

Planning and Regulatory Committee
20 May 2014

6. PROPOSED CONSTRUCTION OF A REED BED TREATMENT SYSTEM AT HARTLEBURY LANDFILL SITE, WHITLENGE LANE, HARTLEBURY, WORCESTERSHIRE

Applicant	Mr Martin Rose, Wienberger Limited
Local Councillor	Mr M H Broomfield
Purpose of Report	1. To consider a County Matter application for the construction of a Reed bed Treatment System at Hartlebury Landfill Site, Whitleng Lane, Worcestershire.
Background Information	2. The closed and restored Hartlebury landfill was a former clay pit originally owned and quarried by Baggeridge Brick. The resultant void space was subsequently restored between 1982 and 1992 by the landfilling of domestic and non-hazardous commercial wastes by the then Hereford and Worcester County Council. Wienberger Limited has since acquired Baggeridge Brick and now owns the closed and restored Hartlebury Landfill site. Currently, about 8 – 10 tanker loads of contaminated groundwater from the closed and restored Hartlebury Landfill site is being taken off site for treatment per week.
The Proposal	3. The applicant is seeking planning permission for the construction of a Reed bed Treatment System at Hartlebury Landfill Site, Whitleng Lane, Worcestershire. 4. The applicant is seeking a more sustainable solution to deal with the contaminated groundwater and the applicant (Weinberger Ltd, in partnership with Biffa) propose to build a reed bed treatment system to treat up to 50 m ³ per day of contaminated groundwater. The reed bed treatment system would comprise of a reed bed, a Raw Leachate Balancing Tank (RLBT), a pre-aeration tank, an electrical cabinet and surface laid pipework for raw leachate and effluent discharge. 5. The reed bed will be constructed on top of the surface of the restored landfill, to avoid disturbance of the underlying waste, over an area of approximately 25 metres in width, by approximately 28 metres in length including the earth bunding. The bunding will be approximately 1 metre in height above the

base of the reed bed and lined with a low permeability liner, infilled with 20mm pea gravel and planted with Common Reed which is predicted to grow approximately 1.8 metres high.

6. The RLBT would be approximately 4 metres in diameter and 3 metres high and the pre-aeration tank would be approximately 2 metres in diameter and 3 metres high. The electrical cabinet would be approximately 3 metres in depth, 3 metres in width and 2.5 metres high. The material, colour and finish of the proposed RLBT, pre-aeration tank and electrical cabinet is to be agreed at a later date with the County Planning Authority.

7. The contaminated groundwater would be collected in an existing pond on the adjacent active landfill site and pumped via the proposed raw leachate feed pipeline and distributed into the RLBT. The RLBT would buffer the flow of contaminated groundwater to the reed bed to ensure a consistent feed and maximise the processing potential of the reed bed.

8. Once treated by the reed bed system, the water would flow via the proposed effluent discharge pipeline to an existing surface water discharge ditch located on the restored landfill site. Where the pipelines cross the Public Right of Way they will be placed underground.

9. Two ecological reports accompany the planning application; an Ecological Site Summary dated 24/02/12 and an updated Ecological Report carried out by Countryside Consultants Ltd dated 20 August 2013. The ecological site summary accompanies the planning application and refers to the works that took place during 2009-2011 which discovered the presence of Great Crested Newts within a drainage ditch on the restored landfill site. The applicant has stated that the positioning of the reed bed system would avoid any disturbance to the Great Crested Newt population which are known to be present on site.

10. The applicant states that the site will be accessed from the existing haul road servicing both the restored landfill site and Biffa's active landfill site. Following the construction of the reed bed; vehicular access is not anticipated unless repair works are needed.

11. The restored Hartlebury Landfill site is located east of Whitleng Lane and the village of Hartlebury. The site is north of Hartlebury Trading Estate and approximately 10 kilometres to the south east of Kidderminster.

12. The application site is located within the existing boundary of the restored Hartlebury Landfill site. To the north of the restored landfill site, is an operational landfill operated by Biffa, separated by a Public Right of Way and 2 metre high sound proofed close boarded timber fence, approximately 100 metres north of the site; to the west is the existing haul road to the operational landfill and clay stockpile area for the brickworks,

The Site

Summary of Issues

separated by a 2 metre high sound proofed close boarded timber fence; the restored landfill is to the east and a hedge about 3 metres high to the south, which lowers to approximately 1 metre along the boundary with the rear gardens of the adjacent residential properties, Walton Cottages, Walton Road, about 30 metres south-east from the application site. Hartlebury Trading Estate is located south of the site.

