

**PLANNING AND REGULATORY COMMITTEE
22 MARCH 2016****PART-RETROSPECTIVE APPLICATION FOR A PROPOSED
MATERIALS RECOVERY PLANT TO PROCESS ROAD
SWEEPINGS AND HIGHWAY DRAINAGE CLEARANCE
MATERIAL ON LAND AT STATION HOUSE, SALTWAY,
HANBURY, WORCESTERSHIRE**

Applicant

David Jordan Road Brush Ltd

Local Member(s)

Mr M H Broomfield

Purpose of Report

1. Part-retrospective application for a proposed materials recovery plant to process road sweepings and highway drainage clearance material on Land at Station House, Saltway, Hanbury, Worcestershire.

Background

2. D Jordan Road Brush Hire Limited was incorporated in 2000 and is owned and operated by Mr. David Jordan.

3. The applicant has been providing environmental clean-up services, which includes, dealing with fly-tipping, road-cleaning and unblocking drains and gullies from the strategic and local road network, for example, following road traffic accidents for the County Council, local construction and other businesses, since leaving school. He has built up a small fleet of 11 road sweepers and other vehicles and equipment, including, 'gully suckers' to undertake this work. He has a workforce of 16 local employees.

4. 'Gully suckers' are specialised tankers with suction gear that will take up wet waste, mud and sludge from spaces, including, the hollows below drains in street gutters. Specific suction power is required to meet the needs of the job because the material being removed can contain bulky debris, such as, tree branches and stones. The road sweepers and gully suckers both use water and collect wet materials during the clean-up operations.

5. At the present, once any clean-up activity has been undertaken, full vehicles would have to either return to base to discharge their loads into a containment vessel or travel to a suitable appropriately licenced waste management facility for direct disposal.

6. The applicant has identified that with appropriate processing a significant proportion of the material collected by their road sweepers and gully suckers could be recycled/re-used. Particularly, the fine granular material (sand and grit) and the water.

7. The applicant states that the site is understood to have been part of the Droitwich Road Railway station (Goods) and associated siding that was closed by 1930. Within the site are remnants of the loading platform from which cattle, local produce, coal and possibly bricks (from the brickworks and clay pit that became the adjacent landfill) were loaded onto trains for export and goods were offloaded for distribution in the local area. Network Rail still have a small facility associated with their infrastructure maintenance activities, to the north of (and accessed through) the site.

8. The applicant understands that the site was bought from Network Rail by the previous owners around 1996 and subsequently purchased from them (including 'Station House') by the applicant in 1998. The applicant has used the site in a number of ways since that time during which a 'Certificate of Lawful Existing Use' reference number W/10/01282/LUE was granted by Wychavon District Council which established the use of the site for distribution on 18 May 2010.

The Proposal

9. The applicant is seeking part-retrospective planning permission for a proposed materials recovery plant to process road sweepings and highway drainage clearance material on Land at Station House, Saltway, Hanbury, Worcestershire.

10. The proposal comprises of the installation and operation of a sand and water recovery plant and ancillary equipment in the existing distribution facility yard to process the material collected during the road sweeping and drain clearance activities of the applicant and similar contractors.

11. The applicant states that the plant has been set up on the site in order to undertake trial runs to establish the effectiveness of the process and to enable its operation to be demonstrated as part of this application to retain and operate the plant within the site.

12. The processing plant comprises of a compact processing plant known as a 'GMax' from CD Enviro, a company based in Northern Ireland. The plant is akin to a processing plant used in a sand and gravel operation.

13. Vehicles would discharge their loads into a containment vessel. The material would then be pumped directly to, and through, a semi-mobile dewatering plant. This is a self-contained unit powered by a mobile generator.

14. The recycled water is used to top up the supply for the road sweepers.

15. The grit from the dewatering unit is a sand sized material that is suitable for use as a low grade construction or horticultural sand.

16. The coarser fraction is stored and periodically screened to remove unsuitable materials before it can also be used as a construction fill.

