

## Planning and Regulatory Committee

### Tuesday, 15 July 2014, 10.00 am, County Hall, Worcester

#### Present:

#### Minutes

Mr R C Adams (Chairman), Mr A T Amos, Mrs S Askin, Mr P Denham, Mrs A T Hingley, Mr A P Miller, Mr D W Prodger, Mr R J Sutton and Mr G C Yarranton

#### Available papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. Submission from the public participants (previously circulated);
- C. A proposed addendum to the recommendation in relation to Agenda item 7 (previously circulated);
- D. A letter of objection from Mr John Humpreys on behalf of Pendock Parish Council dated 11 July in relation to Agenda item 5 (previously circulated); and
- E. The Minutes of the meeting of the Cabinet held on 20 May 2014 (previously circulated).

**877**      **Named  
Substitutes  
(Agenda item 1)**

Mr G C Yarranton substituted for Mr S J M Clee.

**878**      **Apologies /  
Declarations of  
Interest  
(Agenda item 2)**

Apologies were received from Mr J Baker, Mr M H Broomfield, Mr S J M Clee and Mr A C Roberts.

Mr P Denham declared an interest in Agenda item 7 as a member of Worcester City Council's Planning Committee but was not present at that Committee's consideration of the item.

**879**      **Public  
Participation  
(Agenda item 3)**

Those presentations made are recorded at the Minute to which they relate.

**880**      **Confirmation of  
Minutes  
(Agenda item 4)**

**RESOLVED** that the Minutes of the meeting held on 20 May 2014 be confirmed as a correct record and signed by the Chairman.

**881**      **Application for**

The Committee considered a County Matter planning application for the variation of planning conditions 2 and 4

**planning permission for the carrying-out of development pursuant to planning permission reference number 13/000058/REG3 dated 14 February 2013 without complying with conditions 2, 3 and 4 of that permission so as to allow the increase in throughput of material from 6,000 tonnes per annum to 9,000 tonnes per annum; The sale of bulk loads of compost to local farmers and other trade/bulk users and for the compost to be used on the applicant's land and also on land elsewhere at Pendock Environmental, Eldersfield, Worcestershire (Agenda item 5)**

and removal of planning condition 3 on planning permission reference number: 13/000058/CM so as to allow the increase in throughput of material from 6,000 tonnes per annum to 9,000 tonnes per annum; the sale of bulk loads of compost to local farmers and other trade/bulk users and for the compost to be used on the applicants land and also on land elsewhere at Pendock Environmental, Eldersfield, 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 Economic Development and Planning comments in relation to the waste hierarchy, the location of the development, residential amenity, traffic and highways safety, and other matters.

The Head of Economic Development and Planning concluded that in principle open windrow composting facilities were supported by PPS10 and the Waste Core Strategy in terms of moving waste up the waste hierarchy diverting it from landfill. Therefore, the County Planning Authority in principle welcomed the expansion of open windrow composting facilities. The location for the composting facility was acceptable in accordance with Policy WCS 3 and WCS 6 of the Worcestershire Based on the comments received from the pollution control bodies; Worcestershire Regulatory Services and the Environment Agency, the Head of Economic Development and Planning considered that the proposals would not have an unacceptable adverse impact on residential amenity or the amenity of the surrounding area in accordance with Policy WCS 14 of the Waste Core Strategy Waste Core Strategy.

The proposals had been assessed by the County Highways Officer, and based on their comments, the Head of Economic Development and Planning considered the proposal would not have a detrimental impact on highway safety or the local highway infrastructure in accordance with Policy WCS 8 of the Waste Core Strategy.

The Head of Economic Development and Planning considered that the variation of conditions 2 and 4 and removal of planning condition 3 on planning permission reference number: 13/000058/CM so as to allow to the increase in throughput of material from 6,000 tonnes per annum to 9,000 tonnes per annum; the sale of bulk loads of compost to local farmers and other trade/bulk users

and for the compost to be used on the applicants land and also on land elsewhere was acceptable.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 3; Policy WCS6; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12; Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policies DS1, DS3, EP7 and QL21 of the Malvern Hills District Local Plan, it was considered that 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 Economic Development and Planning commented that a further letter had been received from Pendock Parish Council and a copy had been circulated to members at the meeting. In addition, a further letter of objection had also been received.

