

Agenda

Planning and Regulatory Committee

Tuesday, 4 November 2014, 10.00 am
County Hall, Worcester

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كوردی سۆزانی. ننگر ناتوانی تیئگی له نامۆرۆکی ندم بێلگهیه و دهمستت به ههچ کهم ناگات که و بیهیگریتوه بۆت، تکایه تهلغۆن بکه بۆ ژماره 01905 765765 و داوا ی رهنۆینی بکه. (Kurdish)

ਪੰਜਾਬੀ। ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਮਸ਼ਹੂਰ ਸਮਝ ਨਹੀਂ ਸਕਦੇ ਅਤੇ ਕਿਸੇ ਅਜਿਹੇ ਵਿਅਕਤੀ ਤੱਕ ਪਹੁੰਚ ਨਹੀਂ ਹੈ, ਜੋ ਇਸਦਾ ਤੁਹਾਡੇ ਲਈ ਅਨੁਵਾਦ ਕਰ ਸਕੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਮਦਦ ਲਈ 01905 765765 'ਤੇ ਫ਼ੋਨ ਕਰੋ। (Punjabi)

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Planning and Regulatory Committee
Tuesday, 4 November 2014, 10.00 am, County Hall, Worcester

Membership: Mr R C Adams (Chairman), Mr A T Amos, Mrs S Askin, Mr J Baker, Mr PJ Bridle, Mr M H Broomfield, Mr S J M Clee, Mr P Denham, Mrs A T Hingley, Mr A P Miller, Mr D W Prodger, Mr A C Roberts and Mr R J Sutton

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1	Named Substitutes	
2	Apologies/Declarations of Interest	
3	Public Participation The Council has put in place arrangements which usually allow one speaker each on behalf of objectors, the applicant and supporters of applications to address the Committee. Speakers are chosen from those who have made written representations and expressed a desire to speak at the time an application is advertised. Where there are speakers, presentations are made as part of the consideration of each application.	
4	Confirmation of Minutes	
5	Proposed new bridleway footbridge to span the new dualled Southern Link Road (Crookbarrow Way) at Crookbarrow Way, Whittington, Worcester, Worcestershire	1 - 36
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- **Webcasting**

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Planning and Regulatory Committee
4 November 2014**5. PROPOSED NEW BRIDLEWAY FOOTBRIDGE TO SPAN THE PROPOSED DUALLED SOUTHERN LINK ROAD (CROOKBARROW WAY) AT CROOKBARROW WAY, WHITTINGTON, WORCESTER, WORCESTERSHIRE**

Applicant	Worcestershire County Council
Local Councillor	Mr R C Adams
Purpose of Report	<p>1. To consider a planning application under Regulation 3 of the Town and Country Planning General Regulations 1992 for a proposed new bridleway footbridge to span the proposed dualled Southern Link Road (Crookbarrow Way) at Crookbarrow Way, Whittington, Worcester, Worcestershire.</p>
Background	<p>2. The Southern Link Road (A4440) forms part of Worcestershire's principal road network linking the strategic road network at Junction 7 of the M5 Motorway and the eastern side of Worcester City with the A38, A449, A4103 and A44 roads. It, therefore, provides a vital highway link between the M5 Motorway, the wider strategic road network, south and west of Worcester, Great Malvern and the wider Malvern Hills District, Ledbury, Upton-upon-Severn and Herefordshire.</p> <p>3. The network currently operates under a considerable amount of strain, with key radial routes into Worcester City Centre and routes around the outskirts of Worcester City being subjected to significant pressure, particularly during peak periods. Journey times and speeds are forecast to deteriorate further in future years in the absence of any infrastructure improvement works. Consequently, Worcestershire County Council is proposing to carry out highway improvement works to the Southern Link Road (A4440). These works would be carried out under a combination of Worcestershire County Council's Permitted Development Rights, as the Local Highway Authority (Schedule 2, Part 13, Class A of the Town and Country Planning (General Permitted Development) Order 1995) and under Section 55(2)(b) of the Town and Country Planning Act 1990.</p> <p>4. Worcestershire County Council are currently undertaking</p>

improvement works to dual the route along Broomhall Way carriageway between the Ketch roundabout and Norton roundabout; and to enlarge and re-position the Ketch roundabout to upgrade its capacity. Future works would include improving the route along Crookbarrow Way between Whittington roundabout and Norton roundabout to provide a dual carriageway. As a result of the proposed dualling of Crookbarrow Way (A4440), the existing railway bridge and an agricultural access (farm accommodation) bridge that cross Crookbarrow Way (A4440) would need to be extended to cross the proposed dual carriageway. These works would also be carried out under the applicant's Permitted Development Rights, as the Local Highway Authority.

5. A number of existing Public Rights of Way (Footpaths WT-572, WT-573 and NJ-501 and Bridleway NJ-500 and WT-568) cross Crookbarrow Way (A4440). Consequently, the applicant is proposing a new bridleway footbridge to span the proposed dualled Southern Link Road (Crookbarrow Way) to accommodate these existing Public Rights of Way; which are anticipated to become subject to increased usage should the South Worcester Urban Extension development, located immediately to the south of Crookbarrow Way and Broomhall way (A4440) be granted planning permission and implemented. However, the construction of a new foot, cycle and equestrian bridge to cross Crookbarrow Way would require planning permission; consequently, this has resulted in the submission of this planning application.

The Proposal

6. The applicant is seeking planning permission for a proposed new bridleway footbridge to span the proposed dualled Southern Link Road (Crookbarrow Way) at Crookbarrow Way, Whittington, Worcester. The proposed bridge would cater for pedestrians, cyclists and equestrian users of the existing Public Rights of Way (Footpaths WT-572, WT-573 and NJ-501 and Bridleway NJ-500 and WT-568), enabling them to cross the proposed dualled Crookbarrow Way (A4440).

7. The proposed single span bridge would be a bow string arch structure supported on reinforced concrete abutments. The proposed bridge would measure approximately 60 metres long by 5.5 metres wide by 7 metres high. The bridge deck would provide a minimum clear width of 3.5 metres for users. The proposed headroom under the bridge would be approximately 5.7 metres above the road. A 1.8 metre high equestrian parapet is proposed along both sides of the bridge. This would be solid infill for 1 metre of its height and railings for the remaining 0.8 metres. The bridge arch would be constructed from tubular painted structural steel, and the guard rails along the bridge would be steel and painted to match the colour of the bridge arch. The bridge deck surfacing is anticipated to be mastic asphalt with a grip coat.

8. The proposal would also include associated access steps and ramps. The ramps would be constructed from red

The Site

brick, with a bituminous surface, measuring approximately 3 metres wide with a gradient of 1 in 20 on the northern side of Crookbarrow Way, and 4 metres wide on the southern side of Crookbarrow Way. The proposed steps on the northern side of Crookbarrow Way would be constructed from reinforced concrete. Steel railings measuring approximately 1.4 metres high are proposed along the steps and ramp access.

9. Two rows of staggered bollards are proposed to the north and south of the proposed bridge deck to prevent vehicle access. A horse stile is proposed along the bridleway (NJ-500) to the south of Crookbarrow Way. This would be constructed from railway sleepers

10. The applicant proposes that the materials and final colour of the bridge are to be agreed with the County Planning Authority by condition. The applicant states that the bridge would not be illuminated.

11. The applicant requests the time limit in which to implement the planning permission to be within five years, rather than the standard 3 years, as the applicant states that the widening of the highway would need to be implemented before construction works can commence on the proposed bridge.

12. The application site, which is approximately 0.2 hectares in area, is located on the southern edge of Worcester, approximately 3 kilometres south-east of the City Centre, immediately south of the residential area of St Peter the Great and approximately 840 metres west of the Village of Whittington and its associated Conservation Area. Agricultural fields are located to the north-east, south-east south and south-west of the proposal.

13. The Worcester to London mainline railway (track 126) is located adjacent to the eastern boundary of the application site, running in a north-west to south-east direction. An agricultural access (farm accommodation) bridge, which provides access for Upper Battenhall Farm across the Crookbarrow Way (A4440) to agricultural fields, is situated adjacent to the eastern side of the railway line, approximately 35 metres to the east of the application site.

14. The Public Rights of Way (Footpaths WT-572, WT-573 and NJ-501 and Bridleway NJ-500 and WT-568) are located within the application site and cross Crookbarrow Way (A4440), immediately west of the railway line.

15. The northern and southern sides of Broomhall Way (A4440) and Crookbarrow Way (A4440) are designated as part of the Worcester City Green Network, in the City of Worcester Local Plan. The southern part of the application site would be adjacent to an area designated as a Strategic Gap, as allocated in the Wychavon District Local Plan.

16. The Crookbarrow Hill Local Wildlife Site (LWS) is situated approximately 655 metres south-east of the proposed development. The River Severn and its associated LWS is located about 1.6 kilometres to the west of the proposed site. The River Teme Site of Special Scientific Interest (SSSI) and River Teme LWS are located some 1.7 kilometres and 1.8 kilometres north-west and up stream of the proposal, respectively.

17. The moated sites of Middle Battenhall Farm and Crookbarrow Farm Scheduled Ancient Monuments are located about 585 metres to the north-east and 690 metres to the south-east of the proposed development, respectively. The application site encroaches onto the Battle of Worcester Registered Historic Battlefield, which is situated along the northern side of the Crookbarrow Way (A4440), west of the railway line. The Grade II Listed Buildings of Upper Battenhall Farmhouse and the associated cow house and outbuilding are situated about 110 metres north-east of the proposal and the Keep and Flanking Wings of Norton Barracks is situated about 620 metres south of the proposal. The Grade II Listed Buildings of Middle Battenhall Farmhouse and the associated barn, stables and cow house are also situated about 640 metres north of the proposal.

18. The proposed development is wholly located within Wychavon District; however, the administrative boundaries of Worcester City and Malvern Hills District are in close proximity to the application site.

19. The nearest residential properties are those situated along Deer Avenue and Emperor Drive in the residential area of St Peter the Great, which abut the northern boundary of the application site. Further residential properties are situated along Marten Croft about 90 metres west of the proposal.

Summary of Issues

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

- Traffic, highway safety and impacts upon the Public Rights of Way
- Landscape character and visual impact
- Residential amenity
- Integrity of the railway line
- Water environment
- Ecology and biodiversity and
- Crime Risk.

Planning Policy

National Planning Policy Framework (NPPF)

21. 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.

22. 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".

23. 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.

24. 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 4: Promoting sustainable transport
- 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
- Section 12: Conserving and enhancing the historic environment

The Development Plan

25. 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 Saved Policies of the Adopted Wychavon District Local Plan.

26. 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.

27. 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).

Wychavon District Local Plan (Saved Policies)

Policy GD1 Location Strategy for New Development

Policy GD2 General Development Control

Policy SR6 Safeguarded Land for Transport Infrastructure

Policy SR10 Strategic Gaps

Policy ENV1 Landscape Character

Policy ENV5 Sites of Regional or Local Wildlife Importance

Policy ENV6 Protected Species

Policy ENV7 Protection of Wider Biodiversity

Policy ENV8 Protection of Hedgerows, Trees and Woodland

Policy ENV10 Sites of Archaeological Significance

Policy ENV14 Setting of Listed Buildings

Policy ENV19 Surface Water Run-Off

Policy SUR1 Built Design

Draft Planning Policy

Draft South Worcestershire Development Plan

28. 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.

29. 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.

30. 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 is scheduled to commence in early 2015.

31. 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 Development Control Manager - Planning, 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 4 Moving Around South Worcestershire

Policy SWDP 5 Green Infrastructure

Policy SWDP 6 Historic Environment

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

Policy SWDP 45 Directions for Growth Outside the City Administrative Boundary

Other Documents

Worcestershire Local Transport Plan 3 (LTP3)

32. The Worcestershire Local Transport Plan 3 (LTP3) was adopted in February 2011. The plan focuses on attracting and supporting economic investment and growth, by delivering transport infrastructure and services to tackle congestion and improve quality of life.

33. The LTP3 identifies a number of packages; it is considered that ID W16 is relevant to this application. ID W16 identifies Worcester Southern Link Road Improvements Scheme as a priority of the LTP3. It describes the scheme as the dualling of the Southern Link Road from Powick Hams to M5 Junction 7. It would involve development of a new bridge adjacent to the existing Carrington Bridge and the replacement of the railway bridge over the improved Southern Link Road.

Worcestershire Local Enterprise Partnership (WLEP) Business Plan 2012

34. This sets out the WLEP vision, which is to "*create the right economic environment to inspire businesses, encourage investment and to create lasting and sustainable employment in Worcestershire by 2017 and beyond*". It also sets their key measures of success; their role; funding sources; and strategic objectives, which includes 'Objective 4: Planning, Development and Infrastructure'.

