

Planning and Regulatory Committee
19 May 2015**5. PROPOSED EXTENSION OF EXISTING WASTE
TRANSFER BUILDING AT GROVE HOUSE YARD,
TEWKESBURY ROAD, UPTON UPON SEVERN,
WORCESTERSHIRE.**

Applicant	Digaway and Clearaway Ltd
Local Councillor	Mr R J Sutton
Purpose of Report	<p>1. To consider a County Matter planning application for the proposed extension of an existing waste transfer building at Grove House Yard, Tewkesbury Road, Upton upon Severn, Worcestershire.</p>
Background	<p>2. Members granted planning permission for the existing Waste Transfer Station on 17 May 2012 (reference no. 11/000060/CM) at their meeting on 15 May 2012 (minute no. 775 refers).</p> <p>3. The applicant states that since obtaining planning permission, they have been highly successful due to a very high demand for waste management services and a low supply of such operators locally. As a result, the existing building is not of sufficient size to allow all waste transfer operations, including, sorting, storing, loading and unloading to be undertaken within the building which has meant that storage of materials and waste transfer operations have been occurring outside of the building. This is in breach of Conditions 5 and 20 of Planning Permission 11/000060/CM which relate to waste transfer operations only taking place within the building and storage of materials, (including wastes and processed materials) except empty skips, goods or equipment on the site, respectively.</p> <p>4. In order to regularise this breach of planning consent, the applicant is applying to extend the existing building in order to provide a larger covered area within which the waste transfer activities will be carried out. The applicant states that this would improve the environment of the area by reducing noise, dust, and visual intrusion and would provide a better and safer working environment.</p>
The Proposal	<p>5. The proposal consists of an extension to the existing waste transfer building. The dimensions of the proposed building would be approximately 30 metres in length by approximately 20 metres in width by approximately 9 metres</p>

in height. The combined dimensions of the existing and the proposed extension would be 60 metres in length by 20 metres in width.

6. The proposed extension and the existing building would be combined. There would be an internal wall dividing the existing building and the proposed extension with a 6 metre opening to allow access between the spaces.

7. The proposed extension would comprise of the same construction materials as the existing building; a steel portal framed structure, lined with steel cladding and insulated internal panels. The lower walls would be constructed from dense concrete block work and brick facing. There would be one roller shutter door installed on the east elevation.

8. The applicant states that the proposed building will provide a larger covered area within which waste transfer activities will be conducted thus reducing noise, dust visual intrusion as well as providing a better and safer working environment.

9. It is proposed that all recycling activity, sorting, loading and unloading and storage of materials would take place within the building.

10. The materials treated at the facility would comprise of municipal wastes and construction, demolition and excavation wastes. It is not proposed by the applicant that the maximum amount of waste materials treated at the facility would increase from the 5,000 tonnes, as approved in Planning Permission reference no. 11/000060/CM.

11. The applicant has stated that the empty skips, which are currently stored on the area where the extension is proposed, would be located in the area designated as skip storage to the east of the existing building. Any surplus empty skips would be stored inside the building.

12. There are 8 full time employees and 2 part time employees working for Clearaway and Digaway. This number is not proposed to increase as part of the proposed development.

13. The vehicular access would remain unchanged; the site would be accessed off Tewkesbury Road (A38).

14. It is not proposed by the applicant to increase the number of vehicles operating at the site.

15. It is not proposed by the applicant to extend the operating hours at the site. The site currently operates from 07:30hrs to 18:00hrs Mondays to Fridays and 07:00hrs to 13:00hrs on Saturdays and not at all on Sundays or Public Holidays.

The Site

16. The application site is located about 0.26 km north of Ryall village. The application site is located within a small industrial estate along Tewkesbury Road (A38) which also comprises of a ready mix concrete plant to the north of the application site and a garage and car sales business to the west of the application site.

17. The industrial estate is surrounded by Grade 3 agricultural land which bounds the application site to the east.

18. The nearest residential properties to the application site are Grove House which is sited 15 metres south-west of the proposal and a row of flats located approximately 25 metres directly south of the proposal within the industrial yard. The Willows is sited approximately 70 metres south of the application site.