Mr Humphreys, an objector to the application addressed the Committee. He commented that the average throughput at the site was just above 3,000 tonnes per annum. The site was managed reasonably well but there were still complaints from local residents who felt that the site blighted their lives. Local residents experienced an obnoxious odour particularly during foggy days during the autumn. The site did not have sufficient infrastructure to support the activities on the site with no mains water or electricity. Where would the water be found should a fire occur? The site had not experienced a throughput of 9,000 tonnes and therefore if permission was granted, it should be for a temporary period to see how the site was able to cope at its maximum limit. He anticipated that the number of complaints would increase further.

The site was no longer manned for early deliveries which left the site vulnerable to drivers dumping their load at the site entrance. The area in front of the site had been used for fly-tipping of asbestos sheeting which was the unintended consequence of a waste disposal site. The increased throughput for the site would lead to larger vehicles accessing the site which would have an impact on the local road network and the local community. The site itself brought very little investment into the local area. If permission was granted, he requested that the liaison group should be allowed to continue.

In response to a query about the liaison group, Mr

Humphreys observed that the group was well attended by all sides and was a useful means of exchanging views and improving the site in the future. He concurred that the condition of the site had improved as a result of these meetings and that the number of complaints about the site had reduced.

Mr Philipson-Stow, the applicant addressed the Committee. He commented that originally limited by planning to 6,000 tonnes and it was estimated that the maximum throughput would be reached at year 5. The operations on the site had neared that limit in two of the four years of operating. Since temporary planning was granted 2 ½ years ago, a liaison group had been set up which had proved to be a very positive group, giving locals, councillors, planners and the Environment Agency a chance to interact over issues arising. Pendock Environmental was committed to continuing this Group's operation/activity.

The proposal was to increase permanently the annual throughput allowed to 9,000 tonnes to enable the site to stay open all year round in years when peak summer throughput may cause 6,000 tonnes to be reached before the year end. The applicant would also like to sell the product in bulk by appointment. Four local farmers had already shown interest in the product, having already bought some in the period of temporary planning. The applicant was also in the process of obtaining PAS 100 which was a quality standard for compost. There had been 3 Passes of batches to PAS 100 standard which meant that it was just necessary to have the companies records and operating procedures checked and passed to gain certification. This might open up another market to the horticultural sector. The applicant would not be selling on the gate to the general public.

The Environment Agency had stated in a meeting last week, that since the Environment Agency Expert attended on 28 August 2012 and his recommendations were implemented, the complaints had dropped off accordingly, and this could be seen in Environment Agency reports. The applicant was confident that, with growth in the business continuing, this planning permission would enable the establishment of Pendock Environmental as a sound business venture as well as providing extra employment.

A number of issues were raised with Mr Philipson-Stow as follows:

- How often did the Environment Agency get in contact with you or visit the site? Mr Philipson-Stow responded that the Agency usually contacted him when a complaint had been received about the site. In addition, they visited on other occasions with or without notification
- Would additional staff be employed as a result of this proposal? Mr Philipson-Stow stated that there was already one full-time employee at the site and it was anticipated that a further part or full-time post would be created
- Did local farmers benefit from the product created at the site? Mr Philipson-Stow explained that there were 3 local fruit farmers and a large potato growing business who purchased as a soil conditioner and thereby avoided using fertilisers
- What would be the maximum expected number of vehicles using the site on its busiest day? Mr Philipson-Stow commented that in its first year when the site nearly reached its maximum throughput of 6,000 tonnes, there was a maximum of 11 vehicles movements per day
- Was the request to increase the throughput of the site based on the future viability of the business and the ability to attract customers? Mr Philipson-Stow stated that when the site reached its maximum capacity, it could not take any more volume of material and was forced to shut it down. This permission would enable the site to remain open into the winter months after the busy summer period. The existing throughput limits meant that it was difficult to attract the larger operators to use the site because there was no guarantee that could be given to them that the site would remain open. The site had never reached 9,000 tonnes throughput. The amount of waste brought to the site varied through the year
- Odour appeared to be a major concern about the operations on the site, what measures had been taken to alleviate the problem? Mr Philipson-Stow explained that the Environment Agency (EA) officer had visited the site in August 2012 and identified certain issues that needed addressing. He had identified that: the windrows were too wide; there needed to be a clear space between the windrows; and the temperature of the

windrows was too high. All these matters had been addressed and the EA had indicated last month that the number of complaints about odour had reduced as a result of these measures