13. The reed bed treatment system will be constructed on top of the existing restored surface of the former landfill site. The system will be positioned on the western edge of the former landfill site to take advantage of the existing infrastructure. This location will also take advantage of the natural fall of the ground when managing the treated water.

14. The whole application site, including the adjacent restored and active landfill site is located within the Green Belt.

15. The main issues in the determination of this application are the impacts of the proposal upon:

- Green Belt
- Location of Development
- Landscape Character
- Residential Amenity
- Water Environment/Flood Risk
- Traffic and Highway Safety and
- Ecology.

National Planning Policy

16. PPS 10 Planning for Sustainable Waste Management

National Planning Policy Framework (NPPF)

17. 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.

18. 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".

19. 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.

20. The NPPF does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. The NPPF states that Planning Policy Statement 10 (PPS 10) 'Planning for Sustainable Waste Management' will remain in place until the National Waste Management Plan is published. 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 9: Protecting Green Belt land

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment.

The Development Plan

21. 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 saved policies in the Approved Wychavon District Local Plan. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

22. The NPPF is a material consideration in planning decisions. 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).

23. Worcestershire Waste Core Strategy Development Plan Document

Policy WCS 1: Presumption in favour of sustainable development

Policy WCS 3: Re-use and recycling

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 13: Green Belt

Policy WCS 14: Amenity

24. Wychavon District Local Plan (Saved Policies)

Policy GD2: General Development Control

Policy SR7: Development in the Green Belt

Policy ENV1: Landscape Character

Policy ENV6: Protected Species

Policy ENV19: Surface Run-off

Policy SUR1: Built Design

Draft Planning

Draft South Worcestershire Development Plan

25. 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.

26. 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. A second phase of examination will follow, looking at the sites where new homes and businesses are proposed to be developed.

27. 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 Economic Development and Planning, that little weight will be attached to the SWDP in the determination of this application.

Waste Management Plan for England 2013

28. The Government (Defra) published the Waste Management Plan for England in December 2013. This Plan

The Government Review of Waste Policy in England 2011

Consultations

superseded the previous waste management plan for England, which was set out in the Waste Strategy for England 2007.

29. 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.

30. 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.

31. 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.

32. 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.

33. **Wychavon District Council** has no objections to the development of the proposal, but requests that sufficient consideration is given to the updated ecological report compiled by Countryside Consultants Ltd dated 20 August 2013.

34. **Worcester Regulatory Service** has no objection subject to a condition regarding noise levels arising from the proposal.

35. **Public Health England** has no objections to the proposal on health grounds.

36. **The County Ecologist** has no objections to the proposal subject to conditions regarding the location of the proposed Reed Bed Treatment System in the southernmost habitat compartment, which has a low risk of impacting Great Crested Newts, as outlined within the Ecological Report (2012), and the proposal to be carried out in accordance with the recommendations outlined within the Ecological Report (2012) and in accordance with the reasonable avoidance measures for great crested newts as outlined in the updated Ecology Report (2013).

37. **The County Highways Officer** has no objections to the proposal.

38. **The County Landscape Officer** has no objections to the proposal.

39. **The Public Rights of Way Officer** states that the proposal should not have a detrimental impact on the public right of way providing the applicant is aware of their obligations to protect the safety of the public.

40. **Worcestershire Land Drainage's** comments have been included in the response by Wychavon District Council.

41. **The Environment Agency** has no objections to the principle of development and considers the proposal to be an acceptable use of the land in line with the guiding principles of the NPPF. It is considered that the proposal to intercept contaminated groundwater and treat in situ represents a more sustainable solution than the current use of tankers. The proposal involves the discharge of treated groundwater to a tributary of the Hartlebury Brook and the control of the process and discharge will require consent from the Environment Agency.

42. **Hartlebury Parish Council** has no objections to the proposal.

