

**PLANNING AND REGULATORY COMMITTEE**  
**9 JULY 2019****PROPOSED EXTENSION TO AN EXISTING WASTE  
RECYCLING FACILITY INCORPORATING ADDITIONAL  
BUILDINGS TO SERVE SEPARATE METALS AND MIXED  
WASTE AREAS AT LONG MARSTON WORKS, LONG  
MARSTON ROAD, LONG MARSTON, NEAR STRATFORD-  
ON-AVON**

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**Applicant**

Midlands Reclamation & Waste Limited

**Local Member**

Mr A A J Adams

**Purpose of Report**

1. To consider a County Matter planning application for a proposed extension to an existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas at Long Marston Works, Long Marston Road, Long Marston, near Stratford-on-Avon.

**Background**

2. The existing Midlands Reclamation & Waste Limited (MRW) waste management site has a lawful use for the sorting, processing and storage of recyclable materials, granted by Wychavon District Council in February 2000 (District Council Ref: W/96/0879/CLU) and is subject to a Section 106 Agreement, dated 8 February 2000, which included restricting the operating hours to between 07:00 to 20:00 hours Mondays to Saturdays inclusive. The operations on the site involves manual and mechanical sorting and separating of domestic; commercial and industrial; and construction and demolition waste materials.
3. In May 2007 Wychavon District Council granted planning permission for the erection of a sorting shelter and vehicle workshop on the existing MRW waste management site (District Council Ref: W/07/00639/PN). In October 2001 planning permission was granted by Wychavon District Council for the erection of a 3 metre high perimeter fence and the installation of electric lighting standards on land at Birds Depot. This included the existing MRW waste management site, the existing Sims Metal Management site and the proposed application site (Wychavon District Council Ref: W/01/01424/PN). In October 2014 the County Planning Authority granted planning permission for the proposed installation of an Energy from Waste machine (less than 1 tonne per hour) on the existing MRW waste management site (County Planning Authority Ref: 14/000012/CM).

4. Part of the proposed extension area has planning permission for the change of use of land used as a metal processing yard to use as a weekly disposal location for End of Life Vehicles (ELVs), which was granted planning permission by Wychavon District Council in August 2001 (District Council Ref: W/00/01735/CU). The applicant states that until recently the site was used as a storage facility for car and other vehicles trading dealership. Prior to which it was used for more long-term storage of vehicles and as a scrap storage facility prior to them being recycled on by an adjacent Scrap Metals facility.

## **The Proposal**

5. MRW is seeking planning permission for a proposed extension to an existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas at Long Marston Works.

6. The applicant states that they currently operate their skip hire and recycling business in a tightly constrained site in the middle of the Long Marston Works established industrial estate. MRW's operations include skip hire, grab hire, and manual and mechanical sorting and separating of domestic; commercial and industrial; and construction and demolition waste materials. The proposed expanded site would mainly be used for skip hire, recycling and End of Life Vehicle (ELV) storage.

7. The applicant states that due to additional increases in recycling of both metals and mixed waste materials the existing MRW waste management site is no longer large enough to cope with the influx of materials, in addition to which the value of metals has increased to such a level that it requires to be kept in separate secure compound. The proposal is, therefore, to provide a separate secure fenced area in which to sort and recycle metals, together with a new area to deal with the amount of mixed waste currently being sorted and recycled within the existing MRW waste management site.

8. The proposal would provide a much more spacious site and would substantially improve the applicant's buildings, for staff welfare and greater working efficiency. The proposal includes:

### Northern Extension

- Construction of a new two storey office building with a flat roof in the western part of the northern extension area, consisting of two stacked portacabins, coloured light grey, measuring approximately 9.8 metres long by 2.7 metres wide by 6 metres high. The building would contain offices, canteen and toilets. A weighbridge would be located immediately to the south of this building, adjacent to the site access.
- Proposed parking for approximately 15 cars is located immediately to the north of the access, which is located in the north-western part of the site.
- Construction of a new L-shaped brown steel portal framed sorting and grading shed to be located in the north-western part of the site. It is proposed to measure approximately 27.5 metres long by a maximum of 44.4 metres wide by a maximum of 6.3 metres high to the ridge, 4.5 metres high to the eaves. This would contain 2 roller shutter doors on the southern elevation and 1 roller shutter door on the western elevation.

- A shear and ferrous metal compound is proposed in the northern part of the site.
- An ELVs compound is proposed in the north-eastern part of the site.

#### Eastern Extension

- Construction of a new two storey brick office building with a concrete tile roof, to be located in the north-west corner of the proposed eastern extension area. This building would measure approximately 20 metres long by 12 metres wide by 7.3 metres high to the ridge and 5 metres high to the eaves. This building would contain offices, meeting room, lobby and toilets. A weighbridge and access gates would be located immediately to the west of this building.
- A relocated forest green steel portal framed workshop building, to be relocated from the existing MRW waste management site and sited in the north-eastern part of the eastern extension area. This building measures approximately 15.2 metres long by 9.1 metres wide by a maximum of 6.1 metres high to the ridge and 5.2 metres high to the eaves.
- Construction of a new forest green steel portal framed sorting shed to be located in the western side of the eastern extension area. This building would, measure approximately 33 metres long by 10 metres wide by a maximum of 12 metres high to the ridge and 9 metres to the eaves.
- Proposed parking for approximately 17 cars to be located to the north of the eastern extension area.
- Construction of 12 bunkers for the storage of waste in the south of the eastern extension area.

9. The whole of the extension area would be bound by a wall constructed from pre-cast concrete panels, measuring approximately 5 metres high. A roadway would connect the proposed northern and eastern extension areas. The applicant states that the existing portacabins on the MRW waste management site would be removed on completion of the proposed development. The applicant has confirmed that they would resurface part of the application site in concrete. Access to the site would use the existing access in the north-western corner of the site.

10. The applicant states that the existing MRW waste management site has an Environmental Permit from the Environment Agency to process approximately 25,000 tonnes per annum. The proposal would not increase the permitted throughput of the waste management site, but would enable the facility to reach this capacity. The applicant has confirmed that they currently process about 15,000 tonnes per annum.

11. Traffic movements are currently undertaken by 1.3 tonne skips which bring material into the site full and then leave empty. Processed material (bulk) is then transported out of the site by 7.5 tonne articulated lorries. The articulated lorries arrive to the site empty and leave full of recycled material.

12. The applicant states that based on the current throughput of 15,000 tonnes per annum this equates to approximately 90 vehicle movements per working day (about 45 vehicles entering the site and about 45 vehicles exiting the site per day).

13. The applicant states that if the existing MRW site was to reach the permitted throughput of 25,000 tonnes, this would equate to approximately 150 vehicle movements per working day (about 75 vehicle movements entering the site and about 75 vehicle movements exiting the site per day). However, the applicant states

that the metal recycling yard would process approximately 10,000 tonnes per annum and the existing MRW site and extension would continue to process approximately 15,000 tonnes per annum. The extension of the MRW facility and the new metal recycling yard would not lead to an increase in vehicle movements. The proposal would allow the site to operate more efficiently and reduce the need to stockpile material within the existing site. In addition, the applicant states that the facility would allow the transfers of outbound recycling metal from the site to the adjacent Sims Metals Management facility. Also, at present vehicles are leaving the Sims Metal Management site empty and this spare capacity would be used by this proposal for exporting processed materials from the site to other Sims Metal Management Sites. Inbound loads to the metal recycling have a higher payload than the MRW operation and average about 10 tonnes per inbound load. Outbound movements average 20 tonnes. The applicant states that the MRW payload would increase for outbound movements to 15 tonnes per vehicle. The result of this, is that the process becomes more efficient in terms of processing and bulking up of materials and, therefore, allowing higher average payloads in vehicles.

14. As a result of the above the applicant estimates that the proposed development, processing 25,000 tonnes would equate to approximately 66 vehicle movements per working day (about 33 vehicle movements entering the site and about 33 vehicle moments exiting the site per day).

15. The operations currently employ approximately 20 full-time equivalent members of staff, and should planning permission be granted for the proposal, it is envisaged this would create an additional 5 full-time equivalent members of staff.

16. The applicant is seeking planning permission to operate the site between the hours of 08:00 to 18:00 hours Mondays to Fridays and 08:00 to 14:00 hours on Saturdays, with no operations on Sundays and Bank Holidays.

## **The Site**

17. The proposed development would be located immediately to the north and east of the existing MRW waste management site on the established industrial estate of Long Marston Works. The application site is wholly located within Worcestershire and Wychavon District, but is near to the administrative boundaries between Stratford-on-Avon District Council, Warwickshire County Council, Cotswold District Council and Gloucestershire County Council.

18. Broad Marston is located approximately 1 kilometre north-west of the application site; beyond which is Pebworth located approximately 1.6 kilometres from the proposal. Long Marston is located about 2.3 kilometres north of the application site. Mickleton is located about 2 kilometres south of the proposal and Upper Quinton is situated approximately 2 kilometres east of the application site.

19. A wooded area is located immediately to the north of the application site, and the Sims Metal Management site and existing MRW waste management site are located immediately to the south and west of the proposal. The application site is screened to the south and west by earth bunds, measuring approximately 6 metres high. Long Marston Business Park is located approximately 450 metres to the north-east of the application site in Warwickshire, which has been subject to a hybrid

planning application (part full and part outline applications for planning permission) for mixed use redevelopment (Stratford-on-Avon District Council Ref: 09/00835/FUL) which was granted planning permission by Stratford-on-Avon District Council on 26 February 2010 (since then subsequent a variation of condition application and a non-material amendment application have been approved by Stratford-on-Avon District Council, Refs: 12/00484/VARY and 16/0033/AMD).