17. The flocculating fines (clay aggregate) are removed for off-site disposal to an appropriately licenced waste management facility.
18. The processed water from the unit is sent to a flocculating plant and then into settlement tanks.
19. The small quantity of reject materials, for example, plastic and metals are stored in skips or other appropriate containers and periodically removed for off-site treatment and recycling, or final disposal at an appropriately licenced waste management facility. Once these skips/containers become full, they would be removed from site.
20. Any paper, fabrics that have been processed through the plant would be saturated by the collection process and the applicant is investigating possible avenues for the recycling of these. One potential beneficial alternative is to transfer the materials to a suitable Energy from Waste facility. However, for the time-being, they would be disposed of to landfill along with any other irrecoverable or otherwise non-recyclable materials.
21. It is proposed that the plant would operate at 15-20 tonnes per hour. The operation of the plant is limited to once every 2-3 days depending on the quantities of material discharged. It operates for up to 5-6 hours on that occasion but again this is dependent on the quantity being processed.
22. The proposed hours of operation are between the hours of 07:00 hours and 17:00 hours Mondays to Fridays, 08:00 hours and 13:00 hours on Saturdays with no working on Sundays or Bank Holidays.
23. The proposed traffic movement includes a maximum of 14 sweepers and 2 tankers per day, arriving mid-morning and late afternoon and a maximum of 2 product/waste export vehicles per day.
24. There would be a maximum of 6 staff cars per day when the plant is operating, every 2 -3 days, arriving first thing and then leaving mid to late afternoon.
25. The applicant states that the above equates to an average of 3 vehicle movements per hours in an 8 hour day.
26. The applicant states that all of the vehicles routinely arriving and departing from the site are or would be under the direct control of the applicant or can be managed by the applicant through specific contract arrangements.
27. The application site is accessed from The Saltway (B4090). Approximately 100 metres from a bridge over the railway, via a wide bellmouth shared with the domestic access to Station House (to the east), and access to a few semi-detached residential properties and associated vehicle parking to the west. The access road is gently inclined down towards the railway.
28. The applicant states that it is proposed that specific arrival/departure windows outside the peak traffic flow times for the Saltway would be agreed with Worcestershire County Council Highways Authority in accordance with Policy WCS 8 of the Waste Core Strategy for Worcestershire. They state that this would apply to all vehicles with the exception of staff cars.

29. 2 or 3 employees would be required to operate the plant or to carry out maintenance. This development would support the continuation of existing employment within Mr Jordan's business rather than create additional jobs and merely involves the deployment of existing staff to the site when operations are required.

30. The intention is to fully concrete the area to formalise and enhance the site's surface water drainage. Water gathered from the yard would be fed through the processing plant and re-used. This would also facilitate the cleaning of the yard, thereby, minimising the risk of vehicles tracking mud onto the public highway and dust arising from the yard.

31. The applicant confirms that no alterations to the landform at the site are proposed and no trees would be removed.

32. The applicant acknowledges that the operation would be subject to an Environmental Permit application to the Environment Agency.

33. The applicant would like to offer this facility to Worcestershire County Council's contractor (currently Ringway) for discharging their vehicles. The applicant understands that Ringway currently discharges to bulk tankers, which then travel to a disposal facility in the Wolverhampton area. The proposal would allow Ringway to discharge locally, which would have significant financial and sustainability advantages.

34. The facility would not be open to the public or to any form of casual or passing 'trade'.

35. The applicant states that the proposed development would provide a positive contribution to sustainable waste management practices within the County of Worcestershire because there would be a reduction in the amount of material being taken to landfill.

The Site

36. The application site is accessed from The Saltway (B4090). Approximately 100 metres from a bridge over the railway, via a wide bellmouth shared with the domestic access to Station House (to the east), and access to 8 semi-detached residential properties and associated vehicle parking to the west. The access road is gently inclined down towards the railway.

37. The application site is bound on the west by the County Council's household recycling centre and closed landfill, with the Worcester and Birmingham Canal beyond. The railway and railway infrastructure runs alongside the application site to the north and east with undulating farmland beyond. 'Station House' and domestic garden is sited to the south, which is owned by the applicant.

38. The application site measures approximately 0.23 hectares and comprises of hardstanding.

39. The site can be divided into three parts:

- The initial operational area, which comprises of vehicle and equipment parking areas, together with a portacabin and small storage buildings. This area is mainly used to park cars belonging to employees and other vehicles and equipment associated with the business
- Workshop (including weighbridge and access road to the northern end of the site), and
- The main yard area. This area is partly concreted and partly hard-core surfaced. The intention is to fully concrete the area to formalise the site surface water drainage. The road sweepings processing plant is located in the northern half of this area.