35. Objective 4 states that "*transportation through the movement of goods and people creates opportunities to trade and create economic growth. This connectivity and good infrastructure is essential to maximize Worcestershire's*

potential and to create a competitive environment". The list of key projects includes Worcester Southern Link Road.

World Class Worcestershire Strategic Our Economic Plan (SEP)

36. The Strategic Economic Plan's (SEP) vision and strategic framework is to ensure that Worcestershire's economy grows even more rapidly and makes an increasingly important contribution to the national economy. The SEP's aims to grow the local economy by 2025 by over 250,000 jobs and to increase GVA by £2.9 billion.

37. The SEP sets three objectives: create a World Class business location; provide individuals with World Class Skills; and develop World Class competitive and innovative business. The SEP sets out integrated programme areas, which comprise prioritised projects and initiatives to meet these objectives.

38. Transport Investment Programme is an initiative identified within the SEP to meet the objective of 'create a World Class business location'. The SEP recognises that additional investment in Worcestershire's transport infrastructure and services is essential to provide business with improved access to markets and employees and to encourage economic growth. The SEP states that transport investment will be targeted to unlock the potential of key employment and housing sites to support the overall growth vision. Within the Transport Investment Programme initiative priority projects are set out. Immediate priority projects for 2015/16 include the A4440 Worcester Southern Link Road Improvements (Norton Roundabout) and A4440 Worcester Southern Link Road dualling. Over the medium-term (to 2020/21) investment will be target to complete the dualling of the A4440 Worcester Southern Link Road across the Carrington Bridge.

Consultations

39. Wychavon District Council and Malvern Hills District Council responded jointly to the consultation, and they fully support the principle of the proposal. The proposed dualling of the A4440 would inevitably make crossing the road at grade more difficult and potentially more dangerous and the provision of a new bridleway footbridge would provide a safe connection between Norton and Broomhall for pedestrians, cyclists and equestrian users. It is important that the bridleway footbridge is delivered as early as possible as part of the dualling of the A4440 to avoid a situation where people are trying to cross the dual carriageway.

40. The District Councils have some concern that the application only includes a 'general arrangement' schematic drawing, rather than a fully detailed design and would wish to be consulted again on the detailed design.

41. The bridge has the potential to have a slender and elegant appearance if the size and proportions of each

element of the bridge are sized appropriately. The District Councils understand that being a bridleway bridge, the deck must have an enclosed lower side section, however, some consideration should still be given to breaking up what might otherwise be an unattractive horizontal length of flat metalwork.

42. Worcester City Council has no objections and fully supports the principle of the proposal. Their comments replicate the comments of Wychavon and Malvern Hills District Councils, as set out above.

43. Whittington Parish Council has no objections, but questions the position of the bridleway, as some walkers cross at the roundabout at St Peters. They would also like to see this proposal linked with the proposed Worcestershire Parkway Railway Station project at Norton, as a significant Worcester cycleway from the suburbs to the proposed new railway station.

44. Norton Juxta Kempsey Parish Council supports the proposed development; however, they note that the applicant requests that the time period in which to implement the proposal is extended from the standard 3 years to 5 years. They consider that the bridge should be built at the same time as the widening of the carriageway, rather than after the widening of the carriageway as proposed. Undertaking the construction of the proposed bridge and dualling the Southern Link Road simultaneously will mean the bridge can be delivered earlier and traffic disruption minimised. Also if the proposed bridge is not completed at the same time as the dualling of the Southern Link Road users of the Public Rights of Way would have to cross a busy dual carriageway until the proposal is complete. They also consider that equestrian groups should be consulted regarding the proximity of the proposal to the railway line.

45. St Peters Parish Council comment that whilst the proposal is outside their administrative area, it would affect the residents of St Peters given that it re-establishes a bridleway route into St Peters which they understand has not existed, in any sense of a safe passage across Crookbarrow Way since the road was constructed in the 1980's, and they understand the current Bridleway to the north of Crookbarrow Way is unpassable. They are concerned that its reinstatement would imply the potential for horse traffic to enter into St Peters, which has no obvious facilities to cater for such traffic. However, they understand that this course of action is in effect taking the least line of resistance in respect of potential objectors, and accept that this would be the course of action taken. It does, however, indicate a very sloppy approach to maintenance of the Public Rights of Way definitive map, lack of planning and foresight, as traffic on Crookbarrow Way has increased over the last 30 years and they query why the bridleway designation had not been reviewed. They reiterate their support for a Pedway bridge.

46. They would like to see at least some elements of design

coordination between this proposal and the farm accommodation bridge and railway bridge that are to be constructed under Permitted Development.

47. They query if the applicant has considered the risk of potential suicides and objects being thrown onto the carriageway, and whether this has been mitigated for in the design of the bridge.

48. The Lead Local Flood Authority (LLFA) welcomes the consideration given to surface water management for the proposed development and in principle supports the proposals to manage surface water run-off for the proposed structure. However, whilst they welcome reference to the work undertaken by Peter Brett Associates on behalf of Welbeck, they are concerned at the absence of references to applications or assessments undertaken by St Modwen. Given the proposals to discharge into the A4440 surface water sewer they are concerned that adequate consideration has not been given to the downstream surface water issues within the submitted Flood Risk Assessment.

49. The LLFA note that the proposals include discharge into the A4440 highways drainage system and that this has been designed to cater for the additional flows of the Bridleway Bridge as part of the highway widening to be carried out under the applicant's Permitted Development Rights. They also note that Severn Trent Water Limited has been consulted and confirmed a maximum runoff rate, for the A4440 dualling works of 164 litres per second would be allowed into the existing public surface water sewer.

50. Severn Trent Water Limited has no objections to the proposal, subject to the imposition of a pre-commencement condition requiring details of foul and surface water drainage.

51. Worcestershire Regulatory Services has no objections, stating that the applicant should be referred to 'Worcestershire Regulatory Services' Code of Best Practice for Demolition and Construction Sites' in order to minimise noise and dust nuisance from the proposed development, and any proposed deviations from this guidance should be submitted to Worcestershire Regulatory Services for approval prior to the proposed works commencing.

52. Worcestershire Wildlife Trust has no objections, stating that they wish to defer to the opinion of the County Ecologist for all detailed on-site ecological matters relating to this proposal, in particular mitigation required for reptiles and any further ecological enhancements that may be imposed by condition.

53. Natural England has no objections, stating the proposal is unlikely to affect any statutorily protected sites or landscapes.

54. The County Ecologist has no objections, subject to the

imposition of conditions requesting a landscaping scheme for replacement grassland habitat creation and its maintenance; a mitigation plan to protect the adjacent pyramidal orchids from harm and precautionary mitigation measures for bats.

55. They also note that a badger sett has been identified within the survey area for this development. The approach outlined to this is supported, but they are concerned that it is not subject to on-going monitoring, but to be left until pre-commencement checks. This is a high risk approach, and could result in delays to the development if the set is found to be active or to have expanded into the development works area, resulting in the need for a licence. They recommend regular monitoring of the sett with associated proposals in place for mitigation if required.

56. The application is also accompanied by a detailed Mitigation Statement for the Reptiles (slow worms) which have been identified on this site. The mitigation proposals are acceptable, and the County Ecologist welcomes their early implementation.

57. The County Landscape Officer has no objections, stating that they support the overall design of the proposed bridge, but recommend that the detailed design of materials, colour, size, spacing and cross section of the parapet are made the subject of conditions. Generally, they consider that a mid-grey tone has the least visual impact when seen against traffic and road surfaces.

58. English Heritage has no objections, stating that this planning application should be determined in accordance with national and local policy guidance; and recommends that the specialist conservation advice of the County Council is sought.

59. The County Archaeologist has no objections to the proposal, noting that they have consulted the Worcestershire Historic Environment Record and can confirm that this scheme is unlikely to affect any heritage assets or impact on a historic landscape.

60. The County Highways Officer has no objections, subject to the imposition of a condition requiring the detailed design of the proposal, to ensure it accords with the relevant highway specifications.

61. The County Street Lighting Engineer has no objections, stating that they generally concur with the applicant's submission that the proposal should not be illuminated. The proposed bridge would cross the Crookbarrow Way, which is not street lit and the proposal link to St Peter's housing estate with an area to the south, which is currently undeveloped and a non-street lit area. To provide lighting on the proposed bridge in such close proximity to a railway bridge would require very careful design. Any lighting

considered must not affect the railway line visibility for train operatives and glare and light spillage would need to be carefully controlled to avoid visible intrusion on both the railway line and road below.

62. Due to its proposed location and the absence of existing street lighting in the vicinity of the proposal, the County Street Lighting Engineer considers that lighting should not be provided to the proposed bridge with the only exception being a limited system of lighting to illuminate the flight of steps on the north side of the structure. Ideally the lighting should provide visual contrast between the risers and treads, but also complement the structure and ensure ease for future maintenance.

63. The County Footpath Officer has no objections.

64. The Ramblers Association strongly supports this proposal.

65. Sustrans supports and welcomes this proposal. They state that routes into and out of the City are already limited for cyclists and pedestrians and, without mitigation, the proposed upgrade of the A4440 would only worsen the situation. They consider that the following minor points warrant further consideration:

66. The half-landing on the northern side ramp, where the route effectively doubles-back on itself, appears too short to be safely and effectively traversed by cyclists. Extending the half-landing would improve matters. They request that the ramp design is conditioned.

67. It is not clear that the 'up-hill' fencing, proposed on the northern ramp is necessary. They recommend that an informative note is attached to any permission granted recommending that consideration is given to removing this stretch of fencing.

68. The most direct route for cyclists would be across the routes shown as "Existing Footpath" on the plans. Sustrans understand it is the intention of the applicant that the status of these existing footpaths is amended, such that cycling is permissible. However, this has not been indicated in the application. They recommend an informative note is attached to any permission granted, to iterate the need to establish such rights for cycling.

69. It is not clear why two rows of staggered bollards are proposed at either end of the bridge to prevent vehicle access, when the cycle network this bridge would link to already has vehicle barriers along the cycle network to the north; whilst to the south they understand it is the applicant's intention to 'upgrade' the route of the footpath, such that as well as giving cyclist access to the bridge it would also facilitate access for maintenance vehicles, and so vehicle

movements are surely better controlled at the current termination of Brockhill Lane. They request that a condition is imposed regarding the details to control vehicle access to the bridge, in the context of the cycling and walking network.

70. British Horse Society welcomes the proposed development, as the at grade crossing over the single carriageway A4440 relief road is currently used by local horse riders who keep their horses on the edge of Worcester's urban fringe. Without a bridle bridge, it would be impossible for them to cross the proposed new dual carriageway, creating a break in the local network of bridleways. However, they have concerns regarding elements of the proposed design before the British Horse Society could support the planning application:

- They have concerns regarding the suitability of the proposed approaches for horse riders
- They are unclear if the guardrails would be constructed from steel or be post and rail fencing. They suggest they are similar to the proposed bridge parapets
- They query the need for a horse stile, unless there is an overriding need to prevent vehicular access
- The proposed 1.8 metre high parapet should be considered as the minimum height. They recommend that it would be preferable if the whole parapet was solid
- They query the surface material of the proposed bridge deck, which is proposed to mastic asphalt with a grip coat. The exact specification needs clarification to ensure that stone mastic asphalt is not used, as this is known to be slippery for shod horses
- They consider the proposed bridge should be built at the same time as the carriageway widening works, and not afterwards to minimise the length of time the temporary closure of the bridleway would be in force.

71. Network Rail has no objections in principle, and make the following comments/requirements to ensure the safe operation of the railway and the protection of Network Rail's adjoining land:

- No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. The applicant should contact Network Rail prior to works commencing
- Where vibro-compaction/displacement piling plant is to

be used in construction, a method statement should be submitted to Network Rail's prior to the commencement of the works. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail

- Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the County Planning Authority in consultation with the railway undertaker
- Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway, and
- Any lighting associated with the development must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains.

72. West Mercia Police has no objections, stating that whilst the proposal would clearly be a benefit, and users of the Public Rights of Way would no longer have to run the gradient of the Southern Link Road, they consider it may create some anonymity with more persons using it, and therefore, opportunity for inappropriate activity. However, they acknowledge that this may be mitigated by more persons using the proposal, creating greater natural surveillance.

73. They originally requested the installation of at least one lamp either side of the bridge so any activity could easily be observed; and a gate or restriction barriers to prevent motorcycle crossing over the proposal.