20. Outline planning permission was granted on appeal (Appeal Ref: APP/H1840/A/13/2202364) for a mixed use development, comprising up to 380 dwellings, up to 5,000 square metres of employment (Class B2) floor space, a minimum of 400 square metres of community (Class D2) building(s), public open space with associated landscaping and infrastructure, straddling the administrative boundaries of Wychavon and Stratford District Council (Wychavon District Council Ref: W/13/00132/OU). The Reserved Matters application for Phase 2 to 5 inclusive, comprising 364 dwellings, community building, landscaping and infrastructure (Wychavon District Council Ref: 17/01269/RM) is pending consideration by Wychavon District Council. The employment element of this scheme would be located immediately to the south of the proposal, and the nearest residential element of this scheme is located approximately 300 metres east of the proposal, on the eastern side of a noise attenuation bund (County Planning Authority Ref: 11/000052/CM).

21. The top of Meon Hill is located approximately 2.1 kilometres to the south-east of the proposal and forms part of the Cotswolds Area of Outstanding Natural Beauty (AONB) which is located at its closest point approximately 1.1 kilometres to the east of the application site. A Scheduled Ancient Monument (multivallate hill fort) is located approximately 1.8 kilometres to the south-east of the application site on Meon Hill.

22. The application site is irregular in shape, formed of three sections, an access road, a rectangular area and a square. The length of the access road is approximately 200 metres long, the rectangular north area has dimensions of approximately 200 metres long by 45 metres wide, and the square to the east has dimensions of approximately 100 metres long by 100 metres wide. The topography of the site is relatively flat.

23. The application site is predominately hardstanding comprised of asphalt chippings, with a concrete driveway running along from the access, parallel to the southern site boundary, for about half the length of the site. Three structures are present on the northern part of the application site: a temporary plastic sheet shed, a metal container and a portacabin. The site entrance is secured by wire mesh security gates measuring approximately 3 metres high.

24. The existing MRW waste management site comprises a concrete yard with a large workshop building (to be relocated to the application site), a covered sorting shelter with trommel, and temporary portacabin offices, which would be removed on completion of the proposed development.

25. Access to the proposal is via the existing Long Marston Works entrance, shared with Sims Metal Management site, off Long Marston Road (C2266).

26. The nearest residential property to the application site is Marston Grange, and those associated with Jordans Farm, located off a private road leading off Long Marston Road, which are sited approximately 245 metres north and 275 metres north-east of the proposed development site, respectively. Further residential properties of Farnold House, Priory Lane, Meon View, and South Dakota of New Buildings Farm are situated approximately 380 metres north-west of the proposal. The residential property of Little Grange, located in Gloucestershire is situated about 250 metres south-west of the application site (red line boundary) and 430 metres from the proposal. The new residential estate of Meon View, in Warwickshire is located about 1 kilometre north-east of the proposal.

## Summary of Issues

27. The main issues in the determination of this application are:

- The Waste Hierarchy
- Location of the Development
- Landscape Character and Visual Impacts
- Historic Environment
- Residential Amenity (Noise, Dust and Odour Impacts)
- Traffic and Highway Safety
- Water Environment
- Ecology and Biodiversity.

## Planning Policy

### National Planning Policy Framework (NPPF)

28. The revised National Planning Policy Framework (NPPF) was published on 19 February 2019 and replaces the previous NPPF published in March 2012 and July 2018. On the 19 June 2019 the revised NPPF was updated to include a correction slip to remove paragraph 209a relating to on-shore oil and gas development, following the Secretary of State for Housing, Communities and Local Government issuing a Ministerial Statement on 23 May 2019 due to the outcome of a legal judgment. The NPPF sets out the government's planning policies for England and how these are expected to be applied. The revised NPPF is a material consideration in planning decisions and should be read as a whole (including its footnotes and annexes).

29. The NPPF should be read in conjunction with the Government's planning policy for waste (National Planning Policy for Waste). Annex 1 of the NPPF states that *"the policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication"*.

30. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

31. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

32. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

33. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

34. The following guidance contained in the NPPF, is considered to be of specific relevance to the determination of this planning application:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

### **National Planning Policy for Waste**

35. The National Planning Policy for Waste was published on 16 October 2014 and replaces "Planning Policy Statement 10 (PPS 10): Planning for Sustainable Waste Management" as the national planning policy for waste in England. The document sets out detailed waste planning policies, and should be read in conjunction with the NPPF, the Waste Management Plan for England and National Policy Statements for Waste Water and Hazardous Waste, or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.

### **The Development Plan**

36. The Development Plan is the strategic framework that guides land use planning for the area. In this respect the current Development Plan that is relevant to this proposal consists of the Adopted Worcestershire Waste Core Strategy Development Plan Document and the Adopted South Worcestershire Development Plan.

37. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

38. With regard to the weight to be given to existing policies adopted prior to the publication of the revised NPPF, Annex 1 states "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*".

### **Worcestershire Waste Core Strategy Development Plan Document (WCS)**

- Policy WCS 1: Presumption in favour of sustainable development
- Policy WCS 2: Enabling Waste Management Capacity
- Policy WCS 3: Re-use and Recycling
- Policy WCS 6: Compatible land uses
- Policy WCS 8: Site infrastructure and access
- Policy WCS 9: Environmental assets

Policy WCS 10: Flood risk and water resources  
Policy WCS 11: Sustainable design and operation of facilities  
Policy WCS 12: Local characteristics  
Policy WCS 14: Amenity  
Policy WCS 15: Social and economic benefits

### **South Worcestershire Development Plan**

39. The South Worcestershire Development Plan (SWDP) covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP policies that are of relevance to the proposal are set out below:-

Policy SWDP 1: Overarching Sustainable Development Principles  
Policy SWDP 2: Development Strategy and Settlement Hierarchy  
Policy SWDP 3: Employment, Housing and Retail Provision Requirement and Delivery  
Policy SWDP 4: Moving Around South Worcestershire  
Policy SWDP 5: Green Infrastructure  
Policy SWDP 6: Historic Environment  
Policy SWDP 8: Providing the Right Land and Buildings for Jobs  
Policy SWDP 11: Vale of Evesham Heavy Goods Vehicle Control Zone  
Policy SWDP 12: Employment in Rural Areas  
Policy SWDP 21: Design  
Policy SWDP 22: Biodiversity and Geodiversity  
Policy SWDP 23: The Cotswolds and Malvern Hills Areas of Outstanding Natural Beauty (AONB)  
Policy SWDP 24: Management of the Historic Environment  
Policy SWDP 25: Landscape Character  
Policy SWDP 27: Renewable and Low Carbon Energy  
Policy SWDP 28: Management of Flood Risk  
Policy SWDP 29: Sustainable Drainage Systems  
Policy SWDP 30: Water Resources, Efficiency and Treatment  
Policy SWDP 31: Pollution and Land Instability

### **Other Documents**

#### **Our Waste, Our Resources: A Strategy for England (2018)**

40. This Strategy is the first significant government statement in relation to waste management since the 2011 Waste Review and the subsequent Waste Prevention Programme 2013 for England. It builds on this earlier work, but also sets out new approaches to long-standing issues like waste crime, and to challenging problems such as packaging waste and plastic pollution. The Strategy is guided by two overarching objectives:

- To maximise the value of resource use; and
- To minimise waste and its impact on the environment.

41. The Strategy sets five strategic ambitions:

- To work towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025;

- To work towards eliminating food waste to landfill by 2030;
- To eliminate avoidable plastic waste over the lifetime of the 25 Year Environment Plan;
- To double resource productivity by 2050; and
- To eliminate avoidable waste of all kinds by 2050.

42. It contains 8 chapters which address: sustainable production; helping consumers take more considered action; recovering resources and managing waste; tackling waste crime; cutting down on food waste; global Britain: international leadership; research and innovation; and measuring progress: data, monitoring and evaluation. Chapter 3 – 'Resource Recovery and Waste Management' is the most relevant chapter to this proposal.

43. This states that whilst recycling rates in construction have improved since 2000, from 2013 onwards recycling rates have plateaued. The government wishes to drive better quantity and quality in recycling and more investment in domestic recycled materials markets. The government wants to promote UK-based recycling and export less waste to be processed abroad. The government wish to:

- Improve recycling rates by ensuring a consistent set of dry recyclable materials is collected from all households and businesses;
- Reduce greenhouse gas emissions from landfill by ensuring that every householder and appropriate businesses have a weekly separate food waste collection, subject to consultation;
- Improve urban recycling rates, working with business and local authorities;
- Improve working arrangements and performance between local authorities;
- Drive greater efficiency of Energy from Waste (EfW) plants;
- Address information barriers to the use of secondary materials; and
- Encourage waste producers and managers to implement the waste hierarchy in respect to hazardous waste.

### **Waste Management Plan for England (2013)**

44. The Government through Defra published the Waste Management Plan for England in December 2013. This Plan superseded the previous waste management plan for England, which was set out in the Waste Strategy for England 2007.

45. There are comprehensive waste management policies in England, which taken together deliver the objectives of the revised Waste Framework Directive, therefore, it is not the intention of the Plan to introduce new policies or to change the landscape of how waste is managed in England. Its core aim is to bring current waste management policies under the umbrella of one national plan.

46. This Plan is a high level document which is non-site specific, and is a waste management, rather than a waste planning document. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of the revised Waste Framework Directive.

47. The key aim of this Plan is to work towards a zero waste economy as part of the transition to a sustainable economy. In particular, this means using the “waste

hierarchy” (waste prevention, re-use, recycling, recovery and finally disposal as a last option) as a guide to sustainable waste management.

