

Planning and Regulatory Committee

Tuesday, 24 March 2015, County Hall, Worcester - 10.00 am

		Minutes
Present:		Mr R C Adams (Chairman), Mrs S Askin, Mr M H Broomfield, Mr S J M Clee, Mr P Denham, Mrs A T Hingley, Mr A P Miller, Mr D W Prodger, Mr A C Roberts and Mr R J Sutton
Available papers		The members had before them: <ul style="list-style-type: none">A. The agenda papers (previously circulated);B. A copy of the list of public participants invited to speak (previously circulated); andC. The Minutes of the meeting held on 4 November 2014. (previously circulated) A copy of documents A and B will be attached to the signed minutes.
898	Named Substitutes (Agenda item 1)	None.
899	Apologies/ Declarations of Interest (Agenda item 2)	Apologies were received from Mr A Amos and Mr J Baker.
900	Public Participation (Agenda item 3)	None.
901	Confirmation of Minutes (Agenda item 4)	RESOLVED that the minutes of the meeting held on 4 November 2014 be confirmed as a correct record and signed by the Chairman.
902	Application to vary conditions 8, 35 and 36 of planning permission 407669 to	The Committee considered a County Matter planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 8, 35 and 36 of planning permission 407669 to incorporate amendments to the internal process plant alongside changes to the operating and maintenance hours at EnviroSort, Woodbury Lane, Norton, Worcestershire.

incorporate amendments to the internal process plant alongside changes to the operating and maintenance hours at EnviroSort, Woodbury Lane, Norton, Worcestershire (Agenda item 5)

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 (noise and litter impacts), traffic and highway safety, and other matters – recording of complaints – lighting – external storage of materials – sustainable development.

The Head of Strategic Infrastructure and Economy concluded that letters of representation had been received objecting to the proposal on noise grounds. The application was accompanied by a Noise Assessment and subsequent Addendum, which concluded that subject to implementation of mitigation measures the proposed amendments would not result in complaints. The Environment Agency had been consulted and had raised no objections. Worcestershire Regulatory Services had also 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 residential amenity, subject to the imposition of appropriate conditions.

Objections had also been received from local residents regarding the deposit of litter, in particular glass along the public highway. The applicant had confirmed that they would continue to maintain frequent and regular litter clearance of Woodbury Lane and the B4084. The applicant also recently installed a framework of steel 'rumble strips' that HGVs must cross over before exiting the site, the purpose of which were to shake out any glass fragments from the tyres and underbody of the vehicles. In addition, the applicant was in the process of reviewing its loading and handling procedures and exploring options for providing more secure containment of glass. Accordingly, the Head of Strategic Infrastructure and Economy was satisfied that best practice measures were being implemented in relation to the control of litter.

With regards traffic and highway safety, the proposed amendments would not result in any additional HGV deliveries or collections to/from the site. The County Highways Officer had been consulted and had raised no objections. In view of this, it was considered that the proposals would be acceptable on traffic and highway safety grounds, subject to the imposition of appropriate

conditions, as imposed on the extant planning permission.

Taking into account the provisions of the Development Plan and in particular Policies WCS 1, WCS 2, WCS 3, WCS 6, WCS 8, WCS 9, WCS 10, WCS 11, WCS 12, WCS 14, and WCS 15 of the adopted Worcestershire Waste Core Strategy and Saved Policies GD1, GD2, ENV1, ENV4, ENV5, ENV6, ENV18, ENV22 and SUR3 of the adopted Wychavon District Local 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 listened to the reversing operations of the forklift truck. Members also observed the rumble strips on exiting the site. Members were then taken across to Woodbury Park where they walked past the residential properties and listened to the noise emanating from the site at the nearest residential property.