74. However, following conflicting requirements from different consultees West Mercia Police confirmed that they were fully accepting of the site's constraints and that some low level lighting is better than no lighting at all, and consider that users would have to manage and risk assess their own personal safety during hours of darkness.

Other Representations

75. The application has been advertised in the press, on site, and by neighbour notification. To date 5 letter of representation has been received objecting to the proposal, including the 'National Cycle Charity' and 'Push Bike!'. These letters of representation are available in the Members' Support Unit.

76. Their main comments are summarised below:

- Lighting impact
- Adverse effect on house prices
- Increased pedestrian traffic
- Query what landscaping would be installed to limit

- views of the proposal from rear gardens
- Bridleway has not been maintained, will the proposed bridge also suffer from lack of maintenance?
- Antisocial behaviour - Concerns that scooters, mini motorbikes would use the proposed bridge, and that teenagers would congregate on or at the bridge at night time
- Fly tipping – what measures would be in place to stop the fly tipping of garden waste on the proposed bridge
- Privacy in relation to residential property
- Query why the bridge is not proposed by Broomhall Way where a new shopping centre development would be sited.

77. The National Cycle Charity and Push Bike! welcomes the proposed bridge as a convenient and safe way of crossing the proposed new dual carriageway, but they have concerns regarding the following, and subsequently object to the proposal:

- Lack of consultation with the National Cycle Charity and Push Bike!
- The design of the proposal to the south does not provide a well-designed and permeable link to the bridleway. They request that bicycles are allowed to use a more direct route along the line of the existing footpath
- It is inappropriate that the route for cyclists should be barred and cyclists expected to dismount to get over/around horse stiles
- It is not clear whether the height and design of the 1.8 metres equestrian parapet would mean that users of the proposed bridge would not be visible to other users approaching it, and
- It is unclear whether a new surface would be provided to enable cyclists to continue along their journey onto Norton and the settlements to the south of the bridge.

The Development Control Manager - Planning - comments

78. As with any proposal this planning 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 in the report.

Traffic, highway safety and impact upon the Public Rights of Way

79. The applicant is proposing to dual the Southern Link Road (A4440), these works fall under the applicant's Permitted Development Rights. The proposed dualling of the Southern Link Road (A4440) would inevitably make crossing at grade more difficult and more dangerous, potentially creating a barrier for users of the existing Public Rights of Way (Footpaths WT-572, WT-573 and NJ-501 and Bridleway NJ-500 and WT-568), as shown on the definitive map.

80. Paragraph 75 of the NPPF states that "*planning policies*

should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails". Paragraph ref ID: 37-004-20140306 of the Government's PPG states that *"public rights of way form an important component of sustainable transport links and should be protected or enhanced"*.

81. Objections have been received from local residents suggesting an alternative location for the proposed development. However, Members should be aware that the reason this location is proposed is to cater for the existing Public Rights of Way that cross the Crookbarrow Way (A4440) at this point. The County Footpath Officer and Ramblers Association have been consulted on the proposal and have raised no objections. Sustrans supports the proposal, but makes a number of comments regarding the length of the ramp landing; fencing; making cycling permissible along the existing footpaths; and query the need for bollards.

82. The applicant has considered the comments from Sustrans and has confirmed that they will liaise with Sustrans regarding the design of the ramps, the applicant has also confirmed that the fencing would be amended in accordance with their comments. With regards to the need for the bollards, the applicant has confirmed that their purpose is prevent future unauthorised vehicular access, and although there may be restrictions along the current cycle/footway from St Peters this cannot be guaranteed for the lifetime of the structure.

83. The British Horse Society welcomes the proposed development, but has raised concerns regarding elements of the proposed design, including suitability of the proposed approaches for horse riders; details of the guard rails; query the need for a horse stile; design of the parapets and query the surface material of the bridge deck.

84. The applicant has confirmed that the guardrails would be likely to be constructed from steel/aluminium; however, this is subject to the detailed design stage and Safety Audit. With regards to the need for the horse stile, this is required to prevent unauthorised vehicular access. The applicant has confirmed that the surfacing of the bridge deck would not be stone mastic asphalt, which accords with the British Horse Society's comments. The parapets would be 1.8 metres high, meeting the British Horse Society's requirements, but only 1 metre of its height would be solid, the remaining 0.8 metres would be railings to enable users to be seen on the bridge, by other users on the approaches, this is particularly important as it is a cycle, foot and equestrian bridge. Finally, the British Horse Society raises concern regarding the approaches, stating that all users would have to go up ramps or steps under the bridge. This is not the case, as users of

the bridleway would arrive at the bridge at level (from the south), cross the bridge and then continue along the ramp to the bridleway (to the north). They would not need to go up steps, or along the ramp under the bridge, and in addition this is an improvement to the current situation.

85. Objections have been received from the National Cycle Charity and 'Push Bike!' In response to their comments the applicant has confirmed that cyclists would not need to use the bridleway, but would be able to use the footpath, as the applicant proposes to reclassify and widen the existing footpath on the southern side of Crookbarrow Way (A4440) to a combined cycleway and footpath. This would be carried out as part of the wider dualling works, under the applicant's Permitted Development Rights. This removes the need for cyclists to dismount to get over and around any horse stile.

86. With regards to traffic and highway safety, the County Highways Officer has been consulted and has raised no objections, subject to a condition being imposed requiring the detailed design of the proposal, to ensure it accords with the relevant highway specifications.

87. Objections have been raised by local residents regarding the potential increase in pedestrian traffic along the footpaths. The Development Control Manager - Planning notes their concerns, but considers that the Public Rights of Way are already in existence and considers that this proposal only accommodates these existing Public Rights of Way across Crookbarrow Way (A4440).

88. The Development Control Manager - Planning considers that subject to the imposition of appropriate conditions that the proposed development would be acceptable on traffic and highway safety grounds and would cater for the existing Public Rights of Way enabling a safe connection between Norton and Broomhall for pedestrians, cyclists and equestrian users.

Landscape Character, Visual Impact and Residential Amenity

89. The design strategy for the bridge has been to create an aesthetically pleasing and distinctive bridge, whilst also allowing the bridge to sit comfortably within the landscape, taking into account the amenity of neighbouring residential properties and the presence of the adjacent railway and farm accommodation bridge structures.

90. The main feature of the single span bridge would be the bow string arch, which would measure approximately 7 metres high (about 13 metres from ground level), with the remaining design elements of the bridge being simple and uncluttered. The railway and accommodation bridges would be located about 5.3 metres above the carriageway and the proposed bridleway footbridge would be located approximately 5.7 metres above carriageway, but as the carriageway rises from west to east the soffits would appear at a similar level.

91. Due to the presence of the adjacent railway and farm accommodation bridges, it is considered that the proposed bridge need not be a landmark bridge, given that it would only be wholly visible from the users travelling eastwards along Crookbarrow Way. However, the applicant considers that for the appearance of the bridge to be aesthetically pleasing the height and radius of the bow arch is particularly crucial to the bridge design. It is considered that the bridge arch as proposed is acceptable and would result in a minor landmark feature, whilst not resulting in a bridge that is unduly prominent or overbearing in the landscape.

92. The County Landscape Officer, Malvern Hills, Worcester City and Wychavon District Councils have been consulted and have raised no objections, subject to the imposition of a condition requiring the detailed design of the proposed bridleway footbridge.

93. The nearest residential properties are those situated along Deer Avenue and Emperor Drive in the residential area of St Peter the Great, which abut the northern boundary of the application site. Objections have been raised by local residents regarding visual impact and landscaping who query what landscaping would be installed to limit views of the proposal from rear gardens.

94. The applicant has confirmed that the bridge has been carefully designed so as not to impact upon any nearby residential properties in the St Peters residential area and ensure that any sight lines from these properties are not impacted by the proposed bridge. The applicant has submitted drawings which demonstrate that the proposed bridge would not be visible from the ground levels of adjacent residential properties. With regard to landscaping, a wider landscaping scheme would be designed and implemented along the route of Southern Link Road, which is associated with the works to be carried out under the applicant's Permitted Development Rights. Notwithstanding this, a condition is recommended requiring details of the proposed landscaping associated with this application.

95. Finally, concerns have also been raised by local residents that if the proposal is granted planning permission then they consider that it would reduce the value of their properties. The Development Control Manager - Planning notes their concerns, but advises that property values are not a relevant material planning consideration in the determination of this planning application.

96. The Development Control Manager - Planning considers that subject to the imposition of appropriate conditions, the proposed development would have no adverse impact upon the character and appearance of the local area, or upon the amenity of local residents in terms of overlooking or overbearing implications due to its design, size, and location.

Integrity of the railway line

97. The application site would be located in close proximity to the Worcester to London mainline railway line. Consequently, Network Rail have been consulted on the proposal and have raised no objections, subject to the imposition of conditions requesting a method statement should vibro-compaction/displacement piling plant be used in the construction of the proposal, or temporary site compounds be constructed adjacent to the railway line; full details of excavations and earthworks to be carried out near the railway line; any scaffold must not over-sail the railway line; and proposed lighting must not interfere with the operation of the railway. Conditions are recommended to this effect. However, with regard to vibro-compaction/displacement piling plant, the applicant has confirmed that this would not be used in the construction of the proposal.

98. The Development Control Manager - Planning considers that there would be no adverse impact on the safe operation of the railway, subject to the imposition of appropriate conditions.

Water environment

99. The proposed development is located within Flood Zone 1 (low probability), as identified on the Environment Agency's Indicative Flood Risk Map. The Government's Planning Practice Guidance (PPG) identifies that all uses of land are appropriate within this zone. A Drainage Strategy and Flood Risk Assessment accompanied the application.

100. Surface water from the proposed development would be drained by a combination of the proposed highway drain network associated with the Southern Link Road (A4440) widening scheme and soakaways. The soakaways would be located adjacent to the proposed bridge on top of the embankment.

101. The Lead Local Flood Authority has been consulted and has raised no objections, and notes that the proposals include discharge into the A4440 highways drainage system and that this has been designed to cater for the additional flows of the Bridleway Bridge as part of the highway widening to be carried out under the applicant's Permitted Development Rights. Severn Trent Water Limited has no objections, subject to the imposition of a condition requiring the detailed design of the drainage scheme.

102. The Development Control Manager - Planning considers that subject to the imposition of an appropriate condition relating to surface water, there would be no adverse effects on the water environment and considers that the planning application accords with Policy ENV19 of the Wychavon District Local Plan, relating to the protection of the water environment.

Ecology and biodiversity

103. The application was accompanied by an Ecological Assessment. The Assessment notes that protected and priority species with potential to be present within or utilise the survey area are amphibians, badger (including a sett), bats, nesting birds, and reptiles (with confirmed presence of slow worms). The mitigation measures include: sensitive site clearance measures; pre-construction checks for badger setts and badger protection measures; habitat replacement measures to maintain commuting and foraging corridors for bats; no lighting; and a reptile mitigation strategy.

104. Natural England has been consulted and has raised no objections. Due to the distance from the Crookbarrow Hill LWS Worcestershire Wildlife Trust has been consulted and has raised no objections, deferring to the County Ecologist for all detailed matters relating to the site. The County Ecologist has no objections, subject to the imposition of appropriate conditions.

105. The County Ecologist has no objections, subject to conditions relating to a landscaping scheme for replacement grassland habitat creation and maintenance; a scheme for the protection of adjacent pyramidal orchids; and bat mitigation proposals.

106. The Development Control Manager - Planning considers that subject to the imposition of appropriate conditions, as recommended by the County Ecologist that the proposed development would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area.

Crime Risk

107. Objections have been received from local residents regarding concerns of light pollution; that scooters and mini motorbikes would use the proposed bridge; that teenagers would congregate on or at the bridge at night time; and measures should be in place to prevent fly tipping upon the bridge.

108. West Mercia Police also comment that they require the proposal to incorporate an appropriate lighting scheme; and a gate or restriction barriers to prevent motorcycle crossing over the proposal; and acknowledge that any inappropriate activity may be mitigated by more persons using the proposal, creating greater natural surveillance.

109. The applicant has considered the comments of West Mercia Police and has confirmed that they have investigated providing a barrier for motorcyclists; however, this has proved incompatible with the purpose of the proposed bridge. The proposal has been designed to be a combined footway, cycleway and equestrian bridge. Introducing a barrier to prevent motorcycles would also prevent cyclists, prams, pushchairs, disabled persons access and equestrian

movements. Consequently, the installation of a barrier to prevent motorcycles (including scooters and mini motorbikes) is not feasible due to the intended purpose of the bridge.