40. There is a grey palisade fence along the eastern application site boundary, separating the application site from the railway line. There are trees along part of this boundary on the other side of the fence on Network Rail land. The western boundary with the closed landfill is hedgerow and trees set at original ground level some 2 metres above the distribution yard and buildings. The applicant states that this reduced ground level and the vegetation provides an effective screen from the west. The southern boundary includes 'Station House' and associated trees and vegetation.

41. The nearest residential properties are 'Station House', which is sited approximately 40 metres south of the application site and 1-8 Brickyard Cottages, which are sited approximately 135 metres south-west of the application site.

42. The application site is located approximately 140 metres from the Worcester and Birmingham Canal (designated Conservation Area and Local Wildlife Site).

43. The application site is located with Flood Zone 1, which is an area not at risk of flooding.

44. The application site is located within the Designated West Midlands Green Belt.

Summary of Issues

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

- The waste hierarchy
- Location of the development
- Green Belt
- Local economy
- Landscape character and appearance of the local area
- Residential amenities (including noise and dust emissions)
- Ecology and biodiversity
- The water environment
- Traffic and highways safety, and
- Pollution control.

Planning Policy

National Planning Policy Framework (NPPF)

46. 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.

47. 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".

48. 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.

49. The NPPF does not contain specific waste policies, as these are contained within 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 1: Building a strong, competitive economy
- Section 3: Supporting a prosperous rural economy
- Section 4: Promoting sustainable transport
- 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
- Section 12: Conserving the Historic Environment

National Planning Policy for Waste

50. 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

51. 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 Adopted Worcestershire Waste Core Strategy and the Adopted South Worcestershire Development Plan.

52. 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.

53. 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 (WCS)

Policy WCS 1: Presumption in favour of sustainable development

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 11: Sustainable design and operation of facilities

Policy WCS 12: Local characteristics

Policy WCS 13: Green Belt

Policy WCS 14: Amenity

Policy WCS 15: Social and economic benefits

Waste Management Plan for England (2013)

54. 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.

55. 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.

56. 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.

57. 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.

58. It states that the construction, demolition and excavation sector is the largest contributing sector to the total waste generation, generating 77.4 million tonnes of waste in 2010.

The Government Review of Waste Policy England 2011

59. 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.

Adopted South Worcestershire Development Plan

60. The South Worcestershire Development Plan (SWDP) covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP is a Development Plan Document which sets out strategic planning policies and detailed development management policies. The SWDP also allocates sites for particular types of development and sets out policies on site specific requirements. It covers the period 2006-2030. The SWDP was adopted on 25 February 2016 and is subject to a six week High Court challenge period. Notwithstanding this, full weight should be given to the SWDP in the determination of this application.

61. 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 SWDP3: Employment, Housing and Retail Provision Requirement and Delivery
Policy SWDP 4: Moving Around South Worcestershire
Policy SWDP 7: Infrastructure
Policy SWDP12: Rural Employment
Policy SWDP 21: Design
Policy SWDP 22: Biodiversity and Geodiversity
Policy SWDP 25: Landscape Character
Policy SWDP 29: Sustainable Drainage Systems
Policy SWDP 30: Water Resources Efficiency and Treatment
Policy SWDP 31: Pollution
Policy SWDP 33: Waste

Consultations

62. Wychavon District Council object to the proposed development as the proposal would represent inappropriate development in the Green Belt.

63. They cite Part 9 'Protecting Green Belt land' of the National Planning Policy Framework, which states that "inappropriate development should not be approved, except in very special circumstances. Very special circumstances to justify inappropriate

development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

64. They acknowledge that the agent has outlined various circumstances in an attempt to overcome Green Belt restrictions, stating that:

- the site is a previously developed, existing distribution depot
- the installation and operation of plant machinery would not contribute to the unrestricted sprawl or merging of urban areas
- it would not constitute encroachment on the countryside and has no implications for historic towns
- substantial screening of the site
- the proposal contributes to addressing the need to achieve national, regional and local waste minimisation and recycling targets and move to more sustainable waste management, and
- other sites are not viable.