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

- The local councillor queried whether there would be any deliveries or loading or unloading during the extended operating period on Saturday afternoons. Aside from exceptional and peak time activity, was the facility able to operate within its existing operating hours? Mr Hornby, a representative of the applicant responded that Saturday afternoons were the quiet period for the facility which allowed time to catch up on operations. In particular, District Council household waste collections tended to operate on Saturdays after Christmas to enable them to catch up on operations or where other issues arose in relation to waste collection eg, floods or snow. There were also infrequent occasions where operations on the site caused a backlog during the week eg machine breakdowns. At present operations took place on Saturday mornings and then after 1pm, material would be sent to a facility at the landfill site near Pershore. The applicant was then permitted to return vehicles to the site under normal operating practice. The application would not generate any additional waste but it would mean that operations would carry on as normal without the need to double-handle

material. He confirmed that there would be loading and unloading at the site on occasions on Saturday afternoons as a result of this application. However additional material would not be brought onto the site, just the processing of existing material

- In response to a query from the local councillor regarding the operations on the site, and in particular the opening and closing of doors, Mr Hornby explained that as you looked along the building from its entrance, the first two doors at the facility were to allow articulated vehicles to remove bailed materials from the site. The doors were raised on arrival, the vehicle entered and the doors were shut. It took 25 minutes to load the vehicles and then the doors were raised and then shut again on exit. The two doors at the end of the building were where material was brought in by the waste collection authorities or the operator's vehicles from its baulking stations. On arrival, these vehicles would be weighed and then the doors were raised for the vehicle to enter the facility. Once tipping had been completed, the vehicle would move forward and sensors automatically raised the doors for the vehicle to exit and closed afterwards. The middle two doors were raised and shut to allow vehicles carrying processed material and vehicles to enter the facility, which took place every 45 minutes
- The local councillor commented that on previous occasions he had witnessed the middle two doors being left open for prolonged periods after a vehicle had entered the building. Local residents needed assurance from the applicant that every effort was being made to keep the doors closed. Mr Hornby stated that that was not how the plant should operate. He undertook to improve the policing of the site and reiterate to staff the importance of keeping the doors of the facility shut
- Members had witnessed the forklift truck reversing on site and it was clear that the noise was hardly audible. In addition, it was difficult to discern any noise emanating from the site at Woodbury Park. Were the complaints from the local residents in relation to noise during the day time or at night? Mr Hornby responded that the complaints from local residents mainly related to noise in the evening when background noise levels decreased. One objector had submitted a video which purported to show a bleeping sound emanating from the forklift truck. However on

closer examination, the noise was audible when the forklift truck moved forward which was not possible. It was determined that the noise was caused by the warning alarm when the plant started. Measures had been implemented to minimise the impact by muffling this noise and he hoped that would resolve the matter

- There was an issue with noise created by skips being dropped on site and local residents would appreciate noise attenuation measures being introduced to resolve this issue. Mr Hornby explained that the problem occurred whenever a skip touched the concrete floor. In an effort to resolve the matter, rubber matting had been used to muffle the noise but the problem was trying to keep the matting stuck to the floor. Solutions to this problem would continue to be sought
- It was important that noise levels at the site itself as well as in the surrounding area were monitored regularly
- Were the rumble strips working effectively and as a result, had it reduced the number of times the road needed to be swept? Mr Hornby stated that the rumble strips were effective in removing loose material from the vehicle's chassis and the tread of tyres. However he would wish to improve the process in due course. The local roads were swept twice a day regardless of whether any fragments of glass had been detected
- The local councillor indicated that he was the chair of the liaison group but had not taken part in the consideration of this application at the group meeting. Initially relations between local residents and the applicant had been difficult on the liaison group. However matters had steadily improved to the extent that meetings of the liaison group were only called when there was something to announce or in response to a complaint. He thanked the applicant for allowing visits to the facility by school children. In addition he welcomed the applicant's invitation to local residents to visit the facility prior to submission of this application. There was now a good working relationship between the applicant and local community. However he emphasised the importance of keeping the doors closed at the facility at every opportunity
- The site operated in an efficient manner with very few complaints. When there were complaints, it appeared that the applicant took time to address them. This was to a large extent as a result of the

work of the liaison group which had been very effective in policing the site. The support for the application from the local parish councils gave an indication of how well the site was being operated

- This facility was very important, well run, and had increased recycling levels for Herefordshire and Worcestershire. All the noisy operations took place within the building itself. The only other discernible noise was from vehicles entering and leaving the site. The reversing bleeper on the forklift truck could only be heard immediately behind it. The proposals would have minimal impact on neighbouring properties and it was evident that the applicant was still examining ways of improving noise mitigation measures. The proposal should therefore be supported to allow the operations on the site to run as efficiently as possible
- It was clear from the site visit that some of the noises were emanating from neighbouring businesses. It was therefore suggested that the liaison group might wish to consider how the operations of neighbouring businesses were impacting on noise levels in the area.