110. With regards to lighting, whilst West Mercia Police require lighting either end of the bridge, this conflicts with the requirements of the submitted Ecological Assessment, which requires the proposal to be unlit due to existing bridges, railway embankments and hedgerows adjacent to the proposal being used as commuting and foraging corridors for bats. In addition, Network Rail are cautious of any lighting being proposed to ensure that it does not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. This is echoed by the Country Street Lighting Engineer who is supportive of no lighting, subject to limited lighting of the steps. The applicant has also confirmed that the wider Southern Link Road dualling is currently planned to remain unilluminated. This is to protect the rurality of the location, environmental constraints (commuting and foraging bats) and to ease any potential safety concerns from the passing railway line. In view of these comments, the Development Control Manager - Planning considers that the proposed bridge should remain unlit, with limited lighting of the steps. A condition is recommended to this effect.

111. With regards to concerns that the bridge may encourage fly tipping of garden waste; and teenagers to congregate on the bridge. The Development Control Manager - Planning consider the proposal would not encourage these activities any more so than the existing environment, and considers that the comments of West Mercia Police are relevant to this concern regarding any inappropriate activity may be mitigated by more people using the bridge, creating greater natural surveillance.

112. Finally, St Peter Parish Council query if the proposed bridge has been designed to limit suicides. The applicant has confirmed that this has been considered in the design of the bridge and would be mitigated by the proposed installation of 1.8 metre parapets, which are standard for a bridleway bridge.

Other matters

Time-limits

113. Many consultees including Malvern Hills, Worcester City and Wychavon District Councils, Norton Juxta Kempsey Parish Council and the British Horse Society refer to the timing of constructing the proposed bridge, and request that the bridge should be constructed at the same time as the Permitted Development Works for the dualling of the highway.

114. The applicant has confirmed that the proposed bridleway footbridge is to be constructed as part of the highway dualling scheme, but the timing of its installation is

restricted by the timing of the installation of the adjacent proposed railway bridge, which carries much higher risks due to the restricted possession timeframe, method of construction and high financial penalties for late hand back of the railway line to Network Rail. The possession of the railway is currently scheduled for Christmas 2017. The applicant has confirmed that it is their intention to construct the footings of the proposed bridleway footbridge prior to the railway bridge installation. The proposed bridleway footbridge deck would then be installed following the completion of the railway bridge. It is the applicant's intention that this would be prior to completion of the highway dualling scheme.

115. The applicant requests that to ensure the proposal can be constructed within the wider Southern Link Road project timetable the standard condition that requires the development to be implemented within three years of the date of the planning permission is extended to within five years.

116. Under Section 91 of the Town and Country Planning Act 1990, if planning permission is granted for a development, it is subject to the condition that specifies the time limit within which the development must begin. The default time period for commencement is three years; however, there is discretion to grant permission for longer or shorter periods of time if this is justified on planning grounds (having regard to the provisions of the development plan and to any other material considerations).

117. The Government's PPG states at paragraph ref ID: 21a-027-20140306 that "*the local planning authority may wish to consider whether a variation in the time period could assist in the delivery of development. For example...longer time period may be justified for very complex projects where there is evidence that three years is not long enough to allow all the necessary preparations to be completed before development can start*".

118. Whilst it is considered that this proposal in itself is not overly complex, it is considered that the wider scheme to be carried out under permitted development is multifaceted and complex, and it is acknowledged that possession of the railway has a long lead in time and creates a critical path for the delivery of this proposal. Consequently, the Development Control Manager - Planning considers that it would be prudent to allow a five year period for the implementation of the development to enable its delivery as part of the wider highway dualling scheme.

Sustainable Development

119. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's

view of what sustainable development in England means in practice for the planning system. There are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent. The NPPF emphasises that infrastructure is crucial to supporting economic development and building a strong, responsive and competitive economy.

120. The proposed dualling of the Southern Link Road (A4440) would inevitably make crossing at grade more difficult and more dangerous, potentially creating a barrier for users of the existing Public Rights of Way. The proposed development would accommodate the existing Public Rights of Way, providing a safe crossing for cyclists, pedestrians and equestrian users; and would facilitate the dualling of the Southern Link Road, which would alleviate congestion along its route, improve journey times and reliability, thereby enhancing the efficiency of the transport network and removing a potential barrier to economic growth. In view of this, and the assessment of the proposal in the preceding sections of this Report, it is considered that the proposal is a sustainable development, which accords with the NPPF in relation to its presumption in favour of sustainable development.

Conclusion

121. The Development Control Manager - Planning considers that subject to the imposition of appropriate conditions that the proposed development would be acceptable on traffic and highway safety grounds and would cater for the existing Public Rights of Way enabling a safe connection between Norton and Broomhall for pedestrians, cyclists and equestrian users.

122. Based on the advice of the County Landscape Officer and the District Councils, it is considered that subject to the imposition of appropriate conditions, the proposed development would have no detrimental impact upon the character and appearance of the local area, or upon the amenity of local residents in terms of overlooking or overbearing implications due to its design, size, and location.

123. It is considered that subject to the imposition of an appropriate condition relating to surface water, that there would be no adverse effects on the water environment.

124. Based on the advice of Natural England, the County Ecologist and Worcestershire Wildlife Trust it is considered that subject to the imposition of appropriate conditions, the proposed development would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area; and the Development Control Manager - Planning considers that the proposal would not unduly exacerbate the risk of crime and antisocial behaviour.

125. Taking into account the provisions of the Development

Plan and in particular Saved Policies GD1, GD2, SR6, SR10, ENV1, ENV5, ENV6, ENV7, ENV8, ENV10, ENV14, ENV19, and SUR1 of the adopted Wychavon District Local Plan, it is considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

126. The Development Control Manager - Planning recommends that planning permission be granted for a proposed new bridleway footbridge to span the proposed dualled Southern Link Road (Crookbarrow Way) at Crookbarrow Way, Whittington, Worcester, Worcestershire, subject to the following conditions:

- a) **The development must be begun not later than the expiration of five years beginning with the date of this permission;**
- b) **The development enures for the benefit of Worcestershire County Council only;**
- c) **The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers:
473946/SA/00.70/90.3/PL01;
473946/SA/00.70/90.3/PL03 Rev A;
473946/SA/00.70/90.3/PL04, except where otherwise stipulated by conditions attached to this permission;**
- d) **The development hereby approved shall be carried out in accordance with 'Worcestershire Regulatory Services Code of Best Practice for Demolition and Construction Sites', dated 2011;**
- e) **Notwithstanding the submitted details, prior to the commencement of the development hereby approved, drawings of the detailed design of the bridge, abutments, ramps, landings, steps and retaining walls, including materials, colour, finishes, size, and cross section of the parapets shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- f) **The bridge parapets shall be a minimum of 1.8 metres high;**
- g) **No development shall take place until a schedule and/or samples of all surfacing materials has been submitted to and agreed in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**

- h) Notwithstanding the submitted details, no development shall take place until details of the guardrails along the northern ramp and steps have been submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- i) Prior to the commencement of the development hereby approved details of any lighting shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;**
- j) Notwithstanding the submitted details, the development hereby approved shall not commence until drainage plans for the disposal of surface water have been submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;**
- k) Prior to commencement of the development hereby approved, should any excavations, earthworks or temporary site compounds be proposed adjacent to the railway line, a Method Statement detailing how the structural integrity of the railway embankment, retaining walls and bridges would be maintained, shall be submitted to and approved in writing by the County Planning Authority in consultation with Network Rail. Thereafter, the development shall be carried out in accordance with the approved details;**
- l) Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of a failure it will not fall onto Network Rail's land;**
- m) The development hereby approved shall be carried out in accordance with Sections 5.2 'Habitats' and 5.3 'Species' of the 'Evaluation and Recommendations' Chapter, in the submitted 'Ecological Assessment', dated 5 September 2014;**
- n) Prior to commencement of the development hereby approved, a mitigation landscape planting scheme and management plan, incorporating the proposed habitat creation measures, as recommended in Sections 5.2 'Habitats' and 5.3 'Species' of the 'Evaluation and**

Recommendations' Chapter, in the submitted 'Ecological Assessment', dated 5 September 2014, shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;

- o) Prior to commencement of the development hereby approved, a Mitigation Strategy to protect the Pyramidal Orchids shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- p) Notwithstanding the submitted details, prior to the commencement of the development hereby approved, a Bat Mitigation Strategy shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details;**
- q) All vegetation clearance at the site shall be undertaken outside the bird nesting season which generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally;**
- r) All existing trees, shrubs and hedgerows indicated to be retained shall be protected by suitable fencing in accordance with BS5837:2012 No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence. In the event of any trees, shrub or hedgerows being damaged or removed by the development, it shall be replaced in the next planting season; and**
- s) Should 12 months elapse between the date of the ' Ecological Assessment', dated 5 September 2014 and the commencement of the development hereby approved, an updated Ecological Assessment must be undertaken by a suitably qualified Ecologist and its recommendations followed.**

Contact Points

County Council Contact Points

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

List of Background Papers

Specific Contact Points for this Report

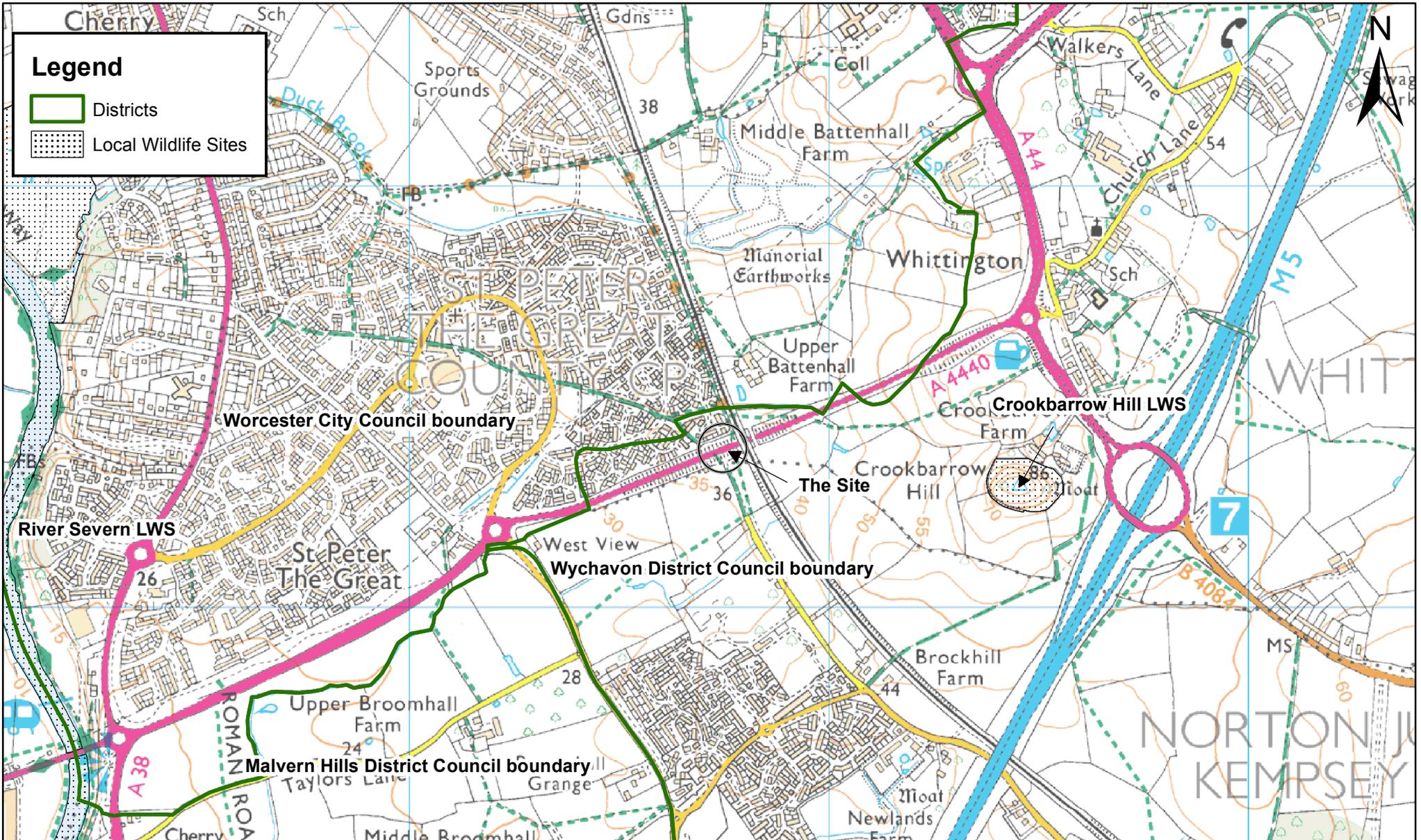
Case Officer: Steven Aldridge, Principal Planner:
01905 728507 saldridge@worcestershire.gov.uk