- What volume of water was kept on the site and would it be sufficient to deal with a fire? Mr Philipson-Stow stated that there was an underground storage tank on site which held 55,000 litres of water. This tank was not kept at its limit because of the design of the groundwater overflow system. Daily temperature checks were made on the Windrows system to reduce the fire risk and no problems had been detected to date. He was not aware of the need to maintain a fire hydrant
- In response to a query about flies, Mr Philipson-Stow commented that there had been problems with flies on the site last year. A product had been found that could be sprayed on the Windrows that reduced the ability of the flies to reproduce which had been accepted as a viable solution by the EA and so far there had not been a problem this year.

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

- The local councillor commented that he chaired the liaison group for the site. The minutes of these meetings had been circulated to members and represented an accurate record of the operations on the site and indicated the level of complaints made. He approximated that there had been 100 complaints since the site opened (the last complaint was in May this year). The EA had previously had to visit the site to issue a notice to the applicant about deliberate pollution of the watercourse. He acknowledged that the number of complaints had reduced but there remained a correlation between the turning of the windrows, the amount of tonnage on site and the number of complaints. The complaints were largely about the repugnant odour. The problem was that the prevailing wind was from the south west which took the odour to properties to the north-east of the site. Not all local farmers were benefitting from the output from the site and this material was still categorised as a waste product. Throughput at the site had never reached 6,000 tonnes (the average being 4,000 tonnes) therefore it was difficult to

understand why the applicant wanted to effectively double the capacity of the site. The applicant had shown from his explanation that the management of this site was not an exact science. He would ask that any permission be for a temporary period

- In principle, facilities that increased recycling and reduced the amount of waste to landfill should be welcomed. Facilities of this nature should be in appropriate places and adequately controlled. The impression was that the applicant was being responsible and responding to complaints albeit that there was scope for more proactive monitoring of the site. The applicant had explained the commercial reason for the request to increase the throughput of the site. If permission was granted, it would not necessarily increase the amount of material on the site at any one time but allow the applicant to keep the site open longer in the season. The number of vehicles accessing the site during peak periods was not excessive and the highways officer had not objected. On balance, the application should be supported
- Did the EA have the power to stop the activities on the site at any time? The representative of the Head of Economic Development and Planning stated that the EA could suspend operations on the site if they had a valid reason under the appropriate regulations
- People living in rural areas should expect to experience odours associated with farming activities. The site was appropriately located in a rural area, had good visibility lines at its access and provided a useful service to the local farming community
- Although there were no valid planning reasons to refuse permission, it would be beneficial to grant permission for a temporary period of 5 years so that it could be shown through appropriate records how the site was coping with the increased throughput. The applicant could then ask for an extension of this period at any time during this period
- Would a 5 year temporary permission have an impact on the commercial activities at the site? Mr Philipson-Stow anticipated that there would be a negative impact on the viability of his business.

He was currently in contract negotiations with a number of large contractors who required long term contracts and the temporary nature of the permission could undermine the attractiveness of his business to these prospective customers

- The local councillor commented that the existing permission was temporary and had not affected the businesses ability to grow. Members needed to make a decision based on a balance between the viability of the business and the adverse impact on the local community. The odour from the site was obnoxious and worse than experienced from the average farm. It was important to understand the impact on the local community of granting an increased throughput on the site therefore if permission was granted it should be for a temporary period. Mr Philipson-Stow stated that the operations on the site followed strict guidelines. In addition, the EA continued to monitor the site and had the power to close it if necessary
- It was a small site that could not physically take more than a limited amount of waste at any one time. The EA were regularly monitoring the site and procedures were in place for the local community to raise concerns through the EA and the liaison group. If temporary permission was granted it could have a negative impact on the applicant's ability to attract business