RESOLVED that planning permission be granted for the carrying-out of development pursuant to planning permission reference number 407669 dated 16 July 2007 without complying with conditions 8, 35 and 36 of that permission so as, to allow amendments to the internal process plant alongside changes to the operating and maintenance hours at EnviroSort, Woodbury Lane, Norton, Worcestershire, subject to the following conditions:

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) The development hereby approved shall be carried out and maintained in accordance with the following documents: Planning application and supporting statement dated 14 August 2006, the following drawings, except where otherwise stipulated by conditions attached to this permission:
 - Drawing CMRF-A7-PA-MWM-001 Statutory Plan
 - Drawing K628-L 101 (C) General Arrangement Plan, part superseded by

- Drawing 9056(SK)11C Sprinkler Plan
- Drawing 9685(P)3D Elevations
- Drawing K628-L102 (B) Office Facility Floor Plan
- Drawing K628-L 105 (A) Weighbridge Office
- Drawing CMRF-SFDA7-MWM001 Typical Process Arrangement
- Drawing K628-L104 (A) Typical Cross Section
- Drawing 425-01-01 Proposed Landscape and Ecological Enhancement Scheme
- Drawing C/ST96/200 Schematic Drainage Layout
- Drawing C/ST/90/001 Section 278 Works
- Drawing K628-L 108 Proposed CMRF Facility 3D Images
- Drawing K628-L 107 Site Sections
- Drawing K628-L 109 Security Fencing and Gate

- c) The development shall be carried out and maintained in accordance with the approved Agreement pursuant to Sections 38 and 278 of the Highways Act 1980, dated 9 July 2008 between Worcestershire County Council and Mercia Waste Management Limited, Ref: LB/3637/565:10460;
- d) The development shall be carried out and maintained in accordance with approved drawing numbered: SK08, titled: Road Detail, and drawing numbered: CMRF-MOR-MWM-002 Rev A, titled: Full Morganite Access Proposal;
- e) Means of vehicular access to the development hereby approved shall be from the B4084 and Woodbury Lane to the east of the application site only. The approved signs enforcing this requirement instructing all traffic to turn right only, as shown on drawing C/SA/90/101 Rev H and reference 1, location 1 shown on that drawing shall be maintained for the duration of the development;
- f) No waste other than those waste materials defined in the application shall be either deposited or processed at the site;
- g) The operators shall ensure that the amount of waste sorted at the facility does not exceed

105,000 tonnes per annum;

- h) Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification):**
 - i. No fixed or mobile plant or machinery, building structures and erections, or private ways shall be erected, extended, installed or replaced within the site; and**
 - ii. No additional lights or fences shall be installed or erected at the site;**
- i) No mud, dust or debris shall be deposited on the public highway;**
- j) All loads of waste materials carried on heavy goods vehicles into and out of the building hereby permitted, shall be enclosed or covered so as to prevent spillage or loss of such material at the site or on the public highway;**
- k) There shall be no general public use of the site;**
- l) The development shall be carried out and maintained in accordance with the approved green Travel Plan, titled: Travel Plan Framework, Ref: APB/425-01-03c, dated 13 November 2007. The approved scheme shall be implemented for the duration of the co-mingled materials reclamation facility operations on this site;**
- m) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, this shall include the fitting and use of effective silencers;**
- n) The development shall be carried out in accordance with the approved Noise Assessment prepared by Noise and Vibration Consultants Ltd, dated 16 July 2009, Report Ref: R08.1639/1/DRK, Compliance Noise Monitoring Scheme. The approved scheme shall be implemented for the duration of the development;**