65. They do not consider that the applicant has demonstrated that very special circumstances exist, that would clearly outweigh the harm to the Green Belt by reason of the inappropriateness of the proposed development. They consider that whilst there is merit in waste minimisation and sustainable waste management practices it is considered that an overriding special circumstance with regards to this application has not been demonstrated. Other sites located outside of the Green Belt may be available and offer a more suitable location. It is, therefore, considered that the proposed development fails to accord with Green Belt policies as such there is an in principle objection to the proposal.

66. The proposed erection of the new materials recovery plant is considered to cause detrimental harm to the openness of the Green Belt, furthermore the plant would not accord with one of the exceptions highlighted within local Green Belt Policy. As such, it is considered that the plant would fail to comply with national planning policy and Policy SWDP 2 of the South Worcestershire Development Plan and thus represent inappropriate development in the Green Belt.

67. The County Ecologist has no objections to the proposal.

68. The Environment Agency state that the application site is located within Flood Zone 1 (low probability of fluvial risk) based on their indicative Flood Map for planning. They state that the proposed activity is a waste operation that would be regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations (EPR) 2010.

69. They state that in certain circumstances, the dewatering of street sweepings can be undertaken through an 'exemption', without an Environmental Permit. This is set out in their regulatory position statement.

70. They state that appropriate infrastructure would need to be in place, including impermeable pavement and sealed drainage system. Any dewatering must be carried out on an impermeable surface that has a sealed drainage system.

71. They acknowledge that the supporting statement confirms that the applicant's "intention is to fully concrete the area to formalise the surface water drainage".

Should the applicant be unable to meet the requirements and conditions of the exemption, an Environmental Permit would be required.

72. Hanbury Parish Council has no objections to the proposal.

73. The County Highways Officer has no objections to the proposal.

74. Lead Local Flood Authority have recommended a condition relating to the provision of a surface water drainage scheme.

75. Network Rail states that the proposed development site is on land which was previously owned by the British Railways Board. It is subject to a demarcation agreement which contains rights and obligations for the benefit of Network Rail's land and railway the agreement of 18 September 1996 applies and they recommend measures to protect the integrity of Network Rail land.

76. Worcestershire County Council's Pollution Control Team raised initial concerns in relation to the integrity of the bank between the application site and the closed landfill site bordering it. The documentation points out that at some locations, there is a difference in ground levels of approximately 3.5m and the work that the applicant has or is planning to carry out could have implications on the bank's integrity. They state that many years ago the ground sloped gently away from the closed landfill site towards the railway line, however, over time parts of the bank have been removed to leave a steep vertical slope on the boundary between the closed landfill site and the applicants land. This face has since been built back up by the applicant, and at present the new generator and container sit atop this. There is no way of knowing if these works, or any future works, will have affected the stability of the bund and what the potential implications to the closed site would be should the bund fail in the future.

77. In response, the applicant states that the generator and container would be elevated. The bank which forms the boundary with the landfill is supported at the northern end of the site. The retaining wall is currently being erected along the western boundary. This is to be continued until the exposed bank is fully supported. The applicant states that the bank has been in this form for some years without any significant issue. However, they are taking a precautionary approach given the activity now proposed.

78. In light of the further information, the Pollution Control Officer has requested that the completion of the works to shore up the bank all along the boundary can be made a condition of any planning permission to reassure them that the rest of the works will be completed.

79. Severn Trent Water Limited has no objections to the proposal, subject to the inclusion of the following condition relating to the submission of drainage plans for the disposal of foul and surface water flows.

80. Worcestershire Regulatory Services (noise) states that the noise data provided indicates that noise complaints from the operation of the equipment should be unlikely. However, they recommend that the hours of operation at the site are conditioned to between 08:00 and 18:00 Mondays to Fridays with no operation on Saturdays, Sundays and public holidays.

81. Worcestershire Regulatory Services (contaminated land and air quality) has no concerns and no adverse comments to make.

82. Worcestershire Wildlife Trust does not wish to object to the proposal. Given the pre-existing use of the site and the scale of proposed development, they do not think that there will be any adverse effect on the canal. They are content to defer to the County Ecologist for consideration of all other on-site biodiversity matters.

83. The County Landscape Officer has no landscape concerns, providing that the hedgerow screening to the site is maintained and, therefore, recommends a condition to this effect, should planning permission be granted.