**RESOLVED** that planning permission be granted for the for the carrying-out of development pursuant to planning permission reference number 13/000058/CM without complying with conditions 2, 3 and 4 on the planning permission so as to allow the increase in throughput of material from 6,000 tonnes per annum to 9,000 tonnes per annum; the sale of bulk loads of compost to local farmers and other trade/bulk users and for the compost to be used on the applicants land and also on land elsewhere at Pendock Environmental, Eldersfield, Worcestershire, subject to the following conditions:

- a) The development hereby approved shall only be carried out in the area outlined in red on drawing number WCC-8 received by the County Planning Authority on 14 December 2007;
- b) The annual throughput of material through the



site shall be limited to a maximum of 9,000 tonnes per annum and records shall be kept for inspection by the County Planning Authority on request of the amount of throughput of material for the duration of operations on site;

- c) There shall be no sale of compost from the site to the general public;
- d) Within three months of the date of this permission a written scheme shall be submitted and approved by the County Planning Authority which shall set out measures for continued liaison arrangements with the local community. The approved scheme shall be implemented for the duration of this permission;
- e) Deliveries to the site shall only take place between 08:00 hours and 17:00 hours Mondays to Fridays and 08:00 hours and 13:00 hours on Saturdays, with no deliveries on Sundays or Bank Holidays;
- f) All shredding, chipping or windrow turning operations shall take place between 09:00 hours and 17:00 hours Monday to Fridays with no shredding, chipping or windrow turning operations on Saturdays, Sundays or Bank Holidays;
- g) There shall be no export of any soils or subsoils from the site;
- h) There shall be no fires lit and no wastes burnt on the site;
- i) No skips or containers shall be stored on the site unless otherwise agreed in writing by the County Planning Authority;
- j) There shall be no storage of any imported green waste or processed compost outside the area of the hard standing;
- k) The composted material shall be restricted to green waste materials as defined in the Environmental Permit from the Environment Agency;
- l) The maximum height of the windrows shall not exceed 3 metres and a height bar shall be

**maintained on site for the duration of the works to maintain the 3 metre height restriction;**

- m) The development hereby approved shall be operated in accordance with the Noise Mitigation Measures titled 'Condition 8 – Noise Mitigation' on page 5 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and approved by the County Planning Authority on 12 July 2012. The approved Noise Mitigation Measures shall be maintained for the duration of the operations on the site;**
- n) The development hereby approved shall be operated in accordance with the Odour Mitigation Measures titled 'Condition 9 – Odour Mitigation' on page 7 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and approved by the County Planning Authority on 12 July 2012. The approved Odour Mitigation Measures shall be maintained for the duration of the operations on the site;**
- o) The development hereby approved shall be operated in accordance with the Dust Mitigation Measures titled 'Condition 10 – Dust Mitigation' on page 8 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and approved by the County Planning Authority on 12 July 2012. The approved Dust Mitigation Measures shall be maintained for the duration of the operations on the site;**
- p) The development hereby approved shall be operated in accordance with the Wheel Cleaning Measures titled 'Condition 14 – Wheel Cleaning Apparatus' on page 10 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and approved by the County Planning Authority on 12 July 2012. The approved Wheel Cleaning Measures shall be maintained for the duration of the operations on the site;**
- q) The development hereby approved shall be operated in accordance with the Plastic waste material and wind blown litter mitigation measures titled 'Condition 17 – Plastic waste**

material and wind blown litter ' on page 11 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and approved by the County Planning Authority on 12 July 2012. The approved Plastic waste material and wind blown Mitigation Measures shall be maintained for the duration of the operations on the site;

- r) The development hereby approved shall be carried out in accordance with the Landscaping Scheme titled 'Condition 18 – Landscaping Scheme' on page 12 and 13 of the document titled 'Proposals to satisfy conditions as part of Planning application 11/000029/CM' dated 2 May 2012 and details contained within the County Landscape Officer's memo dated 6 June 2012 to Mr Philipson-Stow. Any trees or plants, which within a period of 5 years from the completion of the planting hereby approved die, are removed, or become diseased, shall be replaced in the next planting season with others of a similar size and species; and
- s) In the event of composting operations ceasing on the site the development hereby approved shall be removed from the site and the land upon which the development stood shall be restored to agricultural use within six months after such removal in accordance with a scheme which shall be submitted to and be approved in writing by the County Planning Authority prior to such removal.