Mark Bishop, Development Control Manager:
01905 766709 mbishop@worcestershire.gov.uk

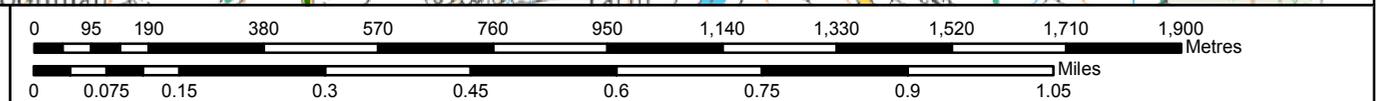
In the opinion of the proper officer (in this case the Development Control Manager - Planning) the following are the background papers relating to the subject matter of this item:

The application, plans and consultation replies in file reference 14/000034/CM

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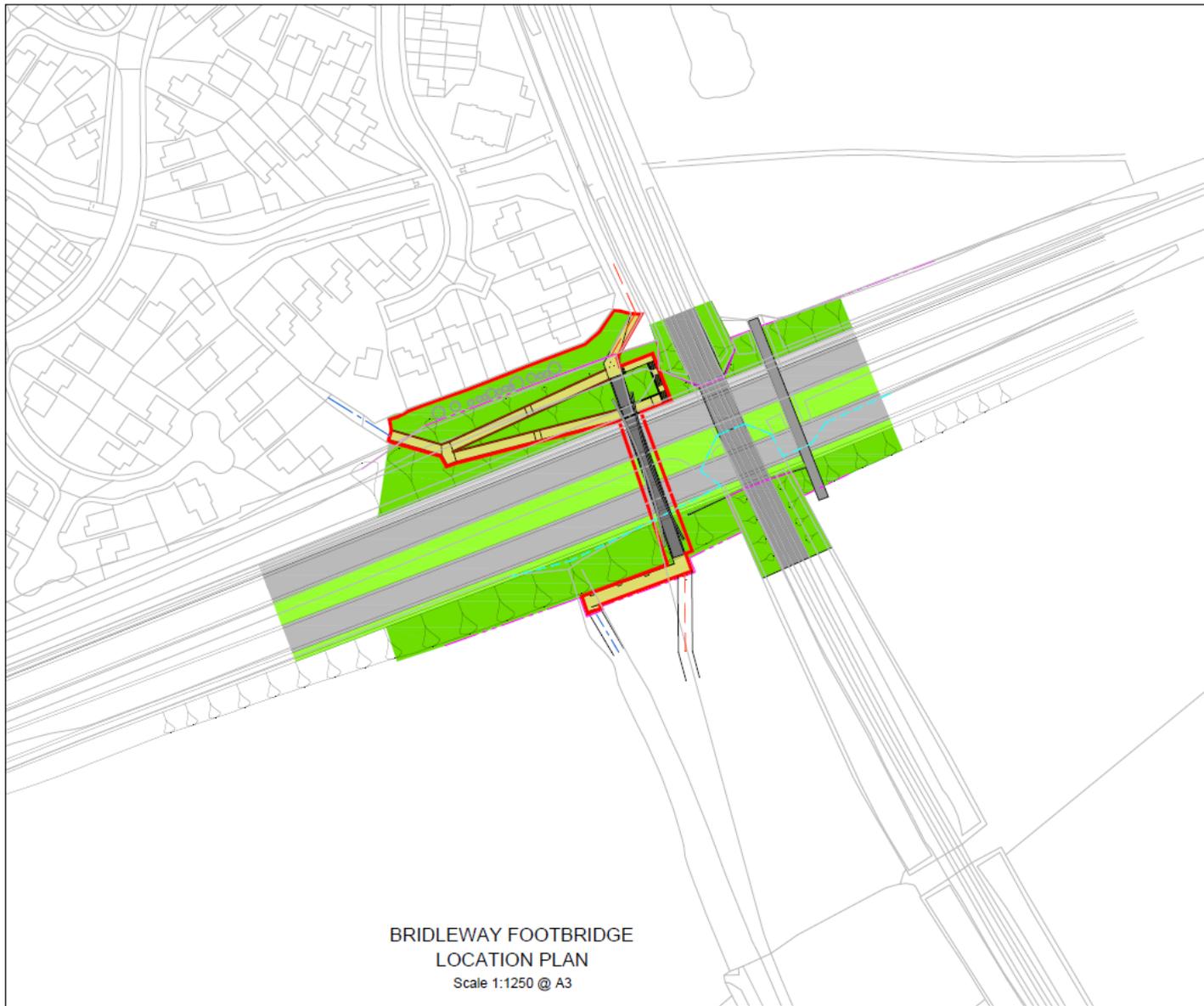
County Hall,
Spetchley Road,
Worcester
WR5 2NP

A new brideway footbridge to span the newly dualled Southern Link Road (Crookbarrow Way) at Crookbarrow Way, Whittington, Worcester, Worcestershire. Ref: 14/000034/REG3

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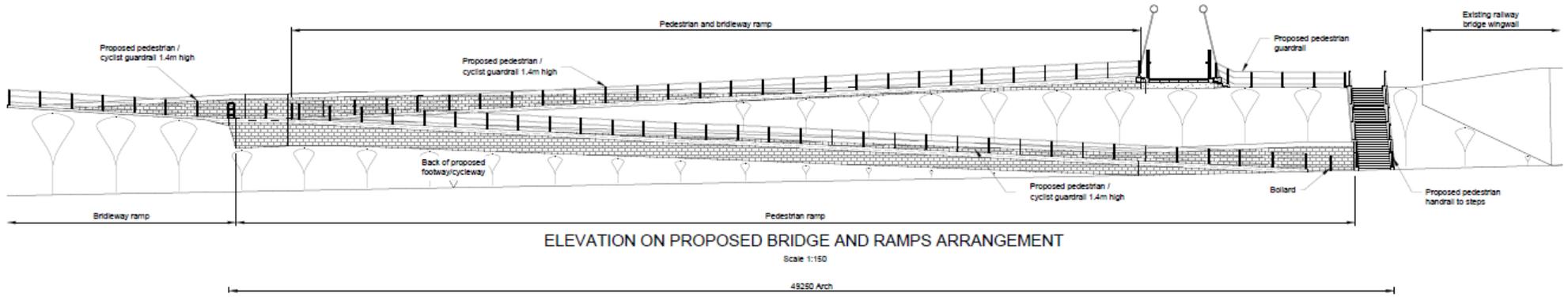


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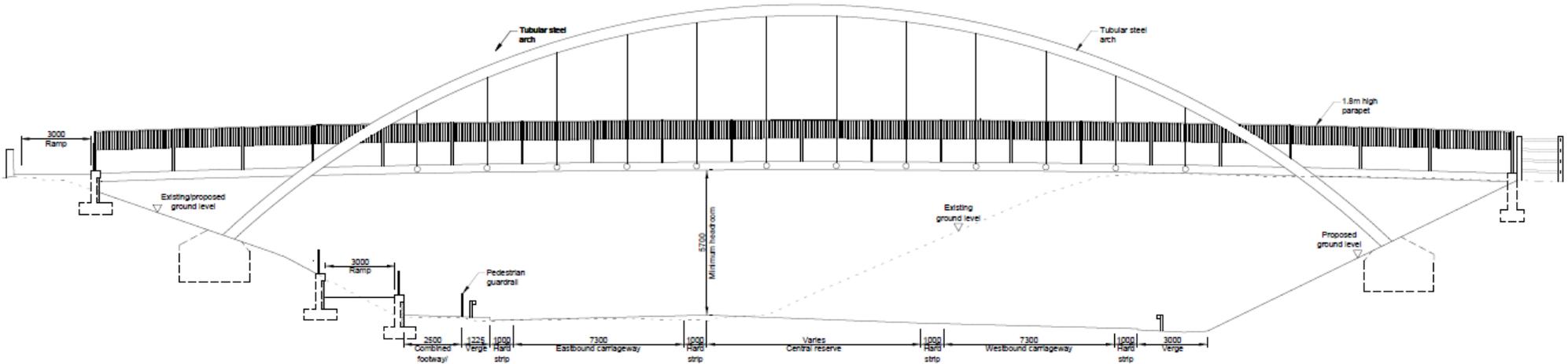
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ELEVATION ON PROPOSED BRIDGE AND RAMPS ARRANGEMENT

Scale 1:150



ELEVATION ON PROPOSED BRIDGE

Scale 1:100

FOR PLANNING



Scale:
1:0



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Planning and Regulatory Committee
4 November 2014**6. PROPOSED DEVELOPMENT OF A HOUSEHOLD RECYCLING CENTRE (INCLUDING EARTHWORKS, LANDSCAPING AND ACCESS) AT TENBURY WELLS BUSINESS PARK, BROMYARD ROAD, TENBURY WELLS, WORCESTERSHIRE**

Applicant	Mercia Waste Management Limited
Local Councillor	Dr K A Pollock
Purpose of Report	<p>1. To consider a County Matter planning application for the proposed development of a Household Recycling Centre (including earthworks, landscaping and access) at Tenbury Wells Business Park, Bromyard Road, Tenbury Wells, Worcestershire.</p>
Background	<p>2. This development forms part of the Waste Treatment and Disposal Contract awarded by Herefordshire Council and Worcestershire County Council to Mercia Waste Management and Severn Waste Services in 1998. This contract established the requirement to undertake a modernisation programme of Household Recycling Centres throughout the two authority areas.</p> <p>3. The existing Household Recycling Centre site at Tenbury Wells is located in the corner of the leisure centre car park at Palmers Meadow. This is the smallest Household Recycling Centre site in Herefordshire and Worcestershire, measuring about 12 metres wide by 15 metres long. The applicant states that at this scale it has insufficient space to accommodate the numbers of containers required to separate material for recycling and requires users to negotiate steps to access some of the containers. In addition, Heavy Goods Vehicles (HGVs) servicing the site have limited room to manoeuvre whilst removing or placing containers, and are often in conflict with private vehicles using the leisure centre car park. The location of the facility also restricts potential public car parking spaces for use by residents and visitors to Tenbury Wells.</p> <p>4. Members may be aware that in July 2001, Members of the Planning and Regulatory Committee resolved to refuse to grant planning permission for the relocation of Tenbury Wells Household Recycling Centre to Tenbury Wells Business</p>

The Proposal

Park (Ref: 407520, Minute No. 115 refers). This was on the grounds that a Household Recycling Centre at Tenbury Wells Business Park could adversely affect the efficient operation of an existing business (Elgar Foods) sited at the Business Park, with implications for economic viability of Tenbury Wells as a whole.

5. Subsequent to the refusal of planning permission, the applicant considers that there are a number of factors that point towards the continued need to provide a replacement Household Recycling Centre for Tenbury Wells and that this should be located at Tenbury Wells Business Park. This has led to the submission of this planning application.

6. Mercia Waste Management Limited is seeking planning permission for the proposed development of a Household Recycling Centre (HRC) (including earthworks, landscaping and access) at Tenbury Wells Business Park, Bromyard Road, Tenbury Wells, Worcestershire.

7. The HRC would be a split-level site, with the main skips and containers at a lower level allowing easy access to deposit general waste, green waste, cardboard, wood and metals into containers negating the need to climb steps, as occurs at the existing facility.

8. The HRC would also include a service yard on the northern side of the site, this would contain a series of skips and containers for a range of materials including soil and rubble, plastic, paper, glass, cans and electrical goods (TV's, monitors, refrigerators and freezers). A range of smaller recycling banks would also be situated within the northern part of the site for items such as batteries, engine oils, cooking oils, plasterboard, fluorescent light bulbs, gas cylinders and textiles. The applicant anticipates that it would be possible to dispose of up to 20 different types of materials at this proposed facility. Further capacity has been designed into the facility for additional skips/containers should they be required in the future. Compost would also be available to buy from the site.

9. A single storey brick office/welfare facility for staff is proposed within the south-western corner of the site, which would measure approximately 5.3 metres long by 3.2 metres wide by 3.6 metres high (to ridge). A site attendant shelter is also proposed on the upper split-level.