19. There are further residential properties branching off Ryall Grove, sited to the south-east of the application site, beyond the agricultural land.

20. The area where the proposed extension would be sited currently comprises of a reinforced concrete yard area, which presently accommodates the existing skips and materials stored outside of the existing Waste Transfer Station building.

21. The existing access to the site is located to the west boundary of the site along Tewkesbury Road (A38).

22. The dimensions of the existing waste transfer station building are approximately 30 metres in length by 20 metres in width by approximately 9 metres in height.

23. There are two Public Rights of Ways located in close proximity to the site. Public footpath reference no. 512 (C) is sited approximately 350 metres east of the application site and public footpath reference no. 513 (C) is sited approximately 300 metres south-east of the site. The application site is visible from the Public Rights of Ways.

24. The application site is located approximately 420 metres from Smithmoor Common and Meadows, a Local Wildlife Site (LWS) and approximately 840 metres from the River Severn, a Local Wildlife Site (LWS). The application site is also located approximately 920 metres from Upton Ham, a Site of Special Scientific Interest (SSSI).

25. The application site falls within Flood Zone 1 which has a low probability of flood risk.

26. The main issues in the determination of this application are the impact of the proposal on:

- The Waste Hierarchy
- Location of Development
- Residential Amenity

Summary of Issues

Planning Policy

- Landscape Character and Visual Impact
- Traffic and Highways Safety
- Ecology and Biodiversity, and
- Water Environment.

27. National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published and came into effect on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications. Annex 3 of the NPPF lists the documents revoked and replaced by the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking.

28. Sustainable Development is defined by five principles set out in the UK Sustainable Development Strategy:

- "living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly".

29. The Government believes that sustainable development can play three critical roles in England:

- an economic role, contributing to a strong, responsive, competitive economy;
- a social role, supporting vibrant and healthy communities; and
- an environmental role, protecting and enhancing our natural, built and historic environment.

30. The NPPF does not contain specific waste policies, as these are contained in the National Planning Policy for Waste. However, the NPPF states that local authorities taking decisions on waste applications should have regard to the policies in the NPPF so far as relevant. For that reason the following guidance contained in the NPPF, is considered to be of specific relevance to the determination of this planning application:

- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment

National Planning Policy for Waste

31. 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. 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

32. The Development Plan is the strategic framework that guides land use planning for the area. In this respect the current Development Plan consists of the Worcestershire Waste Core Strategy and the Saved Policies of the adopted Malvern Hills District Local Plan. 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.

33. Annex 1 of the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However, the policies contained within the NPPF are material considerations. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the NPPF. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

Worcestershire Waste Core Strategy Development Plan Document

Policy WCS 1: Presumption in favour of sustainable development

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

Malvern Hills District Local Plan

Policy DS3: Generic Development Requirements

Policy EP2: Redevelopment or Expansion of Employment Sites and Buildings

Policy QL19: Protection of Wider Biodiversity

34. The South Worcestershire Development Plan (SWDP) is being prepared jointly by the three local authorities and communities of Malvern Hills, Wychavon and Worcester City. The plan considers the long-term visions and objectives for South Worcestershire.

35. On 28 May 2013 the SWDP was submitted to the Secretary of State. The Examination in Public on Phase 1 took place on 1-3 October 2013 and the publication of the Inspectors interim findings was published on 30 October 2013. The Inspector's interim conclusions on Phase 1 asked the three councils involved in compiling the South Worcestershire Development Plan (SWDP) to look again at the figures they prepared on the number of homes needed in the area by 2030 and do more work on the technical evidence used to establish how many homes the area will need. An additional hearing took place on 13-14 March 2014 following new evidence submitted by the three councils. The Inspector's interim conclusions dated 31 March 2014 on Phase 1 provide a full, objectively assessed need for housing over the plan period for South Worcestershire of 28,370 dwellings.