#### **The Government Review of Waste Policy England 2011**

48. The Government Review of Waste Policy in England 2011 seeks to move towards a green, zero waste economy, where waste is driven up the waste hierarchy. The waste hierarchy gives top priority to waste prevention, followed by preparing for re-use, recycling, other types of recovery (including energy recovery) and last of all disposal.

#### **Planning for Health in South Worcestershire Supplementary Planning Document**

49. The South Worcestershire Planning for Health SPD was adopted in September 2017, and primarily focuses on the principle links between planning and health. The SPD addresses nine health and wellbeing principles, one of which is 'air quality, noise, light and water management'. The SPD seeks to address issues relating to air quality, noise, light and water management, and sets out guidance on how these matters can be improved via the planning process.

#### **South Worcestershire Design Guide Supplementary Planning Document**

50. The South Worcestershire Design Guide SPD was adopted in March 2018 and provides additional guidance on how the South Worcestershire Development Plan design related policies should be interpreted, for example through the design and layout of new development and public spaces across South Worcestershire, and is consistent with planning policies in the South Worcestershire Development Plan, in particular Policy SWDP 21 (Design).

#### **South Worcestershire Water Management and Flooding Supplementary Planning Document**

51. The South Worcestershire Water Management and Flooding Supplementary Planning Document (SPD) was adopted in July 2018 and sets out in detail the South Worcestershire Councils' approach to minimising flood risk, managing surface water and achieving sustainable drainage systems. This applies to both new and existing development whilst ensuring that the reduction, re-use and recycling of water is given priority and water supply and quality is not compromised. It relates to policies SWDP 28 (Management of Flood Risk), SWDP 29 (Sustainable Drainage Systems) and SWDP 30 (Water Resources, Efficiency and Treatment) of the adopted South Worcestershire Development Plan.

#### **South Worcestershire Renewable and Low Carbon Energy Supplementary Planning Document**

52. The South Worcestershire Renewable and Low Carbon Energy SPD sets out guidance on how the requirements in Policy SWDP 27 (Renewable and Low Carbon Energy) should be applied. It includes guidance on what must be provided in Energy Assessments; issues that need to be considered when examining the potential for decentralized energy and heat networks in large scale development proposals to comply with SWDP 27(B); the various renewable and low carbon energy technologies and the planning issues associated with each technology that will need to be addressed.

#### **Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan (2018 – 2023)**

53. The Cotswolds Conservation Board has a statutory duty to prepare and review a management plan for the Cotswolds AONB at five-yearly intervals. The Board adopted the Cotswolds AONB Management Plan on 20 September 2018.

54. The Management Plan sets out the vision, outcomes, ambitions and policies to guide the management of the AONB for the period 2018-2023. The Management Plan is a key mechanism for achieving the purposes of: (i) conserving and enhancing the natural beauty of the AONB; and (ii) increasing the understanding and enjoyment of the AONB's special qualities. While having regard to these purposes, it seeks to foster the economic and social well-being of local communities within the AONB. It also seeks to foster a more consistent and coordinated approach across this administratively complex AONB in order to achieve these purposes more effectively.

55. The Management Plan contains 24 policies, which are grouped under each of the 14 themed outcomes. The key policies in relation to this application are considered to be Policy CE1: 'Landscape', Part 2) which states: *"proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced"*; and Policy CE13: 'Waste Management', which promotes the waste hierarchy and states that proposals for *"new landfill sites and strategic waste facilities should not normally be permitted in the AONB. Any waste management facilities that are permitted in the AONB should be sited and managed in such a way that adverse environmental impacts are minimised, in line with relevant permitting regimes"*.

## Consultations

56. **Pebworth Parish Council** have no objections to the proposal, subject to the imposition of a condition limiting the operating hours to the same as the wider waste management site.

57. **Marston Sicca Parish Council (Long Marston) (Neighbouring)** have no objections to the proposal, subject to the imposition of a condition that traffic be routed south to the Campden Road (B4632).

58. **Mickleton Parish Council (Neighbouring)** have made no comments.

59. **Quinton Parish Council (Neighbouring)** have made no comments.

60. **Wychavon District Council** have no objections to the proposal, stating the application site is located within the open countryside outside any defined development boundary as set out in the South Worcestershire Development Plan. Policy SWDP 2 states that within the open countryside, development will be strictly controlled and will be limited to the types of development set out in the policy and development specifically permitted by other SWDP policies. These policies include Policy SWDP 8 'Providing the Right Land and Buildings for Jobs'. Policy SWDP 8 states that the provision of employment land throughout South Worcestershire will be supported providing the development supports an existing business or new enterprise of a scale appropriate to the location. Further Policy SWDP 12 supports

the expansion of existing employment sites in rural areas where it has been demonstrated that intensification of the existing site is not viable or practical.

61. The land that is the subject of the application directly adjoins the Birds Depot and is closely related to it. It consists of two parcels of land, one adjoining the northern boundary and the other, to the east of the existing development on the site. The two would be connected by a roadway. The land is hard surfaced and historic mapping shows evidence of buildings on the site. It has also been used for car parking and materials storage in association with the wider site. The land is considered to be previously developed land. Given this, and the scale of the proposal and the development on the wider site, it is considered that the proposal is supported by Policies SWDP 2, SWDP 8 and SWDP 12.

62. The site is well contained to the north and west by the adjoining woodland and boundary trees along Long Marston Road. The landscaped bund to the east serves to further contain the site. The landscape impact of the development is, therefore, likely to be very limited to local views.

63. As the County Council will be aware, beyond the landscaped bund is land that has outline planning permission for residential development (Wychavon District Council Ref: W/13/00132/OUT). The Reserved Matters for this development are currently under consideration by the District Council (Wychavon District Council Ref: W/17/01269/RM). The impact of the proposed development on this site and on established residential development beyond the woodland to the north will need to be considered in the determination of the application in terms of noise, disturbance and air pollution. Advice should be taken from Worcestershire Regulatory Services and appropriate conditions imposed as necessary.

64. **Gloucestershire County Council (Neighbouring)** have no objections to the proposal, subject to the imposition of conditions regarding use of forest green colour profiled roof sheeting and side cladding to the relocated steep portal framed industrial building; carrying out the development in accordance with the Noise Assessment; details of boundary treatments; and details of external lighting (operational and security).

65. **Warwickshire County Council (Neighbouring)** have made no comments.

66. **Cotswold District Council (Neighbouring)** wish to make no comments on the proposal.

67. **Stratford-on-Avon District Council (Neighbouring)** have no objections to the proposal, stating that their Environmental Health Officer has reviewed the revised Noise Assessment, and considers that subject to the proposed noise mitigation measures being implemented there should not be a significant impact for residents in Stratford-on-Avon District. As the application site and closest receptors are located within Wychavon District, they wish to defer to Worcestershire Regulatory Services on the suitability of the scheme and any recommended conditions.

68. Stratford-on-Avon District Council comments that the following matters need to be considered in the assessment of the application:

- The visual impact on the open countryside as a result of the additional buildings, proximity to the edge of the site and site levels;
- Whether sufficient car parking would be retained on site for the existing and proposed development, considering the number of employees and visitors;
- The possible loss of trees / vegetation across the site, in particular to the north, and ecological or biodiversity issues that may arise from the loss of the trees and vegetation; and
- Safe access to and from the site.

69. **The Environment Agency** have no objections to the proposal, stating that the applicant would need to obtain a new Standard Rules Permit from the Environment Agency for the proposed activities. The Permit would regulate and control matters such as general management of the site, permitted activities e.g. operations, waste acceptance (quantity and type of waste), emissions to land, water and air (including odour, noise and vibration, and monitoring, records and reporting.

70. The existing Standard Rules Permit allows for 25,000 tonnes of waste per annum. The proposed site plan shows that there would be a new mixed waste area, the site does not currently store / treat metal waste.

71. Any new Standard Rules Permit would require a Fire Prevention Plan. Fire prevention measures should meet the following 3 objectives: minimise the likelihood of a fire happening; aim for a fire to be extinguished within 4 hours; and minimise the spread of fire within the site and to neighbouring sites.

72. The Environment Agency draws the County Planning Authority's attention to paragraph 183 of the NPPF, which states that *"the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes)"*, such as in this case.

73. The Environment Agency notes the submitted Noise Assessment, and as the nearest sensitive receptor is over 200 metres from the proposal, they do not wish to make any comments in this regard.

74. **Worcestershire Regulatory Services (Air Quality and Contaminated Land)** have no objections to the proposal, subject to the imposition of a tiered contaminated land investigation.

75. Worcestershire Regulatory Services states that the submitted Contaminated Land Desk Study Report is considered to represent an appropriate desk study and risk assessment in the context of the current application and concur with the recommendations of the report.

76. Worcestershire Regulatory Services have also considered the impact of the proposal upon local air quality, and have no adverse comments to make in this respect.

77. **Worcestershire Regulatory Services (Noise, Dust and Odour)** have no objections to the proposal in terms of noise, dust or odour adversely impacting sensitive receptors, subject to the imposition of an appropriate condition requiring the implementation of the noise mitigation measures outlined in the revised Noise

Assessment, namely: re-orientation of the Trommel shed and the erection of the 5 metre high pre-cast concrete noise barrier around the site boundary.

78. Worcestershire Regulatory Services also states that the revised Noise Assessment appears satisfactory in terms of the methodology used and the conclusions reached. The assessment indicates that with the proposed noise mitigation measures implemented, noise from the relocated and expanded operations at the site would have a low impact at the nearest noise sensitive receptors. However the assessment is worst case and includes a 3dB safety factor.