43. **The County Council's Pollution Control Manager** initially raised concerns that the construction of the reed bed could potentially affect the long term maintenance and management of the restored landfill site in terms of gaining future access to the surface of the landfill for remediation works. Following correspondence with the applicant, it is considered that any problems could be overcome to ensure that the long term maintenance and management of the site could continue.

Other Representations

44. In accordance with the Development Management Procedure Order 2010, the application has been advertised on site, in the local newspaper and through neighbour notification letters.

45. One letter of representation has been received which states that they are not in favour of the application because of health risks. The letter of representation is available in the Members Support Unit.

Head of Economic Development and Planning comments

46. 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.

47. Wienberger Limited is seeking planning permission for the construction of a Reed bed Treatment System at Hartlebury Landfill Site, Whittle Lane, Worcestershire.

Green Belt

48. The proposed site is located within the Green Belt.

49. The introduction to Section 9 of the NPPF states that "*the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence. The NPPF states that Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

50. *As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

51. *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."*

52. The Head of Economic Development and Planning considers that in accordance with the NPPF, the proposed reed bed would not be inappropriate development in the Green Belt because it is an engineering operation which would preserve the openness of the Green Belt, however, it is considered that other elements of the treatment system are considered to be inappropriate development and would require very special circumstances to be demonstrated to justify their location in the Green Belt.

53. The applicant has submitted the following very special circumstances for the proposed development in the Green Belt. The source of contamination has derived from the restored landfill site, which is sited within the Green Belt. It is considered that the reed bed treatment system is ancillary to the management of the restored landfill site and is, therefore, dependent on this location.

54. Furthermore, the applicant states that the proposal is considered to be a more sustainable way of dealing with the contaminated groundwater than the current method of tankering the contaminated groundwater for treatment off-site.

55. The Head of Economic Development and Planning considers that this ancillary development is necessary and

associated with the restored landfill site and considers that the applicant has demonstrated very special circumstances to justify the development in the Green Belt. Furthermore, it is considered that the locational need together with the wider environmental and economic benefits of the proposed reed bed treatment system is in accordance with PPS 10 and Policy WCS 13 of the Worcestershire Waste Core Strategy in terms of locating Waste Management Facilities in the Green Belt.

56. Under the Town and Country Planning (Consultation) (England) Direction 2009, the County Council is required to consult the Secretary of State for Communities and Local Government on development which consists of or includes inappropriate development on land allocated as Green Belt which consists of or includes new buildings in the Green Belt it intends to approve that would be inappropriate development and exceed 1,000 square metres, or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. The Head of Economic Development and Planning considers that given the scale, nature and location of the proposed development it would not have a significant impact on the openness of the Green Belt and, furthermore, as the floor space of the proposed electrical cabinet would measure a maximum of 9 square metres, it is considered that the proposed development would not need to be referred to the Secretary of State if members are minded to approve the application.

Location of Development

57. 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.

58. The proposed development is located within Level 1 which is the highest level of the hierarchy. Furthermore, the Head of Economic Development and Planning considers that the proposed development is considered to be essential infrastructure associated with the landfill site and, therefore, in accordance with the Policy WCS 3 of the Worcestershire Waste Core Strategy, the proposed location for the development is considered to be acceptable.

59. The County Council's Pollution Control Manager raised concerns that the construction of the reed bed would potentially affect the long term maintenance and management of the restored landfill site in terms of gaining future access to the surface of the landfill for remediation works.

60. In response to the Pollution Control Manager's concerns the applicant has stated that the reed bed treatment system is constructed above the existing landfill capping system and as such if repair works did need to be carried out in the locality of the reed bed there is no reason why this could not take place.

The reed bed can cease to treat contaminated water if any repair or maintenance works are required.

61. Following this response, the Pollution Control Manager considers that any problems could be overcome to ensure the long term maintenance and management of the site could continue.

Landscape Character

62. The proposed reed bed treatment system is located in an open grassed area and therefore, careful consideration should be given to the design of the proposal so as to not detract from the landscape character.

63. The applicant anticipates that the reeds will grow to approximately 1.8 metres high, which the Head of Economic Development and Planning considers will lessen the impact of the proposed tanks, on the landscape.