36. Following the Inspector's interim conclusions, the three South Worcestershire Councils agreed at their meetings held on 30 September 2014 to undertake formal consultation (between 6 October and 17 November 2014) into the proposed uplift in housing numbers in the SWDP. The next stage of hearings (Phase 2) are scheduled for 24 February, 14 April and 12 May 2015, relating to SWDP Policies 1 to 7 and Strategic Sites, Development Management Policies, and Proposed Sites in the Main Town and Villages, respectively.

37. The SWDP in its entirety has not been tested at examination or adopted by any of the Councils; therefore, having regard to the advice in the NPPF, Annex 1, it is the view of the Head of Strategic Infrastructure and Economy, that little weight will be attached to the SWDP in the determination of this application. The SWDP policies that are relevant to the proposal are listed below:

Policy SWDP 1: Overarching Sustainable Development Principles

Policy SWDP 2: Development Strategy and Settlement Hierarchy

Policy SWDP 3: Employment, Housing and Retail Provision Requirements and Delivery

Policy SWDP 4: Moving Around South Worcestershire

Policy SWDP 8: Providing the Right Land and Buildings for Jobs

Policy SWDP 21: Design

Policy SWDP 22: Biodiversity and Geodiversity

Policy SWDP 25: Landscape Character

Policy SWDP 28: Management of Flood Risk

Policy SWDP 29: Sustainable Drainage Systems

Policy SWDP 31: Pollution and Land Instability

Waste Management Plan for England 2013

38. The Government (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.

39. 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 this 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.

40. This Plan is a high level waste management document, not Planning Policy, which is non-site specific. 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.

41. 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 in England 2011

42. 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.

Consultations

43. Malvern Hills District Council object to the proposal having regard to the advice contained within the NPPF, the provisions of Policies EP2 and DS3 of the Malvern Hills District Local Plan and emerging Policy SWDP21 as the proposal would have an overbearing visual impact on a nearby residential dwelling.

44. Earls Croome Parish Council raises concerns about the application. It is concerned about the potential increase in traffic as a result of the proposed extension; the enlargement would increase the visual impact from A38; A4101 and numerous public footpaths; the proposed extension would be in close proximity to residential properties; it recognises that the data within the noise assessment and the transport statement is outdated; concerns about the insufficient size of the proposed storage area; there is no proposed location for the weigh bridge. It concludes that the area available is not sufficient to accommodate the proposed extension and associated equipment.

45. Ripple Parish Council raises concerns about the application; they consider that there is insufficient space

allocated for skip storage; there is no proposed location for the weigh bridge; the proposed extension is located in close proximity to residential dwellings which would impact on light and visual amenity and be affected by noise.

46. It acknowledges that the data within the noise assessment and transport statement is outdated and request that new surveys are undertaken.

47. It points out that there is a wide ditch that runs adjacent to the site and request that an assessment is undertaken to ensure that the watercourse is not polluted.

48. Although Ripple Parish Council supports all efforts to recycle materials, it feels that this location is not big enough to accommodate an extension of this size.

49. The Environment Agency has no objection to the proposal but reminds the applicant that the proposed extension to the existing waste transfer station building lies within the existing permitted area of the site. The proposal will allow waste to be bulked up, transferred, treated and stored within the building as required by their environmental permit.

50. It states that all waste must be stored and treated on an impermeable surface with sealed drainage systems. The proposed extension should be constructed with the same infrastructure as the existing waste transfer building

51. It confirms that the Environmental Permit would regulate and control matters such as the following: - 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 relevant to the 'operational area') and Monitoring, Records and Reporting.

52. The County Landscape Officer has no objections to the proposed development. She considers that the view from vehicles driving along the A38 is seen in context of other industrial features and the profusion of cars in the garage forecourt. She, therefore, does not consider the adverse visual impact from the A38 to be significant. There will also be an oblique view of the building from residential properties sited along The Grove. From here, looking across intervening agricultural land, the full extent of the industrial site can be seen. The proposed building extension would sit within the confines of the industrial estate and would be viewed as part of this fabric. Additionally, the building will be viewed obliquely so that the whole façade will not be visible. She, therefore, does not consider that the proposal would result in an unacceptable adverse visual impact on views from The Grove.