79. In response to comments from a local resident who instructed a Noise Consultant to undertake a review of the revised Noise Assessment. Worcestershire Regulatory Services state that during the times that the site would operate the background noise levels appear to be around 40dB(A), which would place the area into the 'Semi-Rural' Environmental Classification. Therefore, they do not consider noise from the proposal would have an adverse impact to local residents.

80. **The County Council Public Health Department** have made no comments.

81. **South Worcestershire Land Drainage Partnership** have made no comments.

82. **The Lead Local Flood Authority** have no objections to the proposal, subject to the imposition of conditions requiring detailed drainage scheme drawings and Sustainable Drainage System (SuDS) management plan. The Lead Local Flood Authority considers the scheme for surface water drainage as set out in the submitted drainage strategy is acceptable in principle.

83. **Severn Trent Water Limited** have made no comments.

84. **The County Highways Officer** has no objections to the proposal, subject to the imposition of conditions requiring details of sheltered and secure cycle parking, accessible parking, electric vehicles charging point, employment travel plan, restricting the throughput of the facility (existing and proposed site to 25,000 tonnes per annum) and a HGV Management Plan. The County Highways Officer concludes that there would not be a severe highway impact and, therefore, there are no justifiable grounds on which an objection could be maintained.

85. The County Highways Officer notes that the throughput of the site would not increase beyond the extent for which the Environment Agency's Environmental Permit allows. The throughput for the site, including both existing operations and proposed development is to remain at 25,000 tonnes per annum.

86. The only additional vehicle trips generated by the site are related to staff, but are minimal in comparison to HGV movements. The extension of the area to incorporate the metal yard would increase of staff members by five. Given the nature of the site, there is currently no dedicated car parking for staff. The proposed site layout would provide 32 car parking spaces within the site.

87. **Historic England** have no objections to the proposal on heritage grounds. However, they note that the proposal would have an impact upon the setting of the Scheduled Monument (a multivallate Iron Age hillfort, situated on top of Meon Hill,

located about 1.8 kilometres south-east of the proposal). Therefore, Historic England recommends measures to minimise the visual impact and any resulting harm to significance.

88. Historic England note that the landscape around the hillfort reflects its original surroundings, whilst views out and towards the monument assist in understanding its context, form and function. These form part of the Scheduled Monument's setting - the surroundings in which it is experienced - and contribute to its significance.

89. Given the scale of the proposed buildings, Historic England considers them to have an impact upon the setting of the Scheduled Monument. The tall industrial style buildings would be noticeable in views out from the Scheduled Monument, increasing the visual intrusion from modern development and the waste recycling facility. There would also be a cumulative erosion of the landscape with the developments which have planning permission to the east and south of the application site. The level of impact would be curtailed by the distance to the Scheduled Monument and the character of the wider surrounding landscape. The new buildings would also be seen in the context of the existing and new development in this area, which would soften their visual intrusion, to a degree.

90. To this end Historic England does not consider the adverse impact or resulting harm to significance to be high. However, there would still be a noticeable visual intrusion and Historic England would, therefore, recommend steps be taken to ensure this is minimised as far as possible. Consideration should be given to the colouring of cladding and the roof structures for the shed and workshops in order to make them darker and less visible. Additional or improved screening (such as vegetation on the bunds and site boundaries) could also help break-up the massing of the structures in the long-distance views. Ensuring the height and size of the buildings are kept to the minimum needed would also help constrain the visual impact.

91. Historic England recommends that the County Planning Authority seek the views of the County Council and District Council's specialist conservation and archaeological advisers, as relevant.

92. **Scheduled Monuments Society** have made no comments.

93. **The District Archaeologist** has no objections to the proposal, stating that archaeological mitigation is not required.

94. **The County Archaeologist** has no objections to the proposal, stating that although the site does lie in close proximity to Broad Marston Grange and in a wider landscape of known prehistoric settlement, it is thought that the potential survival of any below ground remains is low given the former industrial use of the site, therefore, the County Archaeologist does not recommend any archaeological planning conditions.

95. **The Cotswolds Area of Outstanding Natural Beauty (AONB) Conservation Board** have made no comments.

96. **The County Landscape Officer** has no objections to the proposal, stating that the proposal is located within an existing landscape context that is characterised by

both industrial land use and open countryside, and overall the he has no objections or major concerns. The County Landscape Officer considers that the proposal is relatively limited in terms of wider impacts to the west, north and east as a result of existing mature hedgerow and woodland screening; however, there is less cover to the south, which is partly screened by a bund that does not screen the proposed 'mixed waste area.' The County Landscape Officer suggests there is an opportunity to carry out some enhancement of the hedgerow / boundary to the south that would both help to soften the development and provide a welcome enhancement to east-west green infrastructure connectivity. This should ideally be mixed native species hedging interspersed with hedgerow trees. The County Landscape Officer suggests this could be addressed informally, rather through the imposition of a condition.

97. **The County Ecologist** has no objections to the proposal, subject to the imposition of conditions requiring protection of retained trees and vegetation; timing of any vegetation clearance; escape measures for wildlife from open trenches; details of any lighting to be installed at the site; and a drainage scheme.

98. Notwithstanding the above, the County Ecologist is concerned that the development abuts woodland within which protected species have previously been recorded (records of badgers within 100 metres of the site) and that the Preliminary Ecological Assessment does not appear to have surveyed beyond the red line application site boundary, whereas a zone of impact of the development (for example noise, dust, and vibration from excavations) may well extend further than the development boundaries. However, concerns could reasonably be addressed through pre-commencement inspections undertaken by a suitably competent ecologist and use of appropriate woodland edge buffering from likely construction and operational phase impacts.

99. **The Campaign to Protect Rural England (CPRE)** have made no comments.

100. **West Mercia Police** have no objections to the proposal in relation to crime and disorder.

101. **Hereford & Worcester Fire and Rescue** have made no comments.

102. **Western Power Distribution** comments that their apparatus is located adjacent to the application site (electricity); the use of mechanical excavators in the vicinity of their apparatus should be kept to a minimum. Any excavations in the vicinity of their apparatus should be carried out in accordance with the document titled: 'Health & Safety Executive Guidance HS(G)47, Avoiding Danger from Underground Services'. The applicant should contact Western Power Distribution should any diversions be required.

## **Other Representations**

103. The application has been advertised on site and in the press. To date, 8 letters of representation objecting to the proposal have been received. These letters of representation are available in the Members' Support Unit. Their main comments are summarised below:

### Traffic and Highway Safety

- Concerns regarding increase in HGV traffic.
- Concerns that the proposal would result in an increase in HGVs with heavier payloads that are unsuitable for the adjacent roads.
- Debris (metal and foam) on roads from waste management site, which is not cleared up by the operator.
- HGV drivers speed through Mickleton.
- Concern that this proposal would result in more lorries coming from Campden through Mickleton on a very narrow lane that is not fit for purpose.
- Can no longer ride horses on road between Campden and Mickleton due to safety concerns due to use by lorries.
- Lorries passing through Mickleton is dangerous as cars are parked throughout the village and the lorries are too large.
- The site is accessed off a 60 mph speed limit road, but it is impassable when two HGVs or any other vehicles come down the road in the opposite direction. It is inevitably, they use the entrance to a local resident's property so they can pass.
- There are deep ditches along both side of the road. Lorries often fall into the ditches on a regular basis.
- On 17 April 2019 at approximately 16:00 hours an IMR Ltd lorry was travelling along Campden Road and turning into Long Marston Road, the lorry on doing this simple operation shed its load of steel across Long Marston Road. Consider this demonstrates how bad the road has become.
- States that no risk assessment appears to be carried out of lorries crashing into one another due to potential for head-on crashes, due to narrow road.
- A local resident understands that Sims Metal Management is so concerned about the safety of using the road that they have instructed their drivers not to exceed 40 mph as a safety measure. This demonstrates a clear and serious concern regarding traffic, which is unfit for the current level of traffic, let alone more traffic.
- It should be noted that in addition to lorries and local traffic, there is also domestic traffic i.e. parents taking their children to school, all of which has increased due to the new housing being built in the outlying villages.
- It should be noted that school coaches travel down Long Marston Road every day at about 08:15 and 16:00 hours.
- Questions the conclusions of the submitted Transport Statement.
- Considers that the road survey is misleading, as it was undertaken when Long Marston Road was temporarily closed for 3 days while road repairs were undertaken.
- A video was submitted showing vehicles stopping on the highway and parking within the Sims Metal Management site, waiting to enter the site. The local resident states that this proves the site is not suitable for any more traffic accessing the site.

### Noise and Pollution

- There is also noise and pollution associated with the additional traffic.
- Adverse noise impact to local residents, stating that even taking into account the proposed mitigation measures, the proposal would not meet the "equal to background" noise level threshold identified in the British Standards, which suggests that refusal of the planning application should be the preferred option.

- A local resident instructed a Noise Consultant to undertake a review of the amended Noise Assessment, and comments that the amended Noise Assessed fails to assess the proposal against Worcestershire Regulatory Services Guidelines. It is considered that the proposal would breach these guidelines by 14 dB, as it is considered that the site falls within the 'Rural' Environmental Classification (as the proposal could be as much as 4dB above background noise level and Worcestershire Regulatory Services Guidance seeks to achieve a noise level of 10 dB below the existing background levels). The Noise Consultant states that it would be for Worcestershire Regulatory Services to consider whether the application warrants such a deviation from their guidance.
- Objects to the proposal, but should planning permission be granted, they consider that conditions regarding location and arrangements for the trolley, maximum number of vehicle movements, requiring the development to be carried out in accordance with the recommendations of the revised Noise Assessment, and no working on public holidays should be imposed.