**882 Retrospective proposal to vary the approved planning permission restoration levels at Chadwich Lane Quarry, Madeley Heath, Bromsgrove, Worcestershire (Agenda item 6)**

The Committee considered a County Matter planning application for a part retrospective proposal to vary the approved planning permission restoration levels at Chadwich Lane Quarry, Madeley Heath, Bromsgrove, 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 Economic Development and Planning comments in relation to the Green Belt, the character and appearance of the local area, landscape and residential amenity, the water environment, ecology, biodiversity and the geological Site of Special Scientific Interest, traffic, highway safety and public right of way,

and other matters- monitoring and enforcement.

The Head of Economic Development and Planning concluded that that in terms of the NPPF the development was appropriate development within the Green Belt, but notwithstanding this, it was considered that very special circumstances exist to justify the proposal within this Green Belt location; and that the development is compliant with the aims of Green Belt policy in terms of maintaining the openness and would not conflict with the purposes of including land in Green Belt, in accordance with the NPPF, Policy WCS 13 of the Worcestershire Waste Core Strategy and Policies DS1, DS2 and DS13 of the Bromsgrove District Local Plan.

The Head of Economic Development and Planning could see no benefit from a landscape point of view in requiring the over-tipped material to be removed off site, and considered that the proposal did not have a detrimental impact upon landscape character or residential amenity. The proposed final landform was considered to be acceptable in landscape terms.

Based on the advice of North Worcestershire Water Management, the Head of Economic Development and Planning considered that the proposed drainage scheme was acceptable in principle. Consequently, it was considered that the proposal would have no adverse effects on the water environment and would accord with Policy WCS 10 of the Worcestershire Waste Core Strategy, subject to the imposition of appropriate conditions.

Based on the advice of the County Ecologist, Worcestershire Wildlife Trust and Natural England, it was considered that the proposal would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area, including the geological SSSI

Based on the advice of the County Highways Officer and County Footpath Officer, the Head of Economic Development and Planning was satisfied that the proposal would not have any adverse impact upon traffic, highway safety or Public Rights of Ways, in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy.

Taking into account the provisions of the Development Plan and particular Policies WCS 1, WCS 2, WCS 5, WCS 6, WCS 8, WCS 9, WCS 10, WCS 11, WCS 12, WCS 13 and WCS 14 of the Worcestershire Waste Core Strategy, and Saved Policies DS1, DS2, DS13, C1, C4,

C5, C9, TR1, RAT12, ES4, ES14, ES14A and ES16 of the Bromsgrove District Local Plan, it was considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies.

The representative of the Head of Economic Development and Planning commented that members had visited the site. In addition, the local councillor had requested that photographs taken by an objector of flooding at his property next to the site be circulated around the members of the Committee.

Mr Smith, an objector to the proposal addressed the Committee. He commented that his property at Lower Madeley Farm had been severely flooded in 2012 as a result of water flowing downstream off the site. Since then, the applicant and the Environment Agency had agreed to introduce a small-scale flood defence system. Part of this system was the creation of ditches by the road side which were completed in April 2013. However in February 2014, the properties flooded again after heavy rain and snowfall. As a result, some of the grips were full of debris. As the drains were full, it had been necessary to direct the cascading water away from the properties with the use of sandbags. An effective water management solution was required because he could not afford to continually restore his property after every flood. A bund should be created to protect his and his neighbour's properties from flooding and allow the property owners to seek redress should these drainage measures fail.

Mr Morris, the agent acting on behalf of the applicant addressed the Committee. He acknowledged that there had been over-tipping of the site by the landowner but argued that there were mitigating circumstances. Following the granting of a Waste Management Licence in 2000, a meeting was held with the County Council and Natural England on site regarding the SSSI that had become unstable. It was agreed following this meeting that the exposed geological feature should not be left due to instability issues and potential pollution issues and so the exposure was infilled.

Following on from this alteration during 2003, a further meeting was held on site to regulate the levels at the rear of the site. It was agreed at this meeting that it was better to leave the hedgerow in place but that the contours could be bent outwards to accommodate the loss of tipping space. A proposal was drafted but this was not formally submitted and no request for formal submission

was made by the County. As a result, the levels were in accordance with the EA regulations but not the conditions on the planning permission.