53. A Public Right of Way passes from The Grove north eastwards towards Smithmoor Common; views along part of

this footpath will be similar to those from the nearby residential properties. The proposed building will be viewed together with the adjacent buildings, vehicles and infrastructure of the industrial estate. She, therefore, considers the impact on views from the footpath to be negligible.

54. Severn Trent Water Ltd has no objection to the proposal subject to the imposition of a condition relating to the approval of a drainage scheme for the disposal of surface water and foul sewage.

55. The County Archaeologist has no comments to make on the proposal.

56. The County Highways Officer has no objections to the proposal as the location for the proposed extension would not impact on the areas required for vehicle access, turning and parking.

57. Public Health England acknowledges the close proximity of residential properties to the site boundary. There is potential for dust and odour emissions during the construction phase and, therefore, they recommend that any planning application conditions include those to protect public health, in particular to prevent dust, odour and particulate emissions released from the site.

58. In addition, due to the combustible nature of materials stored on site, they recommend that existing fire prevention measures are updated to ensure that the public health impact is minimised in the event of a fire at the site.

59. The Land Drainage Officer has no objections to the proposal, subject to a condition imposed requesting calculations and details as recommended in the Flood Risk Assessment.

60. They acknowledge that the watercourse on the east boundary of the site and which would be the ultimate point of discharge for run-off from the site is part of the Environment Agency Uckinghall Flood Cell Drainage Network. He states that this watercourse is an Ordinary Watercourse and any proposals for structure that may affect its flow would require an application for an Land Drainage Consent under section 23 of the Land Drainage Act 1991 from the South Worcestershire Land Drainage Partnership, prior to any works commencing on the site.

61. The County Ecologist recommends the imposition of conditions relating to the protection of trees and hedgerows; protected species and lighting in accordance with Policy SWDP22(c) of the emerging South Worcestershire Development Plan.

62. Worcestershire Wildlife Trust acknowledges that the proposed development is sited in close proximity to the River

Severn (LWS) and Smithmoor Common and Meadows (LWS) and Upton Ham (SSSI). It has no comments to make on the proposal and is content to defer to the County Ecologists for all on-site biodiversity issues.

63. Worcestershire Regulatory Services are satisfied with the revised noise assessment which indicates that the likelihood of complaints from nearby residential occupiers would be low.

64. Hereford and Worcester Fire Service has no comments to make at this stage on the proposed development with reference to legislative fire safety requirements.

Other Representations

65. In accordance with the Development Management Procedure Order 2010, the application has been advertised on site and in the local newspaper. Seven letters of representation have been received. One letter received from a local resident raises concerns and highlights a number of issues which they consider should be addressed if planning permission is granted; these issues include storage of skips; installation of necessary water storage facility; site screening and hours of operation. The letter also enclosed a petition from 20 local residents reiterating the same concerns. The remaining six letters received are in support of the planning application, stating that they have no objections to the proposal and consider that the proposed development would be an improvement to the site. The letters of representation and the petition are available in the Members Support Unit.

The Head of Strategic Infrastructure and Economy's comments

66. 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.

The Waste Hierarchy

67. The Waste Management Plan for England 2013 sets out the Government's vision 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.

68. The Worcestershire Waste Core Strategy states that Waste Transfer Stations, such as the extension to one proposed, falls under the category of a re-use and recycle facility. Transfer facilities enable the management of waste at the highest appropriate level of the waste hierarchy, through sorting materials for recycling or bulking them for transfer to recycling facilities. Facilities like the extension to one proposed, form an integral part of the management chain allowing for movement of waste to more centralised treatment facilities. For these reasons sorting and transfer capacity that will contribute towards the achievement of the objectives of the Waste Core Strategy will be encouraged.

69. The Head of Strategic Infrastructure and Economy considers that the proposal meets the principle aim of Waste Planning Policy by moving waste up the waste hierarchy to achieve sustainable waste management.