#### Risk of Fires

- There appears to be no consideration of any measures to mitigate the risk of fires or of dealing with a fire should one arise.

#### Impact on Conservation Area

- Adverse impact upon the Conservation Area.

#### Litter

- There is foam from car seats and various bits of scrap metal scattered on the road approaching the site, and consider this would worsen as a result of the proposal.

- Unlawful Development

- IMR have been observed taking scrap cars into the site which has been reported to the County Council's Planning Monitoring and Enforcement Officer.

## **The Head of Strategic Infrastructure and Economy's Comments**

104. As with any planning application, this application should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The relevant policies and key issues have been set out earlier.

### **Waste Hierarchy**

105. The National Planning Policy for Waste states that positive planning plays a pivotal role in delivering this country's waste ambitions through:

- Delivery of sustainable development and resource efficiency...by driving waste management up the waste hierarchy;
- Ensuring that waste management is considered alongside other spatial planning concerns...recognising the positive contribution that waste management can make to the development of sustainable communities;

- Providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of; and
- Helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment.

106. The Government Review of Waste Policy in England 2011 seeks to move towards a green, zero waste economy, where waste is driven up the waste hierarchy. The waste hierarchy gives top priority to waste prevention, followed by preparing for re-use, recycling, other types of recovery (including energy recovery) and last of all disposal. This is reiterated in the Waste Management Plan for England (2013) and Our Waste, Our Resources: A Strategy for England (2018). The Worcestershire Waste Core Strategy sets out a number of objectives. Objective WO3 of the Waste Core Strategy seeks to make driving waste up the waste hierarchy the basis for waste management in Worcestershire.

107. The Head of Strategic Infrastructure and Economy considers that as the proposed development would involve the bulking up of various sources of waste in preparation for transfer and subsequent recycling by specialist operators it would comply with the objectives of the waste hierarchy.

#### **Location of the Development**

108. National Planning Policy for Waste seeks to drive waste management up the waste hierarchy, and to secure the re-use of waste without endangering human health or harming the environment. Section 5 includes criteria for assessing the suitability of sites for new waste management facilities and Appendix B sets out locational criteria. The Worcestershire Waste Core Strategy is broadly in accordance with these principles and the National Planning Policy for Waste.

109. The Waste Core Strategy sets out a Geographic Hierarchy for waste management facilities in Worcestershire. The hierarchy takes account of patterns of current and predicted future waste arisings and resource demand, onward treatment facilities, connections to the strategic transport network and potential for the future development of waste management facilities. The hierarchy sets out 5 levels with the highest level being Level 1 'Kidderminster zone, Redditch zone and Worcester zone'.

110. Policy WCS 3 of the Waste Core Strategy requires waste management facilities that enable re-use or recycling of waste, such as this proposal, to be permitted within all levels of the Geographic Hierarchy, where it is demonstrated that the proposed location is at the highest appropriate level of the Geographic Hierarchy.

111. Although the development site is sited within Level 5 'All other areas' of the Geographic Hierarchy, it is considered that the proposal would be ancillary to existing MRW waste management site in that it improve the working conditions by providing new buildings, secure compounds and more space for the management of waste, thereby improving staff welfare and enabling greater working efficiency. In view of this, it is considered that the proposal would comply with Policy WCS 3 of the Worcestershire Waste Core Strategy.

112. Policy WCS 6 of the Worcestershire Waste Core Strategy directs waste management development to land with compatible uses. Policy WCS 6 directs enclosed re-use and recycling facilities, such as this proposal, to land which includes existing or allocated industrial land; contaminated or derelict employment land; redundant agricultural or forestry buildings or their curtilage; and sites with current use rights for waste management purposes.

113. This planning policy direction is also reflected in the National Planning Policy for Waste, which states *"waste planning authorities should...consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities...give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages"*.

114. As the proposed development would be located on existing industrial land, it is considered the proposal complies with Policy WCS 6 of the Waste Core Strategy.

115. In view of the above, the Head of Strategic Infrastructure and Economy considers that the proposal would be sited in an appropriate location, in accordance with Policies WCS 3 and WCS 6 of the Waste Core Strategy.

116. Policy SWDP 2 of the South Worcestershire Development Plan sets out a Development Strategy and Settlement Hierarchy, these are based on a number of principles including *"safeguard and (wherever possible) enhance the open countryside"*. Policy SWDP 2 c) defines the 'open countryside' as *"land beyond any development boundary"*. Therefore, the existing site and the application site are located within the open countryside. Policy SWDP 2 c) goes on to state that in the open countryside, development will be strictly controlled and will be limited to a number of defined types of developments and uses including employment development in rural areas and refers to Policy SWDP 12 of the South Worcestershire Development Plan.

117. Policy SWDP 12 b) seeks to protect existing employment sites in rural areas stating *"to help promote rural regeneration across South Worcestershire, existing employment sites in rural areas that are currently or were last used for B1, B2, B8...purposes will be safeguarded for employment-generating uses during the plan period"*.

118. Whilst the proposal is located in the open countryside, as defined by Policy SWDP 2 of the South Worcestershire Development Plan, it is noted that the site constitutes an existing employment site.

119. Whilst a waste management facility is not explicitly referred to within Policies SWDP 2 and SWDP 12 of the South Worcestershire Development Plan, the proposal is considered broadly to be an employment site, and would constitute the retention of an existing employment site and is for the re-use of previously developed land, complying with these policies.

120. Wychavon District Council raises no objections to the proposal, and considers the proposal is in accordance with Policies SWDP 2, SWDP 8 and SWDP 12 of the South Worcestershire Development Plan.

## **Landscape Character and Visual Impacts and Historic Environment**

121. A Scheduled Ancient Monument (multivallate hill fort) is located approximately 1.8 kilometres to the south-east of the application site on Meon Hill, which also forms part of the Cotswolds AONB which is located at its closest point approximately 1.1 kilometres to the east of the application site.

122. Paragraph 172 of the NPPF states that *"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas..."*

123. With regard to heritage assets, paragraph 190 of the NPPF states that *"local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal"*.

124. Paragraphs 193 and 194 of the NPPF states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: ...b) assets of highest significance, notably schedule monuments...should be wholly exceptional"*.

125. The Government's Planning Practice Guidance (PPG) at Paragraph Ref ID: 18a-017-20140306 states *"whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the NPPF"*.

126. The application was accompanied by a Heritage Impact Statement which states that from low levels on Meon Hill or the ANOB the northern most bund (which measures approximately 6 metres high) would provide some visual shelter of the proposed metal sorting area. The proposed buildings would be visible from the adjacent fields, but not necessarily visible from the ANOB or the low to mid-levels of Meon Hill, but would be visible from the highest part of Meon Hill. The proposed buildings would be subservient to those on the adjacent Sims Metal Management yard, and become even less significant when the permitted industrial units are erected to the east, as well as the substantial housing development.

127. Historic England has been consulted and has raised no objections to the proposal. However, they state that given the scale of the proposed buildings, they consider they would have an impact upon the setting of the Scheduled Monument. The tall industrial style buildings would be noticeable in views out from the Scheduled Monument, increasing the visual intrusion from modern development. There would also be a cumulative erosion of the landscape with the developments

which have planning permission to the east and south of the application site. The level of impact would be curtailed by the distance to the Scheduled Monument and the character of the wider surrounding landscape. The new buildings would also be seen in the context of the existing and new development in this area, which would soften their visual intrusion. In view of this, Historic England does not consider the adverse impact or resulting harm to significance to be high. However, there would still be a noticeable visual intrusion. Historic England, therefore, recommend consideration should be given to the colour of the proposed buildings, additional or improved screening, and ensuring the height and size of the buildings are kept to the minimum.

128. In view of this, and having regard to Historic England's comments, the Head of Strategic Infrastructure and Economy considers that the proposals would lead to 'less than substantial' harm to the significance of the designated heritage asset of the Scheduled Monument.

129. Notwithstanding this harm is less than substantial, the harm must still be given considerable importance and weight, and considerable weight must be given to the desirability of preserving the setting of the designated heritage asset. Consequently, the fact of harm to a designated heritage asset is still to be given more weight than if simply a factor to be taken into account along with all other material considerations.

130. Paragraph 196 of the NPPF states that *"where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*.

131. The Government's PPG at Paragraph Ref ID: 18a-020-20140306 confirms that *"public benefit may follow from many developments and could be anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits"*.

132. The Head of Strategic Infrastructure and Economy considers that the proposal would provide more space and designated buildings for the specialist management of waste, thereby enabling greater working efficiency, and subsequently moving waste up the waste hierarchy.

133. In response to Historic England's comments, it is noted that the Heritage Impact Assessment states that every attempt has been made to keep the buildings low in scale and subservient in both colour and materials to those building currently on the industrial estate. The Head of Strategic Infrastructure and Economy notes that the adjacent Automotive Shredder Residue (ASR) Separation building measures approximately 72 metres long by 33.5 metres, by 15 metres high, which is substantially larger than the proposed buildings.

134. The County Landscape Officer has been consulted and raises no objections to the proposal, and considers that the proposal is relatively limited in terms of wider impacts to the west, north and east as a result of existing mature hedgerow and woodland screening; however, there is less cover to the south, which is partly screened by a bund that does not screen the proposed 'mixed waste area.' The

County Landscape Officer suggests there is an opportunity to carry out some enhancement of the hedgerow / boundary to the south that would both help to soften the development and provide a welcome enhancement to east-west green infrastructure connectivity. Given that this area of landscaping is outside of land in the control of the applicant, the County Landscape Officer suggests this could be addressed informally, rather through the imposition of a condition.