10. The site access would be situated within the south-western corner of the site. The proposal would incorporate one-way access road, with separate vehicle circulation areas for public vehicles and HGVs servicing the skips/containers. The site speed limit would be 5mph. The proposal also includes car parking bays adjacent to the skips/containers and a passing lane to provide free flowing access. 5 car parking spaces, which include 1 space for disabled users, are proposed for staff and visitors.

11. The maximum operational throughput would be about 2,000 tonnes per annum. The facility would be open to members of the public 3 days per week, Saturdays and Sundays, between 08:00 to 18:00 hours, and one weekday (yet to be decided by the applicant) also between 08:00 to 18:00 hours. On the weekdays when the site is not open to public, there would be occasional activity on site, such as exchanging containers and carrying out maintenance. The facility would employ 3 part-time employees (3 days per week). The applicant has confirmed that 2 to 3 site attendants would be present on site at any one time.

12. The proposed facility would be landscaped around the perimeter of the site. A close boarded fence, measuring approximately 2.5 metre high is proposed around the perimeter of the operational area, for both security and acoustic screening. A post and wire agricultural stock proof fence, which measures approximately 1.2 metres high is proposed around the boundary of the site, enclosing the landscaping areas.

13. The site would be lit during operational hours, when natural illumination falls below safe working levels. All lighting would be angled downwards. A CCTV system would also be installed to protect the HRC site outside of operational hours.

14. The applicant estimates that the proposal would generate a maximum total of approximately 528 weekday vehicle movements (264 vehicles entering the site and 264 vehicles exiting the site); and that the total daily vehicle movements on a weekend would be approximately 620 vehicle movements (310 vehicles entering the site and 310 vehicles exiting the site).

15. The applicant also estimates that the maximum vehicle movements for HGVs on a weekday would be approximately 4 vehicle movements (2 HGVs entering the site and 2 HGVs exiting the site) and about 10 HGV vehicle movements for Saturdays (5 HGVs entering the site and 5 HGVs exiting the site).

16. It is anticipated that the site construction would take approximately 6 months to complete.

17. The application site comprises a vacant plot of some 0.49 hectares of land, which is broadly rectangular in shape and largely flat ground, sited on the undeveloped part of Tenbury Wells Business Park. The Business Park is located on the south-east outskirts of Tenbury Wells, south of the Bromyard Road (B4214).

18. To the north of the application site is Elgar Foods, a fruit preparation company; Ashburn Veterinary Centre; and H. P. Moulding Ltd, a product moulding company, beyond which is

The Site

the Bromyard Road (B4214), further north are the Kyre Brook and agricultural fields.

19. To the east is a County Highways Depot, beyond which is the Longhill Brook and associated wooded area, and agricultural fields. Immediately to the west of the proposed development is a vacant plot of land on the Business Park, beyond which are residential properties situated along the east side of Terrills Lane, approximately 160 metres from the site. Agricultural fields border the boundary of the application site to the south.

20. The Longhill Brook Local Wildlife Site (LWS) and Kyre Brook & Tributaries LWS are situated approximately 50 metres east and 86 metres north of the application site, respectively. The Nine Holes Meadows Site of Scientific Interest (SSSI) is situated approximately 760 metres east of the proposed development. River Teme 1.3 kilometres north-west of the application site. The Grade II Listed Building of New Court lies approximately 180 metres north of the application site. An Area of Great Landscape Value is located on the eastern side of the Longhill Brook, approximately 55 metres east of the proposal.

21. Access to the site would be via a new access off the existing Business Park service road, which joins the Bromyard Road (B4214) to the north.

22. The nearest residential properties are those situated on the eastern side of Terrills Lane, approximately 175 metres west of the proposal. The residential property of New Court is situated about 185 metres north of the proposal. Further residential properties of Brewery Cottage and Little Blagdon are located approximately 225 metres and 205 metres north-east of the application site, respectively.

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

- The waste hierarchy
- Location of the development
- Landscape character and visual impact
- Historic environment
- Residential amenity (noise, dust, odour, vibration and fire risk)
- Water environment
- Ecology and biodiversity, and
- Traffic and highway safety.

Summary of Issues

Planning Policy

National Planning Policy Framework (NPPF)

24. 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.

25. 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".

26. 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.

27. 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 4: Promoting sustainable transport
- 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
- Section 12: Conserving the Historic Environment

National Planning Policy for Waste

28. 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

29. 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 Saved Policies of the Adopted Malvern Hills District Local Plan.

30. 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.

31. 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 2: Enabling Waste Management Capacity

Policy WCS 3: Re-use and Recycling

Policy WCS 6: Compatible land uses

Policy WCS 8: Site infrastructure and access

Policy WCS 9: Environmental assets

Policy WCS 10: Flood risk and water resources

Policy WCS 11: Sustainable design and operation of facilities

Policy WCS 12: Local characteristics

Policy WCS 14: Amenity

Policy WCS 15: Social and economic benefits

Malvern Hills District Local Plan (Saved Policies)

Policy DS1 The Location of Development

Policy DS3 General Development Requirements

Policy DS8 The Strategic Employment Land Requirement

Policy DS9 Meeting the Strategic Employment Land Requirement

Policy DS11 Rural Settlements

Policy EP1 The Protection of Existing Employment Land and Uses

Policy QL1 The Design of New Buildings and Related Development

Policy QL5 Walls, Gates, Fences or other Means of Enclosure

Policy QL13 New Development affecting the Setting of Listed

Draft Planning Policy

Buildings

Policy QL16 Sites of Special Scientific Interest (SSSIs)

Policy QL17 Sites of Regional or Local Wildlife Importance

Policy QL19 Protection of Wider Biodiversity

Policy QL20 Creation of Habitat

Policy QL21 Landscaping

Policy QL22 Protection of Trees, Woodlands and Hedgerows

Draft South Worcestershire Development Plan

32. 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.

33. 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.

34. 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 is scheduled to commence in early 2015.

35. 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 Development Control Manager - Planning, 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 6 Historic Environment

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

Policy SWDP 57 Tenbury Wells Allocations

Waste Management Plan for England (2013)

36. 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.

37. There are comprehensive waste management policies in the 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.

38. 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.

39. The key aim of this Plan is to work towards a zero waste economy as part of the transition to a sustainable economy. In particular, this means using the “waste hierarchy” (waste prevention, re-use, recycling, recovery and finally disposal as a last option) as a guide to sustainable waste management.

The Government Review of Waste Policy England 2011

40. 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.

41. In relation to infrastructure and planning paragraph 26 states that the Government continues to support local authorities in the provision of necessary waste infrastructure. Paragraph 256 identifies that the Government's ambitions for waste highlight the importance of putting in place the right waste management infrastructure at the right time and in the right location. The Government's ambition is to have appropriate waste reprocessing and treatment infrastructure constructed and operated effectively at all levels of the waste hierarchy to enable the most efficient treatment of our waste and resources.

The Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire 2004 – 2034 (First Review August 2011)

Consultations

42. The purpose of the Joint Municipal Waste Management Strategy for the two counties 2004 – 2034 (First Review August 2011) (JMWMS) is to clarify key issues, give clear direction on waste management in Herefordshire and Worcestershire and set out and co-ordinate general principles, policies and targets across all authorities in Herefordshire and Worcestershire. The aim of the JMWMS is to decrease waste production and increase the recovery value from waste (to re-use it, recycle it, compost it, or recover in other ways) by treating waste as a resource. The waste management policies that are considered to be of relevance to the determination of this planning application are:

- Policy 1
- Policy 4
- Policy 12
- Policy 13
- Policy 14
- Policy 15
- Policy 16

43. Tenbury Town Council supports the proposal, and note that they have been foremost in campaigning for better recycling facilities in Tenbury Wells and are pleased to see that the matter is now in hand.

44. Malvern Hills District Council has no objections to the proposal, subject to any comments from statutory consultees being satisfactorily addressed, in particular those of Worcestershire Regulatory Services, County Highways Authority and the County Landscape Officer. They note and welcome the fact that the applicant undertook public consultation prior to submitting the application.

45. The Environment Agency has no objections, stating that the proposal would require an Environmental Permit. In this instance, a Standard Rules Permit, which would regulate and control matters relating to the general management of the site, waste acceptance (quantity and type of waste); and emissions to land, water and air (including odour, noise, dust and vibration). The total quantity of waste that can be accepted at a site under such permit would be less than 75,000 tonnes per annum.

46. They go on to state that a Standard Rules Permit would normally only require a detailed Odour Management Plan and Noise Management Plan as a reactive measure if the activities gave risk to pollution. They, therefore, have not made any detailed review of these matters at this time.

47. They recommend that Worcestershire Regulatory Services are consulted on the proposal in respect to emissions and statutory nuisance and to ensure that the pollution control regimes are complimentary.

48. Worcestershire Regulatory Services (Environmental

Health Officer) has no objections, subject to the imposition of conditions requiring the proposed perimeter acoustic screening and details of lighting. They state that the addendum to the Noise Assessment concludes that the change to background noise level is negligible, barely perceptible. In addition, the applicant's attention should be drawn to the Worcestershire Regulatory Services Code of Best Practice for Demolition and Construction Sites.

49. Worcestershire Regulatory Services (Air Quality Officer) has no objections, stating that the proposals do not trigger a requirement for an Air Quality Impact Assessment.

50. Public Health England has no objections, subject to the advice of the Environment Agency and Worcestershire Regulatory Services being taken into account in respect to dust and odour emissions during both construction and operation. Given the close proximity of residents, they recommend the imposition of conditions to protect public health, in particular to prevent dust, odour and particulate emissions released during the operation of the facility.

51. In addition, due to the combustible nature of materials stored on site, they recommend that further consideration is given to the implementation of fire prevention measures to minimize the public health impact in the event of a fire at the site.

52. Natural England has no objections, noting that the application site is located in close proximity to the Nine Holes Meadows SSSI. They are satisfied that the proposal would not damage or destroy the interest features for which this site has been notified and, therefore, advise the County Planning Authority that this SSSI does not represent a constraint in determining this application.

53. Worcestershire Wildlife Trust has no objections, subject to the imposition a condition requiring the development to be carried out in accordance with the Ecological Assessment recommendations; and defer to the County Ecologist for all on-site biodiversity matters.

54. The County Ecologist has no objections, subject to the imposition of conditions regarding timing of vegetation clearing; installation of a bird box; the submission of a Construction and Environmental Management Plan (CEMP) to protect the water environment; the development being carried out in accordance with the submitted Drainage Strategy; and should two years elapse between the date of the submitted Ecological Report and commencement of the development an updated Ecological Appraisal should be undertaken.

55. The County Landscape Officer has no objections.

56. The County Highways Officer has no objections, subject to the imposition of conditions requiring the access,

internal roads, parking facilities and HGV loading and turning area to be constructed in accordance with details to be agreed with the County Planning Authority; and the submission of a CEMP requiring details of measures to prevent mud on the public highway; and details of the location of the site construction compound and parking area.

57. They note that the traffic generation predictions are based on Bromyard HRC, and while they appreciate that no direct correlation can be made between an existing operational site and the proposed site, the application of known data between one and the other is not considered unreasonable.

58. They also note that it is assumed that the greater proportion of deliveries to the site would approach from the A456. There are some narrow points on the A4112, notably at Teme Bridge and Market Square, through which vehicles would have to pass. However, a proportion of these vehicles would already be using the existing, albeit smaller, Palmers Meadow site. In addition, it would not be unreasonable to assume that a proportion of vehicles visiting the site would be combining a delivery to the proposed HRC with a visit to Tenbury for shopping and the use of other facilities and would, therefore, be using the roads in any event. Bromyard Road is subject to on-street parking, which it is acknowledged does entail some relatively minor disruption to the free flow of traffic. However, the anticipated HRC weekday peak traffic hour lies outside the morning and evening peak traffic hours, during which times an average of less than 1 additional vehicle movement per minute is predicted.

59. They consider that the anticipated traffic generation of the proposed development is not of such magnitude and frequency to warrant an objection on highway grounds, and the internal layout of the site is acceptable.

60. The County Archaeologist has no objections.

61. South Worcestershire Land Drainage Partnership has no objections, confirming that the submitted drainage strategy is acceptable in principle, however, a minimum of 5 metre clearance is required between the soakaways and any foundations and drain runs. The Drainage Strategy should be amended accordingly.

62. Severn Trent Water Limited has no objections.

63. Hereford and Worcester Fire & Rescue Service has no comments.

64. West Mercia Police has no objections, and consider the site layout is of a good design. Originally they recommended that in addition to the 2.5 metre high close boarded fence, a 2 metre high security fence should also be

installed with gates to allow maintenance access, however, following discussions with the applicant West Mercia Police confirmed that they are content with the proposed security measures, subject to the imposition of a condition relating to CCTV and lighting.