Location of Development

70. The Waste Core Strategy contains a geographic hierarchy which directs waste management facilities to broad locations within Worcestershire. The Waste Core Strategy directs waste management facilities to the highest appropriate level of the hierarchy with Level 1 being the highest level.

71. The application site is located within Level 5 of the geographic hierarchy which is the lowest level of the hierarchy.

72. However, Policy WCS 3 of the Waste Core Strategy states that waste management facilities that enable re-use or recycling of waste, including treatment, storage, sorting and transfer facilities, will be permitted at all levels of the geographic hierarchy where it is demonstrated that the proposed location is at the highest appropriate level of the hierarchy.

73. The Head of Strategic Infrastructure and Economy considers that the location of the proposed development is justified as the proposal would be an extension to the existing waste transfer station building and is, therefore, the most appropriate option in accordance with the Policy WCS 3 of the Worcestershire Waste Core Strategy.

74. Policy WCS 6 of the Worcestershire Waste Core Strategy relates to compatible land uses. The Policy states that waste management facilities will only be permitted where it is demonstrated that they are located on a type of land that is identified as compatible.

75. It is considered that the proposed extension to the Waste Transfer Station building is acceptable as it would be an enclosed facility located on a site with current use rights for waste management purposes and on allocated industrial land which is supported by Policy WCS 6 of the Worcestershire Waste Core Strategy.

76. Given that the proposed waste management facility would be within an enclosed facility and on existing or allocated employment land, the Head of Strategic Infrastructure and Economy is satisfied that the proposed extension is compatible and in accordance with Policy WCS 6 of the Worcestershire Waste Core Strategy.

Residential Amenity

77. Seven letters of representation have been received. One letter received from a local resident raises concerns and highlights a number of issues which should be addressed if planning permission is to be granted; these issues include:

- All full storage skips should be stored inside the building until transferred from the site
- All empty skips should be stored in the designated area
- The necessary water storage facility should be installed within the timescale of the building extension
- Appropriate screening should be installed to minimise vehicle headlight glare and the site viewed by Ryall Grove and the public footpaths, and
- Currently the hours of operation begin at 07:00 which causes a disturbance to local residents; these hours should be limited to 07:30 and 18:00 hrs.

78. The remaining six letters received are in support of the planning application, stating that they have no objections to the proposal and consider that it would be an improvement to the site.

79. The nearest residential properties to the application site are Grove House which is sited 15 metres south-west of the proposal and a row of flats located approximately 25 metres directly south of the proposal within the industrial yard. The Willows is sited approximately 70 metres south of the application site.

80. Malvern Hills District Council has objected to the proposed development having regard to the advice contained within the NPPF, the provisions of Policies EP2 and DS3 of the Malvern Hills District Local Plan and emerging Policy SWDP21 as the proposal would have an overbearing visual impact of a nearby residential dwelling.

81. The County Landscape Officer does not consider that the proposal would result in an unacceptable adverse visual impact on views from The Grove, A38 and nearby Public Right of Ways and, therefore, has no objections to the proposed development.

82. The Head of Strategic Planning and Economy has considered the objection by Malvern Hills District Council and considers that the proposed extension would not have an adverse overbearing visual impact of the neighbouring dwellings, bearing in mind that the proposed extension would be sited to the north of the neighbouring residential properties, therefore, not creating any shadowing effects on the dwellinghouses.

83. Ripple Parish Council and Earls Croome Parish Council raise concerns about the close proximity of the proposed extension to neighbouring residential properties. Ripple Parish Council consider that the proposed extension would impact on light and visual amenity and be affected by noise.

84. The Head of Strategic Infrastructure and Planning considers that the proposed development would not impact on the light entering the neighbouring residential properties as the proposed extension would be sited to the north of the dwellinghouses.

85. Although screening is not proposed by the applicant on the eastern boundary of the site as requested by a local resident, the applicant proposes to retain a 2 metre high screen wall on the southern boundary of the site, to screen the proposed development from the residential flats sited directly south of the proposed extension. The applicant states that there is no opportunity for structural landscaping within the site.