64. It is recommended that a condition be imposed requiring details of the colour and finish of the materials proposed for the construction of the tanks so that the colour and finish would not detract from the landscape of the natural environment, in accordance with Policy ENV1 of the Wychavon District Local Plan and Policy WCS 12 of the Worcestershire Waste Core Strategy.

65. The County Landscape Officer has no concerns about the proposal.

66. A Public Right of Way runs approximately 100 metres to the north of the proposed reed bed. The Public Rights of Way Officer states that the proposal should not have a detrimental impact on the public right of way providing the applicant is aware of their obligations to protect the safety of the public.

67. 2 metre high sound proofed close boarded timber fencing is sited adjacent to the Public Right of Way to the south which will screen the proposal from public view.

68. The proposed pipelines included within the proposal will be placed underground where they cross under the Public Right of Way.

69. In view of the above, the Head of Economic Development and Planning is satisfied that the proposal will not have a detrimental impact on the Public Right of Way and considers that there will be no unacceptable adverse impact on the landscape character in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy, subject to a condition requiring details of the design, colour and materials of the proposal.

Residential Amenity

70. Public notices were erected around the site to advertise the proposal; advertised in the local newspaper and neighbour

notification letters were delivered to the nearest residential dwellings. The nearest dwellings are Walton Cottages, sited approximately 30 metres south-east of the proposed site.

71. There has been one letter of representation from a local resident objecting to proposal on health grounds.

72. Public Health England has been consulted on the proposal and has no objections to the proposal on health grounds.

73. Noise could be generated from the pre-aeration tank associated with this proposal. In view of this, Worcestershire Regulatory Services have recommended imposition of a condition with regards to the control of noise level.

74. There is approximately 3 metre high hedging to the south of the site which screens the proposal from public view from Walton Road. The hedge lowers to approximately 1 metre at the boundary with the rear gardens of the adjacent neighbouring properties, Walton Cottages. There are additional trees and shrubbery on this boundary, which screen the proposal in part from view at the residential properties.

75. The area is not accessible to the general public and it is not envisaged that a fence will be required.

76. The Head of Economic Development and Planning considers that the planning application accords with Policy WCS 14 of the Worcestershire Waste Core Strategy and is therefore satisfied that there will be no adverse impact on the amenity of neighbouring residential properties or the surrounding area subject to the levels of noise arising from the proposal being conditioned.

Water Environment/Flood Risk

77. The application site falls within Flood Zone 1 which has a low probability of flood risk. The Environment Agency and the North Worcestershire Water Management Team have no objections to the proposed development. In view of this, the Head of Economic Development and Planning is satisfied that the proposal would not have any adverse effects on the water environment and considers that the planning application accords with Policy WCS 10 of the Worcestershire Waste Core Strategy and Policy ENV19 of the Wychavon District Local Plan which requires that proposals will need to take full account of their impact on surface water run-off.

Traffic and Highway Safety

78. The proposed site would be accessed from the existing haul road which currently services both the restored landfill site and Biffa's operational landfill site. Following construction, the reed bed treatment system will be inspected on an ad-hoc basis and vehicular access is not anticipated unless repair works are required.

79. The County Highways Officer has no objections to the

proposal.

80. In view of this, the Head of Economic Development and Planning is satisfied that the planning application accords with Policy GD2 of the Wychavon District Local Plan which requires the efficient operation of the transport network and Policy WCS 8 of the Worcestershire Waste Core Strategy which requires that the infrastructure on the site is adequate to support the proposed waste management facility and would not have an adverse impact on highway safety.

Ecology

81. Great Crested Newts are known to be present on the restored landfill site and two ecological reports accompany the application. In summary, the updated Ecology Report (2013) considers that the proposal would not have a significant impact on any population of great crested newts associated with the site in terms of damage and destruction of terrestrial habitat as the proposal is considered to be of sufficiently small size. The updated Ecology Report states that the completed reed bed is considered very likely to offer a net enhancement in terms of substituting poor quality terrestrial habitat with higher quality foraging habitat.

82. The County Ecologist has no objections to the proposal subject to conditions regarding the location of the proposed Reed Bed Treatment System in the southernmost habitat compartment, which has a low risk of impacting Great Crested Newts, as outlined within the Ecological Report (2012), and the proposal to be carried out in accordance with the recommendations outlined within the Ecological Report (2012) and in accordance with the reasonable avoidance measures for great crested newts as outlined in the updated Ecology Report (2013).

