- The facility was necessary for the processing of sand and gravel therefore it would be sensible to prolong the life of this facility
- There could be a detrimental impact on the river to destroy the wharf after work on site was concluded. Could anything be done to retain the wharf for potential future use? The representative of the Head of Strategic Infrastructure and Economy stated that it was possible to vary the condition to remove the wharf if so desired in the future. It was possible that the Minerals Local Plan could deem it appropriate to protect infrastructure assets of this kind in the county
- Were any improvements to on-site security necessary? The representative of the Head of Strategic Infrastructure and Economy commented that he was not aware of any security issues on site. Mr Denny, a representative of the applicant stated that cctv was in operation at the site.

RESOLVED that planning permission be granted for the carrying-out of development pursuant to planning permission reference 407501, dated 18 June 2001 without complying with Condition 15 of that permission so as, to enable the continued temporary retention of aggregate wharf, aggregates processing plant, ancillary uses and structures, access and fresh water lagoons at Ryall House Farm Quarry, Tewkesbury Road, Ryall, Upton-upon-Severn, Worcestershire, subject to the following conditions:

- a) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: RYA 3 / 1a, RYA 3 / 2a, RYA 3 / 3, RYA 3 / 4, RYA 3 / 5 and RYA 3 / 6a, except where otherwise stipulated by conditions attached to this permission;**
- b) The surface of the access road to the A38 shall be sealed and wheel cleaning equipment shall be**

provided and used to prevent mud and detritus from the site being deposited on the adjacent public highway;

- c) The height of the plant and any stockpiles of processed or unprocessed materials shall not exceed 12 metres;
- d) The planting area as shown on Drawing Number RYA 3 / 3 shall be maintained, with failures replaced as necessary for the duration of operations at the site;
- e) Best practicable means shall be used to control dust and noise from the site including suspension of barge unloading in the event of high winds causing dust emissions;
- f) Any stockpile of materials shall be sited more than 10 metres from any watercourse (including ditches) and land drains;
- g) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund;
- h) The planting on the sides of the proposed pond shall be carried out in the next available planting season following the replacement of soil and shall thereafter be maintained for the duration of operations at this site and any plants which die are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species unless otherwise agreed in advance in

writing with the Mineral Planning Authority;

- i) All operations and uses on the site including barge unloading shall only take place between 7am and 7pm Monday-Friday, 7am-12 noon on Saturdays and not at all on Sundays or Public Holidays;
- j) The access to the trunk road and visibility splay as shown on drawings. RYA3/7 and 3/8 respectively dated February 2001 shall be provided and maintained, with the access surfaced to a minimum depth of 150mm in either concrete or bituminous materials for a distance of 10m from the kerblines of the trunk road, for the duration of the operations hereby permitted;
- k) No work involving the movement of soil, other than that on the bankside connected with the construction of the wharf and associated facilities, shall commence before a phased scheme for the handling and respreading of previously stripped and stored soils and overburden has been submitted to and approved in writing by the Mineral Planning Authority. Soils and overburden shall not be handled other than strictly in accordance with the approved scheme unless the Mineral Planning Authority agree otherwise in writing;
- l) Proposals for the decommissioning and restoration of the wharf and plant area as shown on Drawing Numbered: RYA 3 / 6a shall be submitted to the Mineral Planning Authority for their approval by 31 December 2023, unless the extraction operations at the associated Ryall's Court Quarry (Application Ref: 15/000013/CM) cease permanently prior to that date in which case decommissioning and restoration proposals shall be submitted within 3 months of the date of permanent cessation of working;
- m) Prior to respreading of soil making materials, subsoil or topsoil, the upper 600mm of the surface shall be:
 - i. Prepared so that it does not contain material injurious to plant growth;
 - ii. Ripped at a spacing of 500mm or closer to remove rock, stone, boulder, other foreign objects or compacted layers capable of