86. It is considered that although the proposed development would double the size of the existing building and would be viewed from the rear of the neighbouring residential properties, the size is not considered so detrimental given the orientation of the proposed development to the north of the residential properties. Furthermore, it would enable all waste materials to be processed, transferred and stored within the building with no outside storage of materials.

87. In terms of noise impact, the applicant states that the roof and wall materials would have sufficient absorption capacity to minimise the escape of noise.

88. Worcestershire Regulatory Services are satisfied with the revised noise assessment and, therefore, they have no objections to the proposal on nuisance grounds.

89. Given that all the site operations would be carried out within the building and given the size, siting and design of the building and associated site screening, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any significant detrimental impact on the amenities of the neighbouring residential properties, in accordance with Policy DS3 of the Malvern Hills District Local Plan.

Landscape Character

90. The application site is located within a small industrial estate and currently comprises of concrete hard standing. The proposal would be partly visible from public view along the A38 to the west of the application site and public footpath reference no. 513(C) and public footpath reference no. 512(C), which are located beyond an agricultural field and approximately 250 metres south-east and east, respectively, of the application site.

91. The applicant states that the floor level of the proposed extension would be set down by approximately 0.75 metres which would help to reduce the visual impact of the proposed development from public view.

92. The applicant states that the proposal would not exceed

the height of the existing garage buildings or the cement silo sited within the ready mix concrete site.

93. The County Landscape Officer has no objections to the proposed development. She considers that the view from vehicles driving along the A38 is seen in context of other industrial features and the profusion of cars in the garage forecourt. She, therefore, does not consider the adverse visual impact from the A38 to be significant. There will also be an oblique view of the building from residential properties sited along The Grove. From here, looking across intervening agricultural land, the full extent of the industrial site can be seen. The proposed building extension would sit within the confines of the industrial estate and would be viewed as part of this fabric. Additionally, the building will be viewed obliquely so that the whole façade will not be visible. She, therefore, does not consider that the proposal would result in an unacceptable adverse visual impact on views from The Grove.

94. Public footpath reference no. 513 (C) passes from The Grove north eastwards towards Smithmoor Common; views along part of this footpath will be similar to those from the nearby residential properties. The proposed building will be viewed together with the adjacent buildings, vehicles and infrastructure of the industrial estate. She, therefore, considers the impact on views from the footpath to be negligible.

95. Although, the proposed development would be visible from public view, given that the proposed development would be sited in the centre of an existing small industrial estate and would not exceed the height of the buildings and structures already sited there, the Head of Strategic Infrastructure is satisfied that the proposal would not have any adverse impact on the landscape character of the area.

Water Environment/Flood Risk

96. The application site falls within Flood Zone 1 which has a low probability of flood risk.

97. The Land Drainage Officer has no objections to the proposal; subject to the imposition of a condition requesting calculations and details as recommended in the Flood Risk Assessment.

98. The Land Drainage Officer acknowledges that the watercourse on the east boundary of the site, and which would be the ultimate point of discharge for run-off from the site, is part of the Environment Agency Uckinghall Flood Cell Drainage Network. He states that this watercourse is an Ordinary Watercourse and any proposals for structures that may affect its flow would require an application for Land Drainage Consent under section 23 of the Land Drainage Act 1991 from the South Worcestershire Land Drainage Partnership, prior to any works commencing on the site.

99. Severn Trent Water Ltd has no objection to the proposal subject to the imposition of a condition relating to the approval of a drainage scheme for the disposal of surface water and foul sewage.

100. A local resident has raised concerns in relation to drainage. Members should be aware that on Planning Permission reference number 11/000060/CM which was granted on 17 May 2012, a condition was imposed relating to a drainage scheme. However, the applicant has not complied with this condition and in view of this, the Head of Strategic Infrastructure and Economy would strongly recommend that a condition is imposed requiring a drainage scheme to be submitted for the approval of the County Planning Authority and this scheme shall be implemented before construction of the proposed extension to the existing Waste Transfer Station building.