83. Subject to the imposition of the conditions recommended by the County Ecologist, the Head of Economic Development and Planning is satisfied that the proposed development accords with Policy WCS 9 of the Worcestershire Waste Core Strategy and as such would have no detrimental impact on any protected species or biodiversity.

Conclusion

84. The Head of Economic Development and Planning considers that the applicant has demonstrated very special circumstances for this ancillary development to justify its location in the Green Belt. Furthermore, it is considered that the locational need together with the wider environmental and economic benefits of the proposed reed bed treatment system is in accordance with PPS 10 in terms of locating Waste Management Facilities in the Green Belt.

85. The Head of Economic Development and Planning considers that the proposed development is considered to be essential infrastructure associated with the landfill site and, therefore, in accordance with the Policy WCS 3 of the Worcestershire Waste Core Strategy, the proposed location for

the development is considered to be acceptable.

86. The Head of Economic Development and Planning considers that there will be no unacceptable adverse impact on the landscape character in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy, subject to a condition requiring details of the design, colour and materials of the proposal.

87. The Head of Economic Development and Planning is satisfied that there will be no adverse impact on health grounds given that Public Health England has no objections to the proposal on health grounds.

88. The Head of Economic Development and Planning considers that there will be no adverse impact on the amenity of neighbouring residential properties or the surrounding area subject to the imposition of a condition to control the noise levels arising from the development, in accordance with Policy WCS 14 of the Worcestershire Waste Core Strategy and Policy GD2 of the Wychavon District Local Plan.

89. The Head of Economic Development and Planning is satisfied that the proposal would not have any adverse effects on the water environment and considers that the planning application accords with Policy WCS 10 of the Worcestershire Waste Core Strategy and Policy ENV19 of the Wychavon District Local Plan.

90. The Head of Economic Development and Planning is satisfied that the proposal accords with Policy GD2 of the Wychavon District Local Plan which requires the efficient operation of the transport network, in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy and Policy GD2 of the Wychavon District Local Plan and would not have a detrimental impact on highway safety.

91. The Head of Economic Development and Planning is satisfied that the proposed development would not have a detrimental impact on any protected species or biodiversity, in accordance with Policy WCS 9 of the Worcestershire Waste Core Strategy and Policy ENV6 of the Wychavon District Local Plan.

92. On balance, taking into account the comments received from statutory consultees, members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 3; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12; Policy WCS 13; Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policy GD2; Policy SR7; Policy ENV1; Policy ENV6; Policy ENV19; Policy SUR1 of the Wychavon 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

93. The Head of Economic Development and Planning recommends that planning permission be granted for the Construction of a Reed Bed Treatment System at Hartlebury Landfill Site, Whitlence Lane, Hartlebury, Worcestershire, subject to the following conditions:

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;
- b) The development hereby approved shall be carried out in accordance with the details shown on the submitted drawings numbered: 1840/1/001, Rev A, and 1840/1/002 Rev A except where otherwise stipulated by conditions attached to this permission;
- c) Notwithstanding any indication of the materials, which may have been given in this application, prior to the construction of the reed bed treatment system hereby approved, a schedule and/or samples of the materials and finishes for the proposed tanks 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) The applicant shall ensure that noise from the proposed treatment system when measured on the southern boundary of the landfill site closest to the reed bed development will be no greater than the lowest background noise level (L90) at any time;
- e) The development hereby approved shall be carried out in accordance with the recommendations outlined within the submitted Ecological Site Summary – short format report, dated 24 April 2012;
- f) The development hereby approved shall be carried out in accordance with the reasonable avoidance measures for great crested newts as outlined in the submitted updated Ecology Report by Countryside Consultants Ltd, dated 20 August 2013; and
- g) On the decommissioning of the facility all the equipment shall be removed from the site and the land restored in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority.

Contact Points

County Council Contact Points

Worcester (01905) 763763, Kidderminster (01562) 822511 or Minicom: Worcester (01905) 766399

Specific Contact Points

List of Background Papers

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In the opinion of the proper officer (in this case the Head of Economic Development and Planning the following are the background papers relating to the subject matter of this item:

Application, plans and consultation replies in file reference 13/000069/CM.