84. South Worcestershire Land Drainage Partnership – No comments received.

85. Herefordshire and Worcestershire Fire Service – No comments received.

Other Representations

86. In accordance with the Development Management Procedure Order 2010, the application has been advertised on site, in the press and through neighbour notification letters. No letters of representation have been received in relation to the proposal.

The Head of Strategic Infrastructure and Economy's Comments

87. 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

88. 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.

89. 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).

90. The Head of Strategic Infrastructure and Economy considers that the proposed development would contribute to the delivery of sustainable development by recovering waste materials, which would otherwise be disposed of to landfill and, therefore, driving waste management up the waste hierarchy and being in accordance with the hierarchy.

Location of the development

91. The Waste Core Strategy sets out a Geographic Hierarchy for waste management facilities in Worcestershire.

92. 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'.

93. Policy WCS 3 of the Waste Core Strategy allows waste management facilities that enable re-use or recycling of waste, including treatment, storage, sorting and transfer facilities, 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.

94. The application site is located in Level 5 of the Geographic Waste Hierarchy. In accordance with Policy WCS 3 of the Waste Core Strategy, the Head of Strategic Infrastructure and Economy considers that the proposed location is appropriate.

Green Belt

95. The application site is located within the Designated West Midlands Green Belt.

96. The NPPF states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking, which means approving proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or
- specific policies in the NPPF indicate development should be restricted.

97. In this case the proposed development is wholly located within the West Midlands Green Belt; footnote 9 to the NPPF indicates that policies related to this designation restrict development; and therefore, by virtue of footnote 9, the presumption in favour of sustainable development does not apply within Green Belt areas.

98. 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".*

99. The proposal does not fall within the categories of development set out in Paragraphs 89 and 90 of the NPPF. Consequently, the proposed development would constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

100. The NPPF goes on to state that "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". As a result, a balancing exercise needs to be undertaken weighing the harm of the proposal with other circumstances in order to ascertain whether very special circumstances exist which justify granting planning permission.

101. The applicant has outlined various circumstances in an attempt to overcome Green Belt restrictions, stating that:

- the site is a previously developed, existing distribution depot
- the installation and operation of plant machinery would not contribute to the unrestricted sprawl or merging of urban areas
- it would not constitute encroachment on the countryside and has no implications for historic towns
- substantial screening of the site
- the proposal contributes to addressing the need to achieve national, regional and local waste minimisation and recycling targets and move to more sustainable waste management, and
- other sites are not viable.

102. The applicant states that 'although the site's location is by definition 'inappropriate', however, by reason of the site's current status and use; and the lack of likely harm attributable to the siting and operation of the proposed plant, this is not considered a necessarily overriding reason not to approve the development.

103. The Head of Strategic Infrastructure and Economy has considered the applicant's very special circumstances provided in an attempt to overcome Green Belt restrictions and does not consider that the applicant has demonstrated very special circumstances that outweigh the potential harm to the Green Belt. In particular, the applicant has given no locational reason as to why the plant needs to be located on this site within the Green Belt and would not maintain the openness of the Green Belt.

104. The proposal is, therefore, considered to be contrary to Section 9 ("Protecting Green Belt Land") of the National Planning Policy Framework; Policy WCS 13 of the Worcestershire Waste Core Strategy and Policy SWDP 2 of the South Worcestershire Development Plan.

Local economy

105. The proposed development would support the continuation of existing employment within Mr Jordan's business.

106. The proposal would be in accordance with Policy WCS 15 of the Waste Core Strategy for Worcestershire because it would contribute towards Worcestershire's equivalent self-sufficiency in waste management capacity.

107. The Head of Strategic Infrastructure and Economy considers that the proposal would allow continuation of employment opportunities and is, therefore, in accordance with Policy SWDP 12 of the South Worcestershire Development Plan.

Landscape character and appearance of the local area

108. The application site comprises of hardstanding, which is currently divided into three parts:

- The initial operational area – this consists of vehicle and equipment parking areas, together with a portacabin and small storage buildings. This area is mainly used to park cars belonging to employees and other vehicles and equipment associated with the business
- Workshop (including weighbridge and access road to the northern end of the site), and
- The main yard area. This is partly concreted and partly hard-core surfaced. The intention is to fully concrete the area to formalise the site surface water drainage. The road sweepings processing plant is located in the northern half of this area.