135. The applicant has liaised with the landowner and has confirmed that they are happy to implement the recommended landscaping.

136. In view of the above matters, the Head of Strategic Infrastructure and Economy considers that the proposed development would not be an unacceptable impact upon the character and appearance of the local area or the historic environment, subject to the imposition of appropriate conditions regarding details of the colour of the proposed buildings, height and location of external stockpiles and lighting scheme.

### **Residential Amenity (Noise, Dust and Odour Impacts)**

137. The nearest residential properties to the application site is Marston Grange, and those associated with Jordans Farm, which are sited approximately 245 metres north and 275 metres north-east of the proposed development site, respectively. The residential property of Little Grange is situated about 250 metres south-west of the application site (red line boundary) and 430 metres from the proposal. Further residential properties of Farnold House, Priory Lane, Meon View, and South Dakota of New Buildings Farm are situated approximately 380 metres north-west of the proposal.

138. Letters of representation have been received objecting to the proposal on the grounds of adverse noise and pollution.

139. The applicant submitted a revised Noise Assessment, which identified the nearest noise sensitive receptors to be the residential properties at 4 Broad Marston Road, Marston Grange, Jordans Farm and Little Grange. The Assessment states that without mitigation measures being implemented both Marston Grange and Jordans Farm are predicted to experience significant adverse noise impacts. Broad Marston Road is predicted to experience an adverse impact and Little Grange is predicted to experience a low impact (predicted to be equal to background noise level). The Assessment states that the dominant noise source at all locations is the trommel in the open-sided shed (Sorting Shed). As a result, the Assessment recommends rotating the open-side shed 90 degrees clockwise, so that the open side faces south, and moving it approximately 15 metres to the north benefits all identified sensitive receptors. The Assessment also recommends that the proposed boundary walling should be increased in height to a minimum of 5 metres high. The Assessment states with this mitigation taken into account, the impact at all assessed locations would be below the threshold BS4142: 2014 suggests is an adverse impact and a low impact is achieved at Little Grange. The applicant amended the proposal to accord with these recommendations.

140. The Assessment also states that in this instance, the proposed extension is to be introduced adjacent to an existing site that has very similar operational characteristics and that is a prominent contributor to the acoustic environment. It is,

therefore, suggested that the numerical assessment alone overstates the likely impact, and that an outcome much closer to a low impact is likely at all locations.

141. The application was also accompanied by a Dust Management Strategy which sets out a number of mitigation measures to minimise dust, this includes:

- Minimising working of friable materials (soils) in very dry, windy conditions.
- Reducing drop heights at material transfer points and controlling vehicle speeds.
- The use of water sprays or wetting down with a water bowser of soil storage areas.
- Aggregate storage bays should be used for aggregate stockpiling and stockpiles should not be higher than the external walls of the bays.
- Shredded timber and green waste should be stockpiled in a sheltered location on site, to reduce the risk of wind-blow of dusty material.
- All departing HGVs should be sheeted and checked for loose materials that could fall off onto the public highway.
- A wheel washing system facility is located outside the site office and should be used to remove mud from the wheels of any vehicles leaving site.
- A powered road sweeper should be made available to ensure that any track-out is cleared immediately.
- Mobile plant with upward or sideways exhausts should be used and all site haulage should keep to designated, paved routes whenever possible.
- If necessary, to avoid impacts at off-site receptors, site operations causing visible dust emissions should be reduced or suspended until the emissions can be controlled.

142. The submitted Housekeeping, Pest, Litter & Vermin Control Procedure notes that waste will not include putrescible material attractive to vermin or seagulls. The document includes detailed management procedures to minimise these impacts.

143. The submitted Health Impact Assessment (HIA) Screening Statement considered various potential health impacts and confirmed that a full HIA is not required. The County Council's Public Health Department was consulted and have made no comments on the application.

144. The primary environmental controls over the proposed operation would be contained within the Environment Agency's Environmental Permit for the site. It is noted that paragraph 183 of the NPPF states that *"the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively"*. Paragraph Reference ID: 28-050-20141016 of the Government PPG elaborates on this matter, stating that *"there exist a number of issues which are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively. The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. However, before granting planning permission they*

*will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body".*

145. The Environment Agency has been consulted and has raised no objections to the proposal, stating that the proposal would require a Permit, which would regulate pollution control through general management of the site, permitted activities, waste acceptance including quantity and type, and emissions including odour, noise and vibration.

146. Stratford-on-Avon District Council have been consulted and have no objections to the proposal, stating that their Environmental Health Officer has reviewed the revised Noise Assessment, and considers that subject to the proposed noise mitigation measures being implemented there should not be a significant impact for residents in Stratford-on-Avon District, and wish to defer to Worcestershire Regulatory Services on the suitability of the scheme and any recommended conditions.

147. Worcestershire Regulatory Services have been consulted and have raised no objections to the proposal in terms of noise, dust or odour impacts, subject to the imposition of an appropriate condition requiring the implementation of the noise mitigation measures outlined in the revised Noise Assessment.

148. A local resident instructed a Noise Consultant to undertake a review of the revised Noise Assessment, and comments that the Noise Assessed fails to assess the proposal against Worcestershire Regulatory Services Guidelines. Worcestershire Regulatory Services have reviewed the comments from the Noise Consultant and considers that during the times that the site would operate the background noise levels appear to be around 40dB(A), which would place the area into the 'Semi-Rural' Environmental Classification. Therefore, they do not consider noise from the proposal would have an adverse impact to local residents.

149. The applicant also commented in response to the objections on noise grounds, stating that Worcestershire Regulatory Services' Guidance is not adopted policy and the British Standards should carry more weight. They also highlighted that in their opinion the 'Semi-Rural' Environmental Classification would be the correct criterion.

150. Pebworth Parish Council have no objections to the proposal, subject to the imposition of a condition limiting the operating hours to the same as the wider waste management site. The existing site and wider industrial estate operating hours are limited to between 07:00 to 20:00 hours Mondays to Saturday inclusive. The Noise Assessment assessed the development on the basis of the working hours being between 08:00 hours to 18:00 hours Mondays to Fridays and between 08:00 to 14:00 hours on Saturdays. A condition is recommended to this effect.

151. Letters of representation have been received objecting to the proposal on the grounds of lack of information in relation to dealing with and mitigating the risk of fires. It is noted that as part of the Permit a Fire Prevention Plan is required. Hereford & Worcester Fire and Rescue have also been consulted, but and have made no comments.

152. In view of the above matters, the Head of Strategic Infrastructure and Economy considers that the proposal would have no adverse noise, dust, odour or air quality

impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions.

### **Traffic and Highway Safety**

153. It is noted that Paragraph 109 of the NPPF states *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

154. Letters of representation have been received objecting to the proposal on traffic and highway safety grounds.

155. The application site is accessed off Long Marston Road (C2266) which routes in a north to south direction. It is a single lane carriageway and subject to a national speed limit. There is no street lighting or footway provision along the road. To the north, the road routes into the village of Long Marston and then into Welford-on-Avon before connecting onto the Evesham Road (B439). To the south, the road connects onto the Stratford Road / Campden Road (B4632) via a priority junction arrangement. The Stratford Road / Campden Road (B4632) provide connections into Mickleton to the south of the site and towards Stratford-on-Avon to the north.

156. The application was accompanied by a Transport Statement and Technical Note, which states that the site is served by an existing and well established site access. Visibility in each direction is in the order of 4.5 metres by 160 metres which is commensurate with existing vehicle speeds.

157. The applicant states that the site has an Environmental Permit to process approximately 25,000 tonnes per annum. The proposal would not increase the permitted throughput of the waste management site, but would enable the facility to reach this capacity. The applicant has confirmed that they currently process about 15,000 tonnes per annum. The applicant states that based on the current throughput of 15,000 tonnes per annum this equates to approximately 90 vehicle movements per working day (about 45 vehicles entering the site and about 45 vehicles exiting the site per day).

158. The applicant states that if the existing MRW site was to reach the permitted throughput of 25,000 tonnes, this would equate to approximately 150 vehicle movements per working day (about 75 vehicle movements entering the site and about 75 vehicle moments exiting the site per day). However, the applicant states that the metal recycling yard would process approximately 10,000 tonnes per annum and the existing MRW site and extension would continue to process approximately 15,000 tonnes per annum. The extension of the MRW facility and the new metal recycling yard would not lead to an increase in vehicle movements. The proposal would allow the site to operate more efficiently and reduce the need to stockpile material within the existing site. In addition, the applicant states that the facility would allow the transfers of outbound recycling metal from the site to the adjacent Sims Metals Management facility. Also, at present vehicles are leaving the Sims Metal Management site empty and this spare capacity would be used by this proposal for exporting processed materials from the site to other Sims Metal Management Sites. Inbound loads to the metal recycling have a higher payload than the MRW operation and average about 10 tonnes per inbound load. Outbound movements average 20 tonnes. The applicant states that the MRW payload would

increase for outbound movements to 15 tonnes per vehicle. The result of this, is that the process becomes more efficient in terms of processing and bulking up of materials and, therefore, allowing higher average payloads in vehicles.

159. As a result of the above the applicant estimates that the proposed development, processing 25,000 tonnes would equate to approximately 66 vehicle movements per working day (about 33 vehicle movements entering the site and about 33 vehicle moments exiting the site per day).

160. A Review of Personal Injury Collision Data indicates that there have been no recorded collisions involving HGVs on the Long Marston Road within the study area within the last 5 years.