- impeding normal agricultural and land drainage operations including mole ploughing or subsoiling;
- iii. **Stones, materials and objects which exceed 200mm in any dimension and occur on the surface of the ripped and loosened ground shall be removed from the site or buried at a depth of not less than 2 metres below the final pre-settlement contours;**
- n) **Any part of the site which is significantly affected by differential settlement that occurs during the restoration and aftercare period, and would interfere with agricultural operations, shall be filled. The operator shall fill the depression to the final settlement contours specified with suitable imported soils to the specification to be agreed in writing by the Mineral Planning Authority. Topsoil, subsoil and other overburden moved in the course of the work shall not be mixed and shall not be handled and replaced in accordance with the above conditions;**
- o) **An agricultural aftercare scheme outline strategy shall be submitted for the written approval of the Mineral Planning Authority at least 3 months before spreading of subsoil commences. This strategy shall outline the steps to be taken, and the period during which they are to be taken, and who will be responsible for taking those steps, to bring the land to the required standard so that the physical characteristics are restored, as far as it is practicable to do so, to what they were when the land was last used for agriculture i.e. the standard that satisfies the requirements of Paragraph 3(1) of Schedule 5 of the 1990 Act. The aftercare scheme shall include provision for a field drainage system and an annual meeting;**
- p) **Within 9 months of the date of this permission, details of the review of the wharf lighting shall be submitted to and approved in writing by the Mineral Planning Authority. The wharf lighting review shall include details of the existing and any proposed lighting, and shall include:**
- i. **Height of the lighting posts**
 - ii. **Intensity of the lights**
 - iii. **Spread of light (in metres)**
 - iv. **Any measure proposed to minimise the impact of the lighting or disturbance**

- through glare;
- v. Any measures to minimise the impact of lighting upon protected species and habitats, in particular bats; and
- vi. Times when the lighting would be illuminated;

Thereafter, the development shall be carried out in accordance with the approved details.

941 Retrospective application to vary condition 7 of planning permission reference number 407544 to extend the existing operating hours of an existing waste transfer station at Lydstep, Cleeve Road, Middle Littleton, Evesham, Worcestershire (Agenda item 7)

The Committee considered a retrospective County Matter planning application for the variation of Condition 7 of Planning Permission reference number 407544 to extend the existing operating hours of an existing waste transfer station at Lydstep, Cleeve Road, Middle Littleton, Evesham, Worcestershire.

The report set out the background of the proposal, the proposal itself, the relevant planning policy and details of the site, consultations and representations.

The report set out the Head of Strategic Infrastructure and Economy's comments in relation to residential amenity, and traffic and highways safety.

The Head of Strategic Infrastructure and Economy concluded that letters of representation had been received objecting to the proposal on residential amenity grounds. The Environment Agency, Worcestershire Regulatory Services and the County Highways Officer were consulted on the application and had raised no objections subject to the imposition of appropriate conditions. Accordingly, the Head of Strategic Infrastructure and Economy was satisfied that the proposed development would have no adverse or detrimental impact upon the residential amenity of the surrounding area in accordance with Policy 31 of the South Worcestershire Development Plan.

The Head of Strategic Infrastructure and Economy was satisfied that there would be no adverse impact on highways safety and that the proposal was therefore acceptable on highways grounds.

Taking into account the provisions of the Development Plan and in particular Policies WCS 1; WCS 3; WCS 8; WCS 9; WCS 11; WCS 12; WCS 14 and WCS 15 of the adopted Worcestershire Waste Core Strategy; and Policies SWDP 1; SWDP 2; SWDP 4; SWDP 7; SWDP 21; SWDP 22; SWDP 25; SWDP 31 and SWDP 33 of the South Worcestershire Development Plan, it was

considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

RESOLVED that planning permission be granted for the variation of Condition 7 of Planning Permission reference number 407544 to extend the existing operating hours of an existing waste transfer station at Lydstep, Cleeve Road, Middle Littleton, Evesham, Worcestershire, subject to the following conditions:

- a) The existing vehicular access in the south-east corner of the site shall be gated and not used by vehicles in connection with the skip hire and waste transfer business;
- b) All vehicles connected with the skip hire and waste transfer business shall use the access to the north-east of the waste transfer area;
- c) No materials or substances shall be incinerated on the site;
- d) The hardstanding shall be cleared of waste at the end of every working day and any waste remaining on site shall be in skips or other approved containers;
- e) Waste Transfer operations (including vehicle movements into and away from the site) shall only take place on the site between 07:00. and 18:00 hours Mondays to Fridays inclusive, and 07:30-13:00 hours on Saturdays. No Waste Transfer operations (including vehicle movements to and from the site) shall take place on Sundays or Public Holidays. The use of any screening plant shall not take place before 10:00 hours on any day;
- f) Any stockpiles of waste or other materials stored on the site shall not exceed 3 metres in height;
- g) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of

interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund;

- h) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not be passed through the interceptor;**
- i) There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways. An acceptable method of foul drainage disposal would be connection to the foul sewer;**
- j) Provision shall be made to ensure that surface water from the site does not discharge onto the public highway;**
- k) The "Rating Level" of noise from the use of the site shall not increase the existing background noise level by more than 5dBA whilst the site is in operation. The noise level shall be determined at a point one metre in front of the most affected façade of any noise sensitive premises. The measurements and assessments shall be in accordance with BS4142 : 1997;**
- l) There shall be no crushing of any waste materials on site;**
- m) No putrescible or hazardous material or substance shall be handled or stored within the application site;**
- n) The Waste Transfer Station shall only handle waste collected by the applicant's vehicles and shall not be available for use by other waste**

collection companies or the general public;

- o) The existing southern and eastern boundary hedgerows shall be retained and maintained to the satisfaction of the County Planning Authority for the duration of all waste transfer and screening operations on site;**
- p) The approved scheme for the treatment of the northern boundary of the site adjacent to the screener (ref: KRH2295/a+bi/T) shall be adhered to for the duration of all waste transfer and screening operations on site;**
- q) The approved measures for dust suppression shall be adhered to for the duration of all waste transfer and screening operations on site; and**
- r) All drainage from the hardstanding and vehicle washdown areas shall be drained via the existing interceptor for the duration of Waste Management operations on site.**

942 Safety at Sports Grounds Annual Review 2016 (Agenda item 8)

The Committee considered the annual review of activities carried out by the County Council to discharge its duties under the Safety at Sports Grounds (SatSGs) and related legislation during 2015/2016.

The report set out the background to the safety at sports grounds, details of the safety certificates and Safety Advisory Groups findings for Sixways Stadium Worcester Warriors RFC, Aggborough Stadium – Kidderminster Harriers FC and Worcester City FC, The Grandstand – Worcester Racecourse, and Victoria Ground – Bromsgrove Sporting FC, additional safety management advice, and the Regulatory Reform (Fire Safety) Order (FSO).

In the ensuing debate, the following principal points were raised:

- Were there any implications resulting from the Hillsborough Inquiry report for the safety at sports grounds in Worcestershire? The Emergency Planning Officer commented that issues that issues arising from the Inquiry related to capacity calculation, issuing of the certificate and checking of the certificate. In Worcestershire all certificates were monitored annually and all the capacity calculations were submitted by the safety officers so the ground capacity for each

stadium was known. Every time there was a change to the capacity of a stadium a new certificate would need to be issued because it affected the circulation flows of spectators at the ground

- In response to a concern expressed about evacuation procedures at Worcester Warriors RFC following the bomb scare at Old Trafford, the Emergency Planning Officer explained that the appropriate safe locations to evacuate spectators had been taken into account to avoid the danger of secondary explosions.

RESOLVED that the 2015/16 Annual Review of activities carried out by the Council to manage and implement the Safety at Sports Grounds legislation be noted.

The meeting ended at 11.20 am

Chairman