65. They state that they are content with the type of lighting proposed, but consider that this needs to be incorporated into an integrated security system, where lighting, CCTV and an alarm are all activated in the event of an intruder entering the site.

Other Representations

66. Prior to the submission of the planning application, the applicant undertook public consultation, which comprised meetings, discussions and an exhibition (held on 27 March 2014) with members of the public; local organisation such as Tenbury Area Partnership, Tenbury Town Council, and individual stakeholders such as the Local Member and businesses located at Tenbury Wells Business Park.

67. The application has been advertised in the press, on site and by neighbour notification. To date 3 letters of representation have been received objecting to the proposal. These letters of representation are available in the Members' Support Unit.

68. Their main comments are summarised below:-

Traffic

- Concerns regarding the volume of traffic, restricting easy access to Bromyard Road
- Concerned regarding the additional traffic associated with residents in South Shropshire, who currently use Household Recycling Centres in Leominster and Stourport, who would use the proposed development, increasing traffic through Tenbury
- Concerned regarding the cumulative traffic volume from this proposed development and the Tesco Supermarket granted planning permission on the old Auction Yard site
- Concerns regarding traffic pinch points along Market Street to Cross Street and the Primary School
- Ask that an up-to-date and accurate Impact Statement is carried out for noise, traffic and pollution impacts associated with the additional traffic volumes
- Increased noise and air pollution due to an increase in traffic and congestion levels
- Queries the trip generation methodology adopted within the submitted Transport Statement and its integrity
- The lack of an assessment of Sunday traffic conditions, and
- Concerns regarding HGVs demand levels and routing of these vehicles.

The Development

69. As with any proposal this planning 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 in the report.

The waste hierarchy

70. 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 or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle, and
- Helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment.

71. 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).

72. Due to a number of constraints, the recycling rate at the existing HRC at Tenbury Wells is approximately 37%, however, this is almost half of that experienced at the other HRCs within Worcestershire. The applicant anticipates that the recycling rates at the proposed facility would be approximately 70%. In addition, the proposed development would meet objectives in the Waste Management Plan for England (2013) and contribute to accomplishing some of the key principals of the Government Review of Waste Policy in England 2011, relating to recycling targets and minimising the use of landfill.

73. The Development Control Manager - Planning considers that as the proposal would form a new waste management facility that would provide for material use, through the provision of a container for the collection of goods capable of being prepared for re-use, and contribute towards increased recycling, it is considered the proposal would comply with the objectives of the waste hierarchy.

Location of the development

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

75. Policy WCS 3 of the Worcestershire Waste Core Strategy requires waste management facilities that enable re-use or recycling of waste including treatment, storage, sorting and transfer facilities, such as this, to be located 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. The proposal is situated within Level 4 'Bewdley, Tenbury Wells and Upton upon Severn Zones of the hierarchy.

76. The applicant states that *"there has been a longstanding requirement for a new HRC to serve the settlement of Tenbury Wells and surrounding villages. The existing HRC at Tenbury Wells is located in the corner of the leisure centre car park at Palmers Meadows and is simply too small and constrained to operate as a modern facility, offering a substandard service to Tenbury residents in comparison with other Worcestershire County Council sites. It does not provide room for sufficient numbers of containers for the key separables to maximise recycling potential and this is reflected in the fact that recycling rates at the existing Tenbury HRC are only 37%, which is almost half of that experienced at the other HRCs within Worcestershire (over 69%)"*.

77. *"In addition, there are also a number of other practical constraints associated with the existing facility. HGVs serving the site have limited room to manoeuvre whilst removing or placing containers and are often in conflict with private vehicles using the leisure centre car park. Furthermore, the location of the existing facility also restricts potential public parking spaces for use by residents of and visitors of Tenbury Wells"*.

78. This is supported by paragraph 2.48 of the Worcestershire Waste Core Strategy, which states that notes that the reviewed Joint Municipal Waste Management Strategy also recognises that the Household Recycling Centre in Tenbury Wells does not include the range and quality of services available at other Household Recycling Centres and it will need to be improved during the life of the Strategy.

79. Furthermore, the proposal would help to reduce 'waste

miles' by providing a modern and improved HRC facility within Tenbury Wells, reducing the number of residents who need to travel to other HRCs both within and adjoining the County, in order to have access to a facility with a large number of recycling options.

80. The Development Control Manager -Planning considers that the proposal is required to serve Tenbury Wells and its immediate surroundings and the wastes arising from this area, and consequently, it would not be appropriate to locate the facility within higher levels of the geographic hierarchy, and therefore, conforms with Policy WCS 3 of the Worcestershire Waste Core Strategy.

81. Policy WCS 6 of the Worcestershire Waste Core Strategy directs waste management development to land with compatible uses. Policy WCS 6 directs re-use and recycling facilities, to land which includes existing or allocated industrial land, contaminated or derelict employment land, and sites with current use rights for waste management purposes, as long as they are enclosed. It states that enclosed facilities may not always be within buildings. The degree of enclosure which is necessary will depend on the nature of the waste management activity and the context of the site.

82. The proposal would be located on land allocated employment land by the adopted Malvern Hills District Local Plan; and whilst the proposal would not be enclosed within a building, it would be bound on all sides by close boarded fencing that would measure about 2.5 metres high, and the waste materials would be deposited into allocated skips and containers. The Development Control Manager - Planning considers that this is a satisfactory degree of enclosure for this type of waste management activity.

83. In addition, Appendix A of the Waste Core Strategy identifies Tenbury Wells Business Park as an 'area of search', being potentially suitable for most waste management facilities, subject to consideration of the details of specific proposals.

84. Consequently the Development Control Manager - Planning considers the principle of the proposed development in this location is acceptable and accords with Policies WCS 3, and WCS 6 of the Worcestershire Waste Core Strategy.

Landscape character, visual impact and the historic environment

85. The proposed development would be located on a vacant plot within an established and allocated commercial Business Park. The topography of the site and its surrounding within the Kyre Brook valley is such that the application site is relatively well hidden from the wider area, particularly views from the south.

86. To the east of the application site is a wooded steep sided valley which helps screen the site from views from the east; and whilst this land to the east is designated as an Area of Great Landscape Value, views of the site from this area would be limited due to the mature and established wooded corridor.

87. To the north of the proposed development are existing buildings situated on the Business Park and mature trees beyond. Distant and elevated views would also be possible from the residential property of New Court; a Grade II Listed Building located approximately 175 metres north of the proposal. However, these distant views would be filtered by intervening established trees and the proposal would be seen in the context of the existing Business Park.

88. The land to the west of the application site gradually rises towards the residential properties along the eastern side of Terrills Lane. Due to the established trees and hedging the site would not be visible from the road itself; however, it is considered that there would be views of the proposal from the rear upper storey windows of the dwellings situated towards the south of Terrills Lane. Views from residential properties further west into Tenbury Wells are unlikely to be able to view the proposal.

89. A boundary landscaping area is proposed on the northern, southern and western sides of the application site and would be planted with native trees, hedgerow and groundcover planting. The County Landscape Officer has been consulted and has raised no objections to the proposal.

90. The Development Control Manager - Planning considers that the proposed development would not have a detrimental impact upon the character and appearance of the local area, including the Grade II Listed Building of New Court due its design, including landscaping scheme, size, and location.

Residential amenity (noise, dust, odour, air quality and fire risk)

91. Objections have been raised by local resident's regarding increased noise and air pollution due to an increase in traffic levels.

92. The nearest residential properties are those situated on the eastern side of Terrills Lane, approximately 175 metres west of the proposal. The residential property of New Court is situated about 185 metres north of the proposal.

93. The proposed development would be open to members of the public between 08:00 to 18:00 hours three days a week, including Saturdays, Sundays and a week day (still to be determined by the applicant). On days when the facility is not open to the public, there would be occasional activity such as exchanging containers and carrying out maintenance works.

94. A Noise Impact Assessment accompanied the planning application. The assessment indicates that noise levels are unlikely to cause complaint at the nearest residential receptors. With regards to traffic noise impacts, the assessment concludes there would be a negligible to minor impact at the nearest residential receptors, which is deemed to be insignificant.

95. Public Health England has been consulted on the proposal and has raised no objections, subject to the advice of the Environment Agency and Worcestershire Regulatory Services being taken into account. Given the close proximity of residents, they recommend the imposition of conditions relating to dust, odour and particulate emissions mitigation measures. The Development Control Manager - Planning is satisfied that the Environmental Permit for the site would control dust, odour and particulate emissions, and refers to the advice contained within the National Planning Policy for Waste, which states at paragraph 7 that:

96. *"When determining waste planning applications, waste planning authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced".*

97. Consequently, controls under the planning and pollution control regimes should complement rather than duplicate each other and conflicting conditions should be avoided. The Development Control Manager - Planning also notes that the Environment Agency has no objections to the proposal.

98. Worcestershire Regulatory Services (Environmental Health Officer) has no objections, subject to the imposition of conditions requiring the proposed perimeter acoustic screening and details of lighting. Conditions are attached to this effect. They also have no objections in respect to air quality impacts.

99. With regards to vermin and pests the applicant has confirmed that wastes would be stored on site in containers and the vast majority of waste material that would be received at the site would not be putrescible waste, and therefore, not attractive to vermin. The applicant has also confirmed issues of vermin and pests are not an issue at any of the other existing HRC sites in Worcestershire. Notwithstanding this, to prevent any potential infestation, the site would be cleaned on a regular basis, regularly inspected and baited traps for vermin would be employed. The Development Control Manager - Planning is also satisfied that due to the nature of the waste and the limited quantity of anticipated putrescible waste there would be no adverse odour impacts as a result of this proposal.

100. With regards to fire risk, Public Health England comments that further consideration should be given to the implementation of fire prevention measures to minimise any public health impact in the event of a fire at the site. Whilst the Development Control Manager - Planning considers that fire prevention measures are primarily as a result of other legislation and Building Regulations controls, it is acknowledged that Policy WCS 14 of the Waste Core Strategy requires consideration to be given to planned or unplanned fires, and potential impacts of this upon amenity.

101. The applicant has confirmed that they would adopt a range of fire prevention measures at the Tenbury HRC. This includes being accredited to ISO 9001 (Quality Management Systems) and BS OHSAS 18001 Occupational Health and Safety Standards. They also have a number of other management system and procedures relating to fire all of which are required under relevant legislation, including carrying out Fire Risk Assessments; regular site inspections by the site Team Leader, which includes checking for unauthorised waste and that firefighting equipment is in working order; and the preparation of a contingency plan in the event of an emergency, such as fires.

102. Accordingly the Development Control Manager - Planning is satisfied that the applicant has taken into account the potential for fires in the proposed development and its operation.

Water environment

103. The proposed development is located within Flood Zone 1 (low probability). There are no public sewers adjacent to the application site. The proposed development would, with the exception of the soft landscaping areas, have impermeable surfacing throughout, served by a drainage system comprising a series of gulleys and drains. All collected surface water would pass through a bypass oil interceptor, and then discharge at greenfield run-off rate, via soakaways located along the northern part of the site.

104. As with the surface water drainage there is no suitable mains connection available near the site, consequently the applicant is proposing that foul water would be treated by a package sewage treatment plant. This would treat the wastewater so that it can be discharged into the surface water system. Areas of foul water drainage would comprise domestic effluent from the small maintenance and operation building, and drainage from the bunded battery and oil storage areas.

105. Severn Trent Water Limited has objections, and South Worcestershire Land Drainage Partnership has no objections, subject to a 5 metre clearance between the soakaways and any foundations and drain runs. The applicant has amended the drainage scheme accordingly.

106. In view of the above matters, Development Control Manager - Planning considers that there would be no adverse effects on the water environment and considers that the proposed development accords with Policy WCS 10 of the Worcestershire Waste Core Strategy relating to flood risk and the protection of the water environment.

Ecology and biodiversity

107. A Preliminary Ecological Appraisal accompanied the planning application. The assessment concludes that the site comprises of poor quality ecological habitats and little association with protected or notable species making the onsite impacts very low scale. These may be reasonably addressed through compensatory habitat creation within the landscape scheme; timing of vegetation clearance; the installation of a bird box on the proposed building; and the use of an interceptor in the site's drainage scheme to minimise the risk of pollution.

108. The Nine Holes Meadows SSSI is situated about 760 metres east of the proposal. Natural England has confirmed that they are satisfied that this SSSI does not represent a constraint in determining this application, and consequently has no objections to the proposal.