101. Subject to the imposition of a drainage condition as recommended by Severn Trent Water Ltd, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would have no adverse impact on the water environment and is, therefore, in accordance with Policy DS3 of the Malvern Hills District Local Plan.

Traffic and Highways Safety

102. The application site would be accessed from the existing industrial estate access along Tewkesbury Road (A38).

103. It is not proposed to increase the number of vehicles operating at the site.

104. Earls Croome Parish Council have raised concerns about the potential increase in traffic to the site as a result of the proposed development.

105. Both Earls Croome Parish Council and Ripple Parish Council recognise that the data within the transport statement is outdated and request that new surveys are undertaken.

106. However, the applicant states that there is no proposed change in traffic movement or vehicle numbers and, therefore, a transport assessment is not required.

107. The County Highways Officer has no objections to the proposal as the location for the proposed extension would not impact on the areas required for vehicle access, turning and parking.

108. In view of the above, the Head of Strategic Infrastructure and Economy is satisfied that the proposed development would not have an adverse impact on the highways safety of the local area.

Ecology and Biodiversity

109. The County Ecologist has no objections to the scheme, subject to the imposition of conditions relating to the protection

of trees and hedgerows; protection of protected species and site lighting in accordance with Policy SWDP22(c) of the emerging South Worcestershire Development Plan.

110. The application site comprises of hard standing which is not suitable for plant growth and as such there are no trees or hedgerow presently at the site. Therefore, it is considered that the imposition of a condition relating to the protection of trees and hedgerows is not necessary.

111. Subject to the imposition of conditions relating to protected species and site lighting, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would have no adverse impact on the ecology and biodiversity of the local area and is, therefore, in accordance with Policy QL19 of the Malvern Hills District Local Plan.

Conclusion

112. The Head of Strategic Infrastructure and Economy considers that the proposal meets the principle aim of Waste Planning Policy by moving waste up the waste hierarchy to achieve sustainable waste management.

113. The Head of Strategic Infrastructure and Economy considers that the location of the proposed development is justified as the proposed extension to the existing waste transfer station building and is, therefore, the most appropriate option in accordance with the Policy WCS 3 of the Worcestershire Waste Core Strategy.

114. Given that the proposed waste management facility would be within an enclosed facility and on existing or allocated employment land, the Head of Strategic Infrastructure and Economy is satisfied that the proposed extension is compatible and in accordance with Policy WCS 6 of the Worcestershire Waste Core Strategy.

115. Given that all the site operations would be carried out within the building and given the size, siting and design of the building and associated site screening, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any significant detrimental impact on the amenities of the neighbouring residential properties, in accordance with Policy DS3 of the Malvern Hills District Local Plan.

116. Although, the proposed development would be visible from public view, given that the proposed development would be sited in the centre of an existing small industrial estate and would not exceed the height of the buildings and structures already sited there and notwithstanding the objection raised by Malvern Hills District Council the Head of Strategic Infrastructure is satisfied that the proposal would not have any adverse impact on the landscape character of the area.

117. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would have no adverse impacts on the water environment, subject to the imposition of appropriate conditions and is, therefore, in accordance with Policy DS3 of

the Malvern Hills District Local Plan.

118. The Head of Strategic Infrastructure and Economy is satisfied that the proposed development has no adverse impact on the highways safety of the local area, in accordance with Policy DS3 of the Malvern Hills District Local Plan.

119. Subject to the imposition of conditions relating to the above, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would have no adverse impact on the ecology and biodiversity of the local area and is, therefore, in accordance with Policy QL19 of the Malvern Hills District Local Plan.