The proposed drainage scheme had been designed to address the short and long term requirements of the site. A lot of work had taken place to design a drainage scheme for the land that did not form part of the quarry in consultation with North Worcestershire Water Management.

To restore the site to the appropriate levels would lead to major disruption of the site, the transportation of waste away from the site and a replanting scheme.

The construction of the drainage scheme would be in line with the latest guidance and advice. If permission was granted, the applicant was committed to further work on the drainage scheme incorporating flood compensation ponds and a hydro-brake or similar which he anticipated could be completed within a couple of months. Any water flooding from the site would then be diverted into the quarry site.

Mr Morris was asked whether it was possible to start the work on the drainage scheme at the earliest possible occasion. Mr Morris responded that if permission was granted, the applicant had pledged to start work on the drainage scheme immediately albeit subject to design issues being resolved. In principle, the drainage scheme could be in place by the autumn.

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

- The local councillor commented that she welcomed the sheep grazing on the restored site. She recognised the concerns expressed by Mr Smith about flooding at his property and Madeley Road. The flooding was extreme and appeared to occur more than the quoted 1 in 100 years. She welcomed the local mitigation works and the co-operation of the applicant in attempting to resolve the problem. However, the ditch that had been created did not contain all the water from the winter rainfall. The problem had been exacerbated by the fact that the drain was adjacent to the road and had been damaged by a car driving into it. This would always be a problem at this point and therefore alternative solutions would need to be sorted out before the weather deteriorated in the

winter and before any further extraction of sand and movement of lorries around the local area. It was important that the conditions approved by the Inspector at the Inquiry remained enforceable

- Had the local community experienced flooding prior to the granting of the permission to extend the quarry in 2009? The local councillor stated that in 2005, there had been no flooding in the local area. In 2007, although there was flooding in the area she was not aware of any issues experienced by neighbouring properties. It would appear that something had affected the land mass of the quarry to cause the subsequent problems. It was important to learn from previous events. She requested that a bund be introduced on Madeley road as requested by Mr Smith
- The existing permission did not require the applicant to introduce a drainage scheme. This proposal had been assessed by officers against current policy and therefore a drainage scheme was required. It therefore presented an opportunity to improve the drainage facilities on the site. The representative of the Head of Economic Development and Planning commented that the existing permission for the site did not require a drainage scheme to be implemented but this permission would
- Although there had been over-tipping on the site, its appearance was in keeping with the location. However, it was important for the sake of the neighbouring properties that permission was granted and that the drainage scheme was implemented as a matter of urgency

**RESOLVED** that planning permission be granted for the part retrospective proposal to vary the approved planning permission restoration levels at Chadwich Lane Quarry, Madeley Heath, Bromsgrove, 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: 13/098\_01; 13/098-02; 13/098\_03; 13/098\_03A; 13/098\_04; 14/082\_14; DESID 4; DESID 5; DESID 14, Rev 1; and PS4; except where otherwise stipulated by conditions attached to this permission;

- b) Notwithstanding the submitted details, within 3 months of the date of this permission, a Restoration Scheme shall be submitted to and approved in writing by the Mineral Planning Authority, this scheme shall include details of proposed tree and hedgerow planting, including planting species, sizes, spacing, densities, locations, planting methods, and planting timetable schedule. Thereafter the development hereby permitted shall be carried out in accordance with the approved scheme;**
- c) Notwithstanding the submitted details, within 3 months of the date of this permission, details of surface debris picking and removal off site; and details including levels of how it is proposed to grade the edges of the site with the surrounding land, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter the development hereby permitted shall be carried out in accordance with the approved scheme;**
- d) No operations authorised or required by this permission, including any running of plant or machinery shall take place within the application site outside the hours of 07.00 to 19.00 hours Mondays to Fridays and 07.00 to 12:00 hours on Saturdays. There shall be no operations whatsoever on the site at any time on Sundays or Bank Holidays;**
- e) Within 6 months of the date of this permission, an Outline Aftercare Strategy in accordance with Paragraph ID: 27-057-20140306 of the Government's Planning Practice Guidance – Minerals Section for a five year Aftercare period, shall be submitted to and approved in writing by the Mineral Planning Authority. This shall specify steps to be taken and the period during which they are to be taken. The Scheme shall include provision of a field drainage system and provide for an annual meeting between the applicant and the Mineral Planning Authority;**
- f) A Detailed Annual Aftercare Programme, in accordance with Paragraph ID: 27-058-20140306 of the Government's Planning Practice Guidance – Minerals Section, shall be submitted to and approved in writing by the Mineral**