109. There is a grey palisade fence along the eastern application site boundary, separating the application site from the railway line. There are trees along part of this boundary on the other side of the fence on Network Rail land. The western boundary with the closed landfill is hedgerow and trees set at original ground level some 2 metres above the distribution yard and buildings. The applicant states that this reduced ground level and the vegetation provides an effective screen from the west. The southern boundary includes 'Station House' and associated trees and vegetation.

110. The applicant confirms that no alterations to the landform at the site are proposed and no trees would be removed.

111. The Head of Strategic Infrastructure and Economy is satisfied that the proposed development would be well screened from public view and would not have any adverse impact on the landscape character of the area in accordance with Policy SWDP25 of the South Worcestershire Development Plan.

Residential amenities (including noise and dust emissions)

112. The nearest residential properties are 'Station House', which is sited approximately 40 metres south of the application site and 1-8 Brickyard Cottages, which are sited approximately 135 metres south-west of the application site.

113. The applicant states that based on the results of the noise survey and their observations at the site, they consider that there would be no impact from the road sweepings recycling plant at the nearby receptors.

114. Worcestershire Regulatory Services states that the noise data provided indicates that noise complaints from the operation of the equipment should be unlikely. However, they recommend that the hours of operation at the site are conditioned to between 08:00 and 18:00 Mondays to Fridays with no operation on Saturdays, Sundays and public holidays.

115. Given the separation and vegetation buffer between the neighbouring residential properties and the application site, the Head of Strategic Infrastructure and Economy does not consider that the proposed development would have any adverse impact on residential amenities in accordance with Policy WCS14 of the Worcestershire Waste Core Strategy and Policy SWDP 31 of the South Worcestershire Development Plan.

Ecology and biodiversity

116. The applicant confirms that no alterations to the landform at the site are proposed and no trees would be removed.

117. The County Ecologist has no objections to the proposal.

118. In view of the above, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any adverse impact on ecology and biodiversity in accordance with Policy SWDP 22 of the South Worcestershire Development plan.

The water environment

119. At the present, surface water drains to the north of the site.

120. The applicant intends to surface the yard area with concrete, and in doing so, would install a formal drainage scheme, including, silt and soil traps.

121. The applicant states that water gathered from the yard would be fed through the processing plant and re-used to top up the supply for the road sweepers.

122. The applicant states that there is no intention to discharge processed water from the site. The processed water from the unit is sent to a flocculating plant and then into settlement tanks.

123. The Lead Local Flood Authority have recommended a condition relating to the provision of a surface water drainage scheme.

124. In view of the above, subject to the impositions of conditions relating to drainage, the Head of Strategic Infrastructure and Economy is satisfied that the proposed development would not have any adverse impact on the water environment in accordance with Policy SWDP 29 of the South Worcestershire Development Plan.

Traffic and highways safety

125. The proposed traffic movement includes a maximum of 14 sweepers and 2 tankers per day, arriving mid-morning and late afternoon and a maximum of 2 product/waste export vehicles per day.

126. There would be a maximum of 6 staff cars per day when the plant is operating, every 2 -3 days, arriving first thing and then leaving mid to late afternoon.

127. The applicant states that the above equates to an average of 3 vehicle movements per hours in an 8 hour day.

128. The applicant states that all of the vehicles routinely arriving and departing from the site are or would be under the direct control of the applicant or can be managed by the applicant through specific contract arrangements.

129. The application site is accessed from The Saltway (B4090). Approximately 100 metres from a bridge over the railway, via a wide bellmouth shared with the domestic access to Station House (to the east), and access to a few semi-detached residential properties and associated vehicle parking to the west. The access road is gently inclined down towards the railway.

130. The applicant states that it is proposed that specific arrival/departure windows outside the peak traffic flow times for the Saltway would be agreed with Worcestershire County Council Highways Authority in accordance with Policy WCS 8 of the Waste Core Strategy for Worcestershire. They state that this would apply to all vehicles with the exception of staff cars.