120. On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 6; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12 and Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policy DS3; Policy EP2 and Policy QL19 of the Malvern Hills District Local Plan, it is considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

121. The Head of Strategic Infrastructure and Economy recommends that planning permission be granted for the proposed extension of an existing waste transfer building at Grove House Yard, Tewkesbury Road, Upton upon Severn, Worcestershire, subject to the following conditions:

- a) **The development must be begun not later than the expiration of three years beginning with the date of this permission;**
- b) **The development hereby permitted shall be carried out in accordance with the details shown on submitted drawings referenced: PL-01; PL-02; PL-03; Amended Site/block Plan, received by the County Planning Authority on 5 March 2015; PL- 05, except where otherwise stipulated by conditions attached to this permission;**

Details

- c) **Notwithstanding any indication of the materials, which may have been given in this application, prior to the construction of the extension hereby approved, a schedule and/or samples of the materials and finishes for the extension shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details;**
- d) **Operations shall only take place on the site between 07:30 to 18:00 hours Mondays to Fridays, 07:30 to 13:00 hours on Saturdays and not at all on Sundays or**

Public Holidays. No machinery or equipment shall operate on the site outside the hours;

- e) Construction works shall only be carried out on the site between the hours of 08:00 hours to 17:00 hours on Mondays to Fridays inclusive, and 08:00 hours to 13:00 hours on Saturdays, with no construction work on Sundays, Bank or Public Holidays;**
- f) All the waste transfer operations including sorting, loading/unloading of vehicles and storage of waste shall only take place within the approved building provided for the purpose;**
- g) All doors to the building shall be kept closed except to allow entry and exit;**
- h) All vehicles, plant and machinery operating within the site shall be maintained in accordance with the manufacturer's specifications at all times and this shall include the fitting and use of effective silencers;**
- i) Any facilities for the storage of oils, fuels or chemicals shall be sited on impermeable bases and surrounded by impermeable walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks and vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have a secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund;**
- j) The operator shall ensure that the amount of wastes treated at the facility hereby approved does not exceed more than 5,000 tonnes per year. Records shall be kept for the inspection by the County Planning Authority on written request of the amount of throughput of materials for the durations of operations on the site;**
- k) The operator shall ensure that only non-hazardous construction and demolition wastes (described as soil, rubble, concrete, brick, timber, metal, glass, plastic and cardboard) are accepted at the site. Any other waste shall be quarantined and removed from the site forthwith to a suitably licensed treatment or disposal facility;**

- l) No crushing or screening of waste materials shall take place on the site;**
- m) No materials shall be burnt on the site;**
- n) There shall be no outside storage of materials (including wastes and processed materials) goods or equipment except empty skips. Such skips shall only be stored in the storage area marked on drawing titled Amended Site/block plan, received by the County Planning Authority on 5 March 2015 and shall not exceed 4 metres in height. A permanent height marker shall be provided at the skip storage area to show 4 metres from ground level;**
- o) No mud, dust, dirt, or debris shall be deposited on the public highway;**
- p) No waste materials shall be accepted at the site directly from members of the public, and no retail sales of wastes or processed materials to members of the public shall take place at the site;**

Drainage

- q) No development of the proposed extension to the existing Waste Transfer Station building shall take place until drainage details for the disposal of surface water and foul sewage have been submitted to and approved in writing by the County Planning Authority. These details shall include plans of the drainage to be provided on site and run off rates. The scheme shall be implemented in accordance with the approved details before the extension to the existing Waste Transfer Station building is first brought into use and retained thereafter;**

Ecology and Biodiversity

- r) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought prior to works recommencing;**
- s) The site's northern, eastern and southern boundaries should be protected from any additional high powered lighting. In these areas no new lighting should be installed other than may be unavoidably required for health, safety and security; in which case details of appropriate mitigation (timers/shielding or cowls) should be provided for the prior approval of the County Planning Authority;**
- t) No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the County Planning Authority. External lighting shall be designed to ensure that the light levels at the windows of any domestic properties shall**

not exceed 2 lux. Only the approved scheme shall be used on the site;

Pollution

- u) The site shall not be brought into operation until a detailed scheme for the mitigation of dust for the site has been submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented and complied with at all times for the duration of the development hereby permitted; and
- v) 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 waste activities /operations on the site.

Contacts

Contact Points for this Report

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List of 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 item:

The application, plans and consultation replies in file reference 14/000045/CM.