**Planning Authority, not later than two months prior to each of the annual Aftercare meetings;**

- g) Notwithstanding the submitted details, within 3 months of the date of this permission, details of a full drainage scheme for surface water and a maintenance strategy shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be designed to cope with a 1 in 100 year rain event plus 20% allowance for climate change. The scheme shall include ditch and balancing pond locations and dimensions and details of the hydrobrake or similar which shall be installed to limit the discharge from the balancing pond to Greenfield run-off rates up to a 1 in 100 year storm event. The scheme shall be fully implemented in accordance with the approved details within 3 months of such details being approved; and**
- h) Notwithstanding the submitted details, within 3 months of the date of this permission, details of a landscaping scheme for the balancing pond area hereby approved shall be submitted to the Mineral Planning Authority for approval in writing. The approved landscaping scheme shall then be implemented in accordance with the approved details.**

**883 Proposed alteration and extension to the existing east car park to provide 195 spaces, including new lighting and cctv cameras at Worcestershire County Council offices, County Hall, Spetchley Road, Worcester (Agenda item 7)**

The Committee considered an application under Regulation 3 of the Town and County Planning General Regulations 1992 for planning permission for the alteration and extension to the existing east car park to provide 195 spaces, including new lighting and CCTV cameras at Worcestershire County Council Offices, County Hall, Spetchley Road, Worcester.

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 Economic Development and Planning comments in relation to traffic and highway safety, drainage, residential amenity, the green network and ecology and biodiversity.

The Head of Economic Development and Planning concluded that in principle the proposed extension to County Hall car park was acceptable in accordance with Policy TR12 of the City of Worcester Local Plan.

Furthermore, it was considered that the proposed development was acceptable on highways grounds.

The County Council Transport Policy and Strategic Development Officer had stated that there was zero demand for the two existing vehicle electric charging points on site, therefore, the Head of Economic Development and Planning considered that it would be unreasonable to require the applicant to provide more electric vehicle charging points. Furthermore, there were no Planning Policies to justify this recommendation from Worcestershire Regulatory Services. However, the Head of Economic Development and Planning was satisfied that the applicant would investigate the implementation of ducting should a demand ever materialise for electrical charging vehicle points.

Subject to the imposition of a pre-commencement condition requiring the submission and approval of further drainage details, it was considered that surface water can be suitably managed and that the proposal would not increase the risk of flooding at the site. The Head of Economic Development and Planning considered that subject to planning conditions the proposal would not have an adverse impact on residential amenity.

Subject to the imposition of a condition requiring the submission of a comprehensive landscaping scheme, it was considered that this would provide adequate compensation for the loss of vegetation and green space to comply with Policy NE9 of the Local Plan in terms of the Green Network. It was considered that the proposed development would not have an adverse impact on ecology and biodiversity at the site and would provide enhancement opportunities in accordance with the NPPF.

On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policies NE5, NE7, NE9, BE1 and TR12 of the City of Worcester Local Plan; it was considered that 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 Economic Development and Planning commented that members had visited the site and observed the location of proposed car park A, B, C and D. He also proposed the removal of proposed conditions f) and h) and replacement with conditions in relation to surface water drainage, soil management, retention of existing trees

and hedgerows and a landscaping scheme as set out in the addendum sheet that was circulated to members.

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

- The existing drainage scheme for the car parks was not coping with the amount of water on the site which meant that Spetchley Road and footpaths flooded. Assurance needed to be given that the proposed scheme would be able to cope with the additional rainfall and surface water. The representative of the Head of Economic Development and Planning commented that discussions had been held with the applicant to address concerns about drainage and an appropriate condition was recommended. Mr Lines, a representative of the applicant commented that drainage at the site was a concern. No more water could be put into the existing system. Engineers were working on a solution that would prevent any more water from entering the drainage system
- What were the alternative means of transport referred to in the travel plan? Mr Lines commented that there was an existing travel plan for the County Hall campus which restricted parking by officers
- Concerns were expressed about the impact of the construction works on St Richards Hospice. Mr Lines stated that the intention was to undertake the construction work during the summer months using the maximum daylight hours possible. There were proposals to monitor the activities on the site and additional restrictions would be implemented if necessary
- Mr Lines agreed to look into the possibility of installing the latest cctv technology on the site if possible.