131. The facility would not be open to the public or to any form of casual or passing 'trade'.

132. The County Highways Officer has no objections to the proposal.

133. In view of the above, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any adverse impact on traffic and highways safety and is, therefore, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

Pollution Control

134. The application site is located adjacent to a closed landfill site. Worcestershire County Council's Pollution Control Team initially raised concerns in relation to the integrity of the bank between the application site and the closed landfill site bordering it. The documentation points out that at some locations, there is a difference in ground levels of approximately 3.5m and the work that the applicant has or is planning to carry out could have implications on the bank's integrity. They state that many years ago the ground sloped gently away from the closed landfill site towards the railway line, however, over time parts of the bank have been removed to leave a steep vertical slope on the boundary between the closed landfill site and the applicants land. This face has since been built back up by the applicant, and at present the new generator and container sit atop this. There is no way of knowing if these works, or any future works, will have affected the stability of the bund and what the potential implications to the closed site would be should the bund fail in the future.

135. In response, the applicant states that the generator and container would be elevated. The bank which forms the boundary with the landfill is supported at the northern end of the site. The retaining wall is currently being erected along the western boundary. This is to be continued until the exposed bank is fully supported. The applicant states that the bank has been in this form for some years without any significant issue. However, they are taking a precautionary approach given the activity now proposed.

136. In light of the further information, the Pollution Control Officer has requested that the completion of the works to shore up the bank all along the boundary can be made a condition of any planning permission to reassure them that the rest of the works will be completed.

137. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have implications on the bank's integrity and, therefore, would not have detrimental impacts on the environment and human health in accordance with Policy SWDP31 of the South Worcestershire Development Plan.

Conclusion

138. The Head of Strategic Infrastructure and Economy considers that the proposed development contributes to the delivery of sustainable development by recovering waste materials and, therefore, driving waste management up the waste hierarchy.

139. The application site is located in Level 5 of the Geographic Waste Hierarchy. In accordance with Policy WCS 3 of the Waste Core Strategy, the Head of Strategic Infrastructure and Economy considers that the proposed location is appropriate.

140. The Head of Strategic Infrastructure and Economy has considered the applicant's very special circumstances in attempt to overcome Green Belt restrictions, however, he does not consider that the applicant has demonstrated very special circumstances that

outweigh the potential harm to the Green Belt. In particular, the applicant has given no locational reason as to why the plant needs to be located on this site within the Green Belt and would not maintain the openness of the Green Belt

141. The proposal is, therefore, considered to be contrary to Section 9 ("Protecting Green Belt Land") of the National Planning Policy Framework; Policy WCS 13 of the Worcestershire Waste Core Strategy and Policy SWDP 2 of the South Worcestershire Development Plan.

142. The Head of Strategic Infrastructure and Economy considers that the proposal would promote continuation of employment opportunities and is, therefore, in accordance with Policy SWDP 12 of the South Worcestershire Development Plan.

143. The Head of Strategic Infrastructure and Economy is satisfied that the proposed development would be well screened from public view and would not have any adverse impact on the landscape character of the area in accordance with Policy SWDP25 of the South Worcestershire Development Plan.

144. Given the separation and vegetation buffer between the neighbouring residential properties and the application site, the Head of Strategic Infrastructure and Economy does not consider that that the proposed development would have any adverse impact on residential amenities in accordance with Policy WCS14 of the Worcestershire Waste Core Strategy and Policy 31 of the South Worcestershire Development Plan.

145. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any adverse impact on ecology and biodiversity in accordance with Policy SWDP 22 of the South Worcestershire Development plan.

146. The Head of Strategic Infrastructure and Economy is satisfied that the proposed development would not have any adverse impact on the water environment in accordance with Policy SWDP 29 of the South Worcestershire Development Plan.

147. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have any adverse impact on traffic and highways safety and is, therefore, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan..

148. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have implications on the bank's integrity and, therefore, would not have detrimental impacts on the environment and human health in accordance with Policy SWDP31 of the South Worcestershire Development Plan, subject to a condition recommended by the Pollution Control Team requesting the completion of the works to shore up the bank all along the boundary with the adjacent closed landfill site, should planning permission be granted.

Recommendation

149. The Head of Strategic Infrastructure and Economy recommends that planning permission be refused for the part-retrospective application for a proposed materials recovery plant to process road sweepings and highway drainage clearance material on Land at Station House, Saltway, Hanbury, Worcestershire, for the following reason:

The proposal is considered to be inappropriate development and accordingly harmful to the Green Belt contrary to Section 9 ("Protecting Green Belt Land") of the National Planning Policy Framework; Policy WCS 13 of the Worcestershire Waste Core Strategy and Policy SWDP 2 of the South Worcestershire Development Plan.

Contact Points

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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 15/000046/CM.