- o) The development shall be carried out in accordance with the approved Dust Control and Mitigation Statement, received by the County Planning Authority 17 April 2008 and approved 20 May 2008. The approved scheme shall be implemented and maintained for the duration of all operations associated with the co-mingled materials reclamation facility;**
- p) The development shall be carried out and maintained in accordance with the approved bbs-tek Backalarm system, product reference BBS-90 (NSR) or similar, and accompanying statement outlining the details and the type of vehicle alarms to be used at the site, received by the County Planning Authority 21 January 2008 and approved 3 April 2008;**
- q) The development shall be carried out in accordance with the approved Management Plan – Protocol for Fly Inspection and Treatment, received by the County Planning Authority 11 September 2009 and approved 24 September 2009. The approved scheme shall be implemented for the duration of the development;**
- r) The development shall be carried out and maintained in accordance with the approved Management Plan – Protocol for the Control of Odour, received by the County Planning Authority 11 September 2009 and approved 24 September 2009. The approved scheme shall be implemented for the duration of the development;**
- s) There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways;**
- t) No additional or increased flows of surface water shall be discharged onto Network Rail land or into Network Rail's culvert or drains. No soakaways shall be constructed within 10 metres of Network Rail's boundary;**
- u) 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, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. 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 overflow outlets shall be detailed to discharge downwards into the bund;

- v) Surface water from vehicle parking and hard standing areas shall be passed through an interceptor or adequate capacity prior to discharge. Roof drainage shall not be passed through any interceptor;
- w) Water pipes used to serve the development must not be susceptible to residual contamination on the site and buried services must be laid within 0.5 metres surround of clean sand in areas of ash and graphite fill;
- x) The development shall be carried out and maintained in accordance with approved drawing numbered: 50299/ST/60/100, Rev D, titled: Proposed External Lighting Layout, and subsequent approved amendments as shown on drawing number: 9685(P)100, titled: Front Elevation, document titled: External Lighting prepared by Cooper Lighting and Safety, dated 25 November 2008, and cover letter dated 24 September 2009, Ref: JC/AJ/9685;
- y) The development shall be carried out and maintained in accordance with approved landscaping scheme and revised native landscaping scheme for the frontage of the site, as shown on drawing numbered:425-01.01, Rev E, titled: Proposed Landscape and Ecological Enhancement Scheme. Within 5 years of planting, any trees, shrubs or plants that die, become diseased or are moved or damaged, shall be replaced in the first available planting season with others of a similar size and species and in accordance

with the approved scheme, unless the County Planning Authority gives written approval of any variation;

z) The permitted hours of operation in connection with the CMRF shall be 06:00 to 23:00 hours Mondays to Fridays, inclusive and 07:00 to 17:00 hours on Saturdays with no operations on Sundays, Christmas Day, Boxing Day or New Year's Day;

aa) Plant maintenance (within the building only) shall be carried out at any time during the week Mondays to Sundays, except on Christmas Day, Boxing Day or New Year's Day;

bb) No HGVs shall enter and leave the site between 22:00 hours and 06:00 hours on any day;

cc) No handling, deposit, storage or transfer of waste shall take place outside the confines of the building hereby permitted;

dd) No materials shall be burnt on the site;

ee) The development shall be carried out and maintained in accordance with approved external materials and colours of the new building details, as shown on drawing numbered: 9685(P)3, titled: Elevations and cover letter from Mr John Charles, Ref: 9685/JC/JSW received by the County Planning Authority 14 May 2008 and approved 20 May 2008;

ff) All doors to the building shall be kept closed except to allow entry and exit;

gg) The development shall be carried out and maintained in accordance with the approved details of the design and height of the security fencing and gates along the boundaries, as shown on drawing numbered: 425-01.01, Rev E, titled: Proposed Landscape and Ecological Enhancement Scheme and drawing numbered: K628 L109, titled: security fencing & Gate As Proposed; and

hh) Prior to the site operating during the extended Saturday (13:00 to 17:00 hours) operating

hours hereby approved, acoustic treatment of the suction fan that powers the polythene film extractor unit, located at the north-east corner of the process building, in accordance with Section 7.1 Recommendations & Residual Effects of the submitted Noise Assessment, dated 2 October 2014, Ref: R14.0904/DRK, prepared by Noise and Vibration Consultants Ltd shall be implemented and maintained for the duration of the development.

The meeting ended at 10.38am.

Chairman