**RESOLVED** that planning permission be granted for the alteration and extension to the existing east car park to provide 195 spaces, including new lighting and CCTV cameras at Worcestershire County Council Offices, County Hall, Spetchley Road, Worcester, subject to the following conditions:

- a) **The development must be begun not later than the expiration of three years from the date of this planning permission;**

- b) The permission enures for the benefit of Worcestershire County Council only;**
- c) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: P01, P02, P04-D, P05 and P06 except where otherwise stipulated by conditions attached to this permission;**
- d) Before the development hereby approved is brought into use the layout of the car parking spaces shall be submitted to and approved in writing by the County Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details;**
- e) Notwithstanding the indication of materials which may have been given in the application, before the development hereby approved is brought into use a schedule and or samples of all surfacing materials shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details;**
- f) Twenty one days before any development is commenced resulting in any excavation within the site, written notice shall be given to the County Planning Authority, whereupon the County Planning Authority shall, within twenty one days of receipt of such notice, specify in writing to the developer which persons authorised by the County Planning Authority shall be allowed access to the site whilst any excavations are in progress for the purpose of archaeological investigation. This access shall allow for a period of up to one day for unencumbered archaeological recording to take place within the trenches if in the opinion of the City Archaeological Officer features of interest are revealed;**
- g) Details and locations of all external lighting and CCTV cameras shall be submitted to and agreed in writing by the County Planning Authority prior to the development being brought into use. Thereafter the development shall be carried out in accordance with the approved details:**
- h) All vegetation clearance shall be undertaken**

outside the bird nesting season which generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally;

- i) The trees proposed to be felled on site should be reassessed for bats if the works are undertaken after 31 March 2015;
- j) Within 2 months from the date of this planning permission a habitat creation and management plan shall be submitted to and approved by the County Planning Authority. Thereafter the works shall be carried out in accordance with the approved management plan;
- k) Prior to the commencement of Stage 41: Earthworks – Excavate topsoil Car park D, ramp and lower egg crate area; set out on the Car Park High Level Programme of works submitted on 10 July 2014, a scheme for surface water drainage shall be submitted to, and approved in writing by the County Planning Authority. Prior to submission of the scheme an assessment shall be carried out into the potential of disposing of surface water by means of a sustainable drainage system (SuDS), and the results of this assessment shall be submitted to and approved by the County Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests. There shall be no increase in surface water run-off from the site compared to the existing pre-application run-off rate up to a 1 in 100 year storm event plus an appropriate allowance for climate change. The scheme shall provide an appropriate level of runoff treatment. Thereafter the scheme shall be implemented in accordance with the approved details before the development is first brought into use;
- l) Prior to the commencement of Stage 35: Earthworks; set out on the Car Park High Level Programme of works submitted on 10 July 2014, details of the soil management including topsoil

stripping, storage and replacement and decompaction of impacted areas shall be submitted to, and approved in writing by the County Planning Authority, Thereafter, the development shall be carried out in accordance with the approved details;

- m) **Prior to the commencement of Stage 29: Site Clearance; set out on the Car Park High Level Programme of works submitted on 10 July 2014, details of the existing trees and hedgerows to be retained on site shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details; and**
- n) **Prior to the commencement of Stage 66: Landscaping; set out on the Car Park High Level Programme of works submitted on 10 July 2014, a landscaping scheme, which shall include details of all walls, fences, surface treatments, new trees, shrubs and other planting, and details of the proposed planting species, sizes, spacing, densities, locations, planting methods and details of the provision of adequate growing medium and drainage shall be submitted to and approved in writing by the County Planning Authority. Thereafter the scheme shall implemented in accordance with the approved details within 6 months of the completion of the development. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.**

The meeting ended at 12.00 Noon.

Chairman .....