161. The application site falls within the Vale of Evesham HGV Control Zone, Policy SWDP 11 of the adopted South Worcestershire Development Plan states that: *"within the Vale of Evesham Heavy Goods Vehicles Control Zone, as identified on the Policies Map, employment development proposals which would generate additional Heavy Goods Vehicle trips will need to submit a Transport Assessment which shows how the supply and distribution routes proposed relate to the Heavy Good Vehicles Route Network, as identified on the Policies Map"*.

162. The applicant states that the movement of skips are on the local road network in the HGV Control Zone and are related to demand from builders and households within a 10 to 15 mile radius of the application site. The Transport Statement confirms that articulated vehicles to and from the site utilise the B4632, A4390, A442, A429 to the M40 and these are the main HGV routes as identified by the HGV route map; and would not increase the permitted throughput of the site.

163. The County Highways Officer has been consulted and has raised no objections to the proposal, subject to the imposition of conditions requiring sheltered and secure cycle parking, accessible parking, electric vehicles charging point, employment travel plan, restricting the throughput of the facility and a HGV Management Plan. The County Highways Officer concludes that there would not be a severe highway impact and, therefore, there are no justifiable grounds on which an objection could be maintained.

164. A letter of representation has also been received raising concerns regarding foam and metal currently deposited on the public highway. A condition is recommended requiring all loaded vehicles entering and exiting the site to be covered / sheeted.

165. In view of this, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have an unacceptable impact upon traffic or highway safety, in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy and Policy SWDP 11 of the South Worcestershire Development Plan, subject to the imposition of appropriate conditions.

### **Water Environment**

166. The proposed development is within the Flood Zone 1 (low probability of flooding), as identified on the Environment Agency's Indicative Flood Risk Map. The Government's PPG identifies that all uses of land are appropriate within this zone. As the application site measures approximately 1.92 hectares in area, a Flood Risk

Assessment is required to accompany the application, in accordance with Paragraph 163 and Footnote 50 of the NPPF.

167. The Government's PPG at Paragraph Reference ID: 7-033-20140306 states that it should not normally be necessary to apply the Sequential Test to development proposals in Flood Zone 1 (land with a low probability of flooding from rivers or the sea). The PPG at 'Table 3: Flood risk vulnerability and flood zone 'compatibility"' indicates that less vulnerable development, such as this is considered acceptable in Flood Zone 1.

168. The nearest watercourse to the application site is the Gran Brook ordinary watercourse, which is a tributary of the Noleham Brook, and runs in a north-westerly direction, approximately 210 metres east of the proposal.

169. The submitted Flood Risk Assessment concludes that the risk of flooding from groundwater is low and the risk of flooding from the Gran Brook is low as the site does not lie within the floodplain for this watercourse. The risk of surface water flooding is considered to be negligible for the majority of the application site, with only the most north-eastern area of the site deemed at high risk, likely due to the low spot in topography. There would not be an increase in impermeable surfaces and, therefore, no increase in surface water run-off.

170. No wash water is involved in the waste processes, so the only sewerage would arise from the two proposed office / canteen buildings. Volumes would, therefore, be low. There are no mains sewers available, therefore, the applicant is proposes two bio-disc package sewage treatment plants.

171. The applicant states that the site is currently served by an existing storm water drainage system. The new yard area would be concrete surfaced, and two new water harvesting tanks (underground creates) would be installed with interceptor chambers. The applicant states that this system would ensure that the outflow is controlled by the introduction of orifice plates in the outlet to preclude any possibility of flooding.

172. The Lead Local Flood Authority raises no objections to the proposal, subject to the imposition of conditions requiring detailed drainage scheme drawings and SuDS management plan. South Worcestershire Land Drainage Partnership and Severn Trent Water Limited have both been consulted and have made no comments.

173. Based on this advice, the Head of Strategic Infrastructure and Economy considers that there would be no adverse effects on the water environment, subject to the imposition of appropriate conditions.

### **Ecology and Biodiversity**

174. Section 15 of the NPPF, paragraph 170 states that "*planning policies and decisions should contribute to and enhance the natural and local environment*", by a number of measures including "*protecting and enhancing...sites of biodiversity...(in a manner commensurate with their statutory status or identified quality in the development plan); minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".

175. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply four principles (a. to d.), this includes: *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*; and *"development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

176. The application was accompanied by an Ecological Appraisal, which concluded that although there are protected species in the wider area (including Great Crested Newts, Common Toads, Grass Snakes, Water Voles, Bats and Badgers), none of these protected species would be impacted by the proposal. Furthermore, the site is almost entirely bare ground with only ruderal vegetation where plants are present, so that the habitat is not suitable for any of the species listed above and provides only low potential for invertebrates. The Appraisal recommends a number of mitigation measures including no work to trees during bird nesting season, and the covering over of development trenches at night or providing escape ramps.

177. The County Ecologist has been consulted and has raised no objections, subject to the imposition of conditions requiring protection of retained trees and vegetation; timing of any vegetation clearance; escape measures for wildlife from open trenches; details of any lighting to be installed at the site; and a drainage scheme.

178. In view of the above matters, the Head of Strategic Infrastructure and Economy considers that subject to the imposition of appropriate conditions as recommended by the County Ecologist, the proposal would not have an unacceptable adverse impact on ecology and biodiversity at the site or on the surrounding area.

### **Other Matters**

#### Contaminated Land

179. The application was accompanied by a Contaminated Land Desk Study Report. This identified a variable thickness of Made Ground across the site, associated with the historic presence of the railway sidings (associated with World War 2 Ministry of Defence facilities) and metal recycling on the site. There is considered to be a low-medium risk of potential contamination affecting users of the site. A general and targeted ground investigation is, therefore, recommended to confirm ground conditions and establish the presence of potential contamination.

180. Worcestershire Regulatory Services (Contaminated Land) have been consulted and raised no objections to the proposal, subject to the imposition of a condition requiring tiered contaminated land investigation.

181. In view of this, the Head of Strategic Infrastructure and Economy is satisfied that the proposal is acceptable in terms of its impact upon contaminated land, subject to the imposition of appropriate conditions as recommended by Worcestershire Regulatory Services.

## Renewable Energy

182. The proposed development would create approximately 1,735 square metres of floor space (approximately 1,870 square metres including the existing relocated workshop).

183. Policy SWDP 27 of the South Worcestershire Development Plan states: *"to reduce carbon emissions and secure sustainable energy solutions, all new developments over 100 square metres gross or one or more dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 10% of predicted energy requirements, unless it has been demonstrated that this would make the development unviable"*.

184. Policy WCS 11 of the Waste Core Strategy states that *"waste management facilities will be permitted where it is demonstrated that the design of buildings, layout, landscaping and operation of the facility, and any restoration proposals take account of sustainable development practices and climate change mitigation and resilience through"* a number of measures, this includes:

- *The re-use of existing buildings where appropriate*
- *Reducing water demand where possible and considering water efficiency in the design and operation of all new built development*
- *Reducing energy demand where possible and considering energy efficiency in the design and operation of all new built development, and*
- *All new built development or significant alterations to buildings which create a gross building footprint of 1,000 square metres or more gaining at least 10% of energy supply annually from on-site renewable or low carbon sources. Where it is demonstrated that this is not practicable, this should be achieved through off-site solutions"*.

185. The submitted Energy Statement confirms that the proposal would re-use the existing workshop building; all new building would be insulated to current Building Regulations standards; the proposed offices would be heated using air source heat pumps and that photovoltaic solar panels would also be fitted to some buildings to reduce fossil fuel use and carbon emissions.

186. In view of the above matters, the Head of Strategic Infrastructure and Economy recommends the imposition of a condition requiring renewable or low carbon energy generating facilities to be incorporated as part of the development.

## **Conclusion**

187. The applicant is seeking planning permission for a proposed extension to existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas at Long Marston Works.

188. The proposal is to provide a separate secure fenced area in which to sort and recycle metals, together with a new area to deal with the amount of mixed waste currently being sorted and recycled within the existing MRW waste management

site. The applicant states that the existing MRW waste management site has an Environmental Permit from the Environment Agency to process approximately 25,000 tonnes per annum.

189. As the proposed development would involve the bulking up of various sources of waste in preparation for transfer and subsequent recycling by specialist operators it would comply with the objectives of the waste hierarchy.

190. Although the development site is sited within Level 5 'All other areas' of the Geographic Hierarchy, it is considered that the proposal would be ancillary to existing MRW waste management site in that it improve the working conditions by providing new buildings, secure compounds and more space for the management of waste, thereby improving staff welfare and enabling greater working efficiency. In view of this, it is considered that the proposal would comply with Policy WCS 3 of the Worcestershire Waste Core Strategy. As the proposed development would be located on existing industrial land, it is considered the proposal complies with Policy WCS 6 of the Waste Core Strategy.

191. Based on the advice of Historic England and the County Landscape Officer, it is considered that the proposed development would not an unacceptable impact upon the character and appearance of the local area or the historic environment, subject to the imposition of an appropriate conditions regarding details of the colour of the proposed buildings, height and location of external stockpiles and lighting scheme.

192. Based on the advice of Worcestershire Regulatory Service, Stratford-on-Avon District Council and the Environment Agency, it is considered that the proposal would have no adverse noise, dust or air quality impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions.

193. The County Highways Officer has raised no objections to the proposal, subject to the imposition of appropriate conditions requiring details of sheltered and secure cycle parking, accessible parking, electric vehicles charging point, employment travel plan, restricting the throughput of the facility and a HGV Management Plan. In view of this, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have an unacceptable impact upon traffic or highway safety, subject to the imposition of appropriate conditions as recommended by the County Highways Officer and requiring all HGVs carrying waste to be enclosed or covered.

194. Based on the advice of the Lead Local Flood Authority, the Head of Strategic Infrastructure and Economy considers that there would be no adverse effects on the water environment, subject to the imposition of appropriate conditions.

195. The Head of Strategic Infrastructure and Economy considers that subject to the imposition of appropriate conditions as recommended by the County Ecologist, the proposal would not have an unacceptable adverse impact on ecology and biodiversity at the site or on the surrounding area.

196. 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 Policies SWDP 1, SWDP 2, SWDP 3, SWDP 4, SWDP 5, SWDP 6, SWDP 8,

SWDP 11, SWDP 12, SWDP 21, SWDP 22, SWDP 23, SWDP 24, SWDP 25, SWDP 27, SWDP 28, SWDP 29, SWDP 30 and SWDP 31 of the Adopted South Worcestershire Development Plan, it is considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

## **Recommendation**

**197. The Head of Strategic Infrastructure and Economy recommends that planning permission be granted for the proposed extension to an existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas at Long Marston Works, Long Marston Road, Long Marston, near Stratford-on-Avon, subject to the following conditions:**

### **Commencement**

- a) **The development must be begun not later than the expiration of three years beginning with the date of this permission;**
- b) **The developer shall notify the County Planning Authority of the start date of commencement of the development in writing within 5 working days following the commencement of the development;**

### **Approved Plans**

- c) **The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawings Numbered: 2037/02; 2037/03; 2037/04, Rev C; 2037/05; 2037/07, Rev A; 2037/08; 2037/09; and 2037/10 Rev A, except where otherwise stipulated by conditions attached to this permission;**

### **Throughput**

- d) **The combined annual throughput of materials handled by the development hereby approved, together with the existing site as outlined in blue on Drawing Numbered: 2037/02, Titled: 'Location Plan' shall be limited to a maximum of 25,000 tonnes per annum and records shall be kept and made available to the County Planning Authority on written request for the duration of the operations on the site;**

### **Waste Acceptance**

- e) **No wastes other than those defined in the application, namely commercial and industrial, construction, demolition and excavation wastes, scrap metal and End of Life Vehicles shall be brought onto the site;**

### **Construction and Working Hours**

- f) **Construction works shall only be carried out on the site between 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays, with no construction work on Sundays, Bank or Public Holidays;**
- g) **Operations, including any repair and maintenance of vehicles, plant and equipment within the development hereby approved, shall only take place between the hours of 08:00 hours and 18:00 hours Mondays to Fridays**

inclusive, and between 08:00 to 14:00 hours on Saturdays with no operations on Sundays, Bank or Public Holidays. No machinery or equipment shall operate on the site outside these hours;

#### Materials

- h) Notwithstanding any indication of the materials, which may have been given in the application, within 1 month of commencement of the development hereby approved, a schedule and/or samples of the materials and finishes for the new buildings shall be submitted to the County Planning Authority in writing for approval. Thereafter the development shall be carried out in accordance with the approved details;

#### Renewable Energy

- i) Prior to the use of the development hereby approved, details of renewable or low carbon energy generating facilities to be incorporated as part of the approved development shall be submitted to and approved in writing by the County Planning Authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities. The approved facilities shall be provided prior to the use of the development hereby approved;

#### Noise

- j) The development hereby approved shall be carried out in accordance with Section 6 'Mitigation', Paragraphs 6.8, 6.10 and 6.11 in 'A Noise Assessment for a Proposed Extension to Existing Waste Recycling Facility, Long Marston', dated May 2019;
- k) The 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;

#### Lighting

- l) Details of any new lighting to be installed at the site shall be submitted to the County 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);
  - 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 the adjacent woodland; and
  - vi. Times when the lighting would be illuminated;

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

#### External Storage Heights and Locations

- m) The height of any external stockpiles of material, stored skips and containers shall not exceed 10 metres and a scheme for the setting up of a

permanent marker that allows operatives and officers from the County Planning Authority a means of visually checking this height shall be submitted to and agreed in writing by the County Planning Authority prior to the operation of the development hereby approved. The agreed height marker shall be erected and maintained on site for the duration of the development hereby approved;

- n) Notwithstanding the submitted details, within 3 months of the commencement of this permission, a scheme shall be submitted to the County Planning Authority for approval in writing, showing the locations of the storage and height of all materials and skips associated with the operations hereby approved;

#### Pollution

- o) 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 should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should 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 should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund;
- p) No materials shall be burnt on the site;

#### Drainage

- q) Notwithstanding the submitted Drainage Strategy, no development shall commence until detailed design drawings for surface water drainage has been submitted to, and approved in writing by the County Planning Authority. The drainage scheme should be informed by an updated Ecological Assessment addressing the full zone of influence of the proposed drainage scheme. Thereafter the development shall be carried out in accordance with the approved details;
- r) No works in connection with site drainage shall commence until a Sustainable Drainage System (SuDS) management plan which shall include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework has been submitted to and approved in writing by the County Planning Authority. This plan shall detail the strategy that shall be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the agreed terms and conditions and shall be managed and maintained in accordance with the approved maintenance plan thereafter;

#### Biodiversity

- s) All vegetation clearance at the site 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;

- t) All existing trees, shrubs and hedgerows indicated to be retained shall be protected by suitable fencing in accordance with BS5837:2012. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence. In the event of any trees, shrub or hedgerow being damaged or removed by the development, it shall be replaced with like species and equivalent size, which in the case of a mature tree may entail multiple plantings, in the next planting season;
- u) All trenches/excavations/pipes to be closed-off overnight, or if unavoidable, they must be fitted with wood or earth escape ramps to allow any trapped wildlife to escape;
- v) Within 3 months of the commencement of the development hereby approved, an Ecological Design Strategy (EDS) addressing biodiversity enhancement measures shall be submitted to the County Planning Authority for approval in writing. The EDS shall include the following:
  - i. Bird and bat boxes to be installed;
  - ii. Seeding of new verges and bunds with a native and pollinator-friendly wildflower mixture;
  - iii. Provision of features such as refuges for invertebrates within suitable site margins/verges or bunds;
  - iv. Landscaped buffers along the northern fence line to provide functional light and litter screens for the adjacent woodland. This may comprise twin staggered hedgerow using native shrubs, selected for their value to wildlife.

The EDS shall include the type and source of materials to be used; appropriately scaled maps and plans; timetables for implementation and persons responsible together with the initial aftercare and long-term maintenance proposals. The EDS will be implemented in accordance with the approved details and all features shall be retained in that manner thereafter;

#### Highways

- w) All loads of waste materials carried on HGV into and out of the development hereby approved shall be enclosed or covered so as to prevent spillage or loss of material at the site or on to the public highway;
- x) No mud, dust, dirt, or debris shall be deposited on the public highway;
- y) The development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with Worcestershire County Council's Streetscape Design Guide has been provided in accordance with details which shall first be submitted to and approved in writing by the

**County Planning Authority. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only;**

- z) The development hereby approved shall not be brought into use until accessible car parking spaces to comply with Worcestershire County Council's Streetscape Design Guide has been provided in accordance with details which shall first be submitted to and approved in writing by the County Planning Authority, and thereafter shall be kept available for disabled users as approved;**
  
- aa) The development hereby approved shall not be brought into use, until a Travel Plan has been submitted to the County Planning Authority for approval in writing. The Travel Plan shall promote sustainable forms of travel to the development site, and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details;**
  
- bb) The development hereby approved shall not be brought into use, until electric vehicle charging spaces to comply with Worcestershire County Council's Streetscape Design Guide, has been provided in accordance with details which shall first be submitted to and approved in writing by the County Planning Authority. Thereafter, such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved;**
  
- cc) The development hereby approved shall not be brought into use, until a HGV Management Plan for the development, has been submitted to the County Planning Authority for approval in writing. The Plan shall include but not be limited to measures to ensure that the local highway network surrounding the site is kept free of stationary / waiting HGVs. Thereafter the development shall be carried out in accordance with the approved details;**

**Boundary Treatment**

- dd) Notwithstanding the submitted details, details of all new boundary fences, walls and other means of enclosure shall be submitted to the County Planning Authority for approval in writing within 3 months of the commencement of the development hereby approved. Thereafter the development shall be carried out in accordance with the approved details;**

**Contamination**

- ee) No development shall commence, other than that required to be carried out as part of an approved scheme of remediation, until Parts i) to v) below have been complied with:**
  - i. A preliminary risk assessment (a Phase I desk study) submitted to the County Planning Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the County Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature**

and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11";

- ii. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the County Planning Authority prior to any development taking place;
  - iii. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the County Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
  - iv. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the County Planning Authority; and
  - v. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the County Planning Authority prior to the occupation of any buildings;
- ff) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the County Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the County Planning Authority prior to the use of any buildings; and

#### **Planning Permission**

- gg) A copy of this decision notice, together with all approved plans and documents required under the conditions of this permission shall be maintained at the site office at all times throughout the period of the development and shall be made known to any person(s) given responsibility for management or control of activities/operations on the site.

## **Contact Points**

### County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

### Specific Contact Points for this report

Case Officer: Steven Aldridge, Team Manager – Development Management

Tel: 01905 843510

Email: [saldrige@worcestershire.gov.uk](mailto:saldrige@worcestershire.gov.uk)

## **Background Papers**

In the opinion of the proper officer (in this case the Head of Strategic Infrastructure and Economy) the following are the background papers relating to the subject matter of this report:

The application, plans and consultation replies in file reference: 18/000048/CM.