109. Due to the distance from the Longhill Brook LWS and Kyre Brook & Tributaries LWS, Worcestershire Wildlife Trust has been consulted and has raised no objections, subject to the imposition of appropriate conditions, and defers to the County Ecologist for all detailed matters relating to the site.

110. The County Ecologist has no objections, subject to the imposition of appropriate conditions as recommended within the Preliminary Ecological Appraisal.

111. The Development Control Manager - Planning considers that subject to the imposition of appropriate conditions, as recommended by the County Ecologist, that the proposed development would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area.

Traffic and highway safety

112. A Transport Statement accompanied the planning application. As the site is currently undeveloped, it does not have a direct vehicle access, the site is, however, bounded to the north and east by existing adopted Business Park roads, which would allow for the formation of a new access in the south-west corner of the application site. The Business Park roads connect to the Bromyard Road (B4214). The internal site layout would provide a one-way visitor vehicle circulation route with off-line parking areas for the unloading of materials.

113. The applicant states that the proposal would only be open to the public three days a week, one weekday (yet to be decided by the applicant) and both Saturdays and Sundays.

114. The applicant states that the proposed development has been sized and designed to cater for the needs of Tenbury Wells and the surrounding settlements. Traffic demand estimates for the proposal have been generated through reference to vehicle data collected at Bromyard HRC, which shows a similar population catchment/operating characteristics to the proposed Tenbury Wells facility.

115. The applicant estimates that the proposal would generate a maximum total of approximately 528 weekday vehicle movements (264 vehicles entering the site and 264 vehicles exiting the site). Maximum weekday demand is predicted to occur between the hours of 14:45 and 15:45 hours, with 117 vehicle movements (62 vehicles entering the site and 62 vehicles exiting the site) predicted within this period.

116. The applicant anticipates that the total daily vehicle movements on a weekend would be approximately 620 vehicle movements (310 vehicles entering the site and 310 vehicles exiting the site). The maximum weekend hourly traffic demand is predicted to take place on Saturdays between 09:45 to 10:45 hours, and is predicted to be of the order of 140 vehicle movements (72 vehicles entering the site and 72 vehicles exiting the site).

117. The applicant estimates that the maximum vehicle movements for HGVs on a weekday would be 4 vehicle movements (2 HGVs entering the site and 2 HGVs exiting the site) and 10 HGV vehicle movements for Saturdays (5 HGVs entering the site and 5 HGVs exiting the site).

118. The submitted Transport Statement concludes that development related traffic demand has been demonstrated as being unlikely to generate a material impact on the operation of existing local route corridors and would be easily accommodated by the existing local highway network.

119. Objections have been raised by local residents on the ground of traffic and highway safety. Their main concerns relate to increased traffic through Tenbury, exacerbated by traffic pinch points; concerns regarding the submitted traffic flow data integrity, the lack of an assessment of Sunday traffic conditions; and concerns regarding HGVs demand levels and routing of these vehicles.

120. The County Highways Officer has been consulted and has considered the letters of representation and has raised no objections to the proposal, subject to appropriate conditions. They consider that the anticipated traffic generation of the proposed development is not of such magnitude and frequency to warrant an objection on highway grounds, and the internal layout of the site is acceptable.

121. In response to concerns relating to traffic pinch points, they acknowledge that there are narrow points (notably at

Teme Bridge and Market Square) along the A4112. However, they consider that a proportion of these vehicles would already be using the existing Tenbury HRC, and it would not be unreasonable to assume a number of these vehicles would also combine deliveries to the HRC with a visit to Tenbury Wells town centre, therefore, using the roads in any event. In addition a significant proportion of Tenbury Wells' residential areas are located to the south of the town centre, therefore, trips to and from the proposed development from these areas would not need to pass through the town centre, in contrast to the existing trips to and from the existing Tenbury HRC at Palmers Meadows.

122. They also acknowledge that Bromyard Road is subject to on-street parking, which does entail some relatively minor disruption to the free flow of traffic; however, the applicant anticipates that the peak weekday traffic flow to the proposed HRC lies outside the morning and evening rush hours.

123. They do not consider it is unreasonable to base the traffic generation predictions on Bromyard HRC, and have raised no adverse comments to the integrity of the traffic flow data or the Transport Statement. Furthermore, it should be noted that the traffic estimates included within the submitted Transport Statement represent 'worst case' maximum trip demand levels.

124. Objections have been received requesting that an assessment of Sunday network operating conditions is undertaken, as they note that this was not included within the submitted Transport Statement. The applicant has confirmed that *"in general, baseline network traffic levels on a Sunday are substantially lower than for comparative weekday and / or Saturday periods, HRC traffic demand on a Sunday is broadly similar to Saturday levels. It is therefore considered that a Saturday based assessment effectively represents a 'worst case' appraisal of weekend network conditions, and therefore, no Sunday analysis is required as overall predicted traffic levels would be lower. Full Saturday assessment of the proposed HRC was included in the formal Transport Statement"*. The Development Control Manager - Planning notes that an assessment of Sunday traffic data was not requested by County Highways Officer.

125. Finally, objections have also been received regarding the route of HGV's stating that *"the road direction signs on the A456 approaching the turn into Tenbury identifies the Tenbury Wells A4112, and the Bromyard (B4124) are "Unsuitable for Heavy Goods Vehicles"*. The Development Control Manager - Planning considers that the A4112 through Tenbury Wells represents the formal signed access route to and from the A456 for vehicles servicing the allocated Tenbury Wells Business Park. It is recognised as appropriate for HGV access, as identified on the Worcestershire Advisory Lorry Route Map. This Route Map identifies that the A4112 is unsuitable for through HGV

movements between Burford and Leominster, but is appropriate for site access along the route for HGVs.

126. Based on the advice of the County Highways Officer, the Development Control Manager - Planning considers that the proposed development would be acceptable on traffic and highway safety grounds, subject to the imposition of appropriate conditions.

Other matters

Crime and Security

127. West Mercia Police have been consulted on the proposal, and has no objections. They originally recommended that in addition to the high close boarded fence, which measure about 2.5 metres, a 2 metre high security fence should also be installed.

128. The Development Control Manager - Planning considers that the installation of a security fence around the perimeter of the site would appear unsightly in the immediate vicinity of the application site and considers that it would also hinder the maintenance of the proposed landscaping scheme. It is considered that the close boarded fence is paramount for dust and noise attenuation. The applicant has considered the comments from West Mercia Police and confirms that they have investigated a number of different fencing options for the site; however, all would result in a double layer of fencing, which would be visually intrusive. They confirm that the proposed close boarded buffalo noise attenuation fencing is extremely substantial. As a consequence, the applicant is not proposing to erect an additional layer of fencing at the site, but is proposing to treat the noise fencing with anti-intruder paint and install a series of CCTV cameras at the site. The applicant has also confirmed that they would keep the security measures under review and should the current proposals not be satisfactory, they would consider additional security measures. West Mercia Police have confirmed that they are satisfied with the approach proposed by the applicant, subject to the imposition of conditions regarding CCTV and lighting.

Sustainable Development

129. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

130. The proposed development would form a new waste management facility that would provide for material use, through the provision of containers for the collection of goods capable of being prepared for re-use, and contribute towards increased recycling (anticipated increase by approximately 33%), thereby moving the management of waste up the

waste hierarchy. In addition, the proposal would help to reduce 'waste miles' by providing a modern and improved HRC facility within Tenbury Wells, reducing the number of residents who need to travel to other HRCs, in order to have access to a facility with a large number of recycling options.

131. In view of this, and the assessment of the proposal in the preceding sections of this Report, it is considered that the proposal is a sustainable development which accords with the NPPF in relation to its presumption in favour of sustainable development and accords with the National Planning Policy for Waste.

Conclusion

132. The Development Control Manager - Planning considers that the proposed development would form a new waste management facility that would provide for material use, through the provision of containers for the collection of goods capable of being prepared for re-use, and contribute towards increased, thereby moving the management of waste up the waste hierarchy. In addition, the proposal would help to reduce 'waste miles' by providing a modern and improved HRC facility within Tenbury Wells, reducing the number of residents who need to travel to other HRCs, in order to have access to a facility with a large number of recycling options, and therefore, accords with the National Planning Policy for Waste and the NPPF.

133. It is considered that the principle of the proposed development in this location is acceptable and accords with Policies WCS 3, and WCS 6 of the Worcestershire Waste Core Strategy.

134. It is considered that the proposed development would not have a detrimental impact upon the character and appearance of the local area, including the Grade II Listed Building of New Court due its design, including landscaping scheme, size, and location.

135. Based on the advice of the Environment Agency, Public Health England and Worcestershire Regulatory Services, it is considered that the proposal would not have adverse dust, noise, odour, and air quality impacts.

136. Based on the advice of the County Ecologist, Worcestershire Wildlife Trust and Natural England it is considered that the proposed development would not have any adverse impacts on ecology and biodiversity at the site or on the surrounding area, including the wider Nine Holes Meadows SSSI, subject to the imposition of appropriate conditions; and it is considered that the proposal would not have an adverse effect on the water environment.

137. Based on the advice of the County Highways Officer, the Development Control Manager - Planning considers that the proposed development would be acceptable on traffic and highway safety grounds, subject to the imposition of

appropriate conditions.

138. Taking into account the provisions of the Development Plan and in particular Policies WCS 1, WCS 2, WCS 3, WCS 6, WCS 8, WCS 9, WCS 10, WCS 11, WCS 12, WCS 14, and WCS 15 of the adopted Worcestershire Waste Core Strategy and Saved Policies DS1, DS3, DS8, DS9, DS11, EP1, QL1, QL5, QL13, QL16, QL17, QL19, QL20, QL21 and QL22 of the adopted Malvern Hills District Local Plan, it is considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

139. The Development Control Manager - Planning recommends that planning permission be granted for the proposed development of a Household Recycling Centre (including earthworks, landscaping and access) at Tenbury Business Park, Bromyard Road, Tenbury Wells, 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 Drawing Numbers:1509-01-01; 1509-01-02, Rev A; TW-SCS-MWM-006, Rev A; TW-HWS-SCS-MWM-008; TW-HWS-PAB-MWM-009, Rev C; TW-HWS-OL-MWM-010, Rev C; TW-HWS-TFD-MWM-011; and TW-HWS-SAR-MWM-015, Rev B, except where otherwise stipulated by conditions attached to this permission;**
- c) **Construction works shall only be carried out on the site between 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays with no construction work on Sundays or Bank Holidays;**
- d) **Operations within the development hereby approved shall only take place between the hours of 08:00 and 18:00 hours Mondays to Sundays inclusive, with no operations on Bank Holidays;**
- e) **The development hereby approved shall be carried out in accordance with Drawing Titled: 'Proposed Drainage Layout', Numbered: 61032821/C/101, Rev P03, received by the County Planning Authority 20 October 2014; and Document Titled: 'Tenbury Wells HRC – Drainage Philosophy', received by the County Planning Authority 2 October 2014;**
- f) **Notwithstanding any indication of the materials, which may have been given in the application, no development of the control building hereby approved, shall take place until a schedule and/or**

samples of the materials and finishes for the development have/has been submitted to and agreed in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;

- g) Details of any lighting to be installed at the site shall be submitted to the County Planning Authority for approval in writing prior to being erected. These details shall include:
- i. Height of the lighting posts
 - ii. Intensity of the lights
 - iii. Spread of light (in metres)
 - iv. Any measure proposed to minimise the impact of the lighting or disturbance through glare; and
 - v. Times when the lighting would be illuminated.
- h) Details of the provision to be made for at least one bird box on the site shall be submitted to and agreed in writing by the County Planning Authority. The works shall be completed in accordance with the agreed details within 6 months of the completion of the development;
- i) All vegetation clearance shall be undertaken outside the bird nesting season which generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally;
- j) Details and locations of all external CCTV cameras shall be submitted to and agreed in writing by the County Planning Authority prior to the development being brought into use. Thereafter the development shall be carried out in accordance with the approved details;
- k) Notwithstanding the submitted details, no development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The approved CEMP shall be implemented for the duration of the construction phase. The CEMP shall include:
- i. Details of site operative parking areas, material storage areas and the location of site operatives facilities;

- ii. **Details of a scheme to prevent mud and detritus being deposited on the public highway; and**
- iii. **Measures to minimise the risk of pollution and damage to environmental features; and**

- I) **Should two years elapse between the date of the 'Preliminary Ecological Appraisal', dated 25 June 2014 and the commencement of the development hereby approved, an updated Ecological Appraisal must be undertaken by a suitably qualified Ecologist and its recommendations followed.**

Contact Points

County Council Contact Points

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

Specific Contact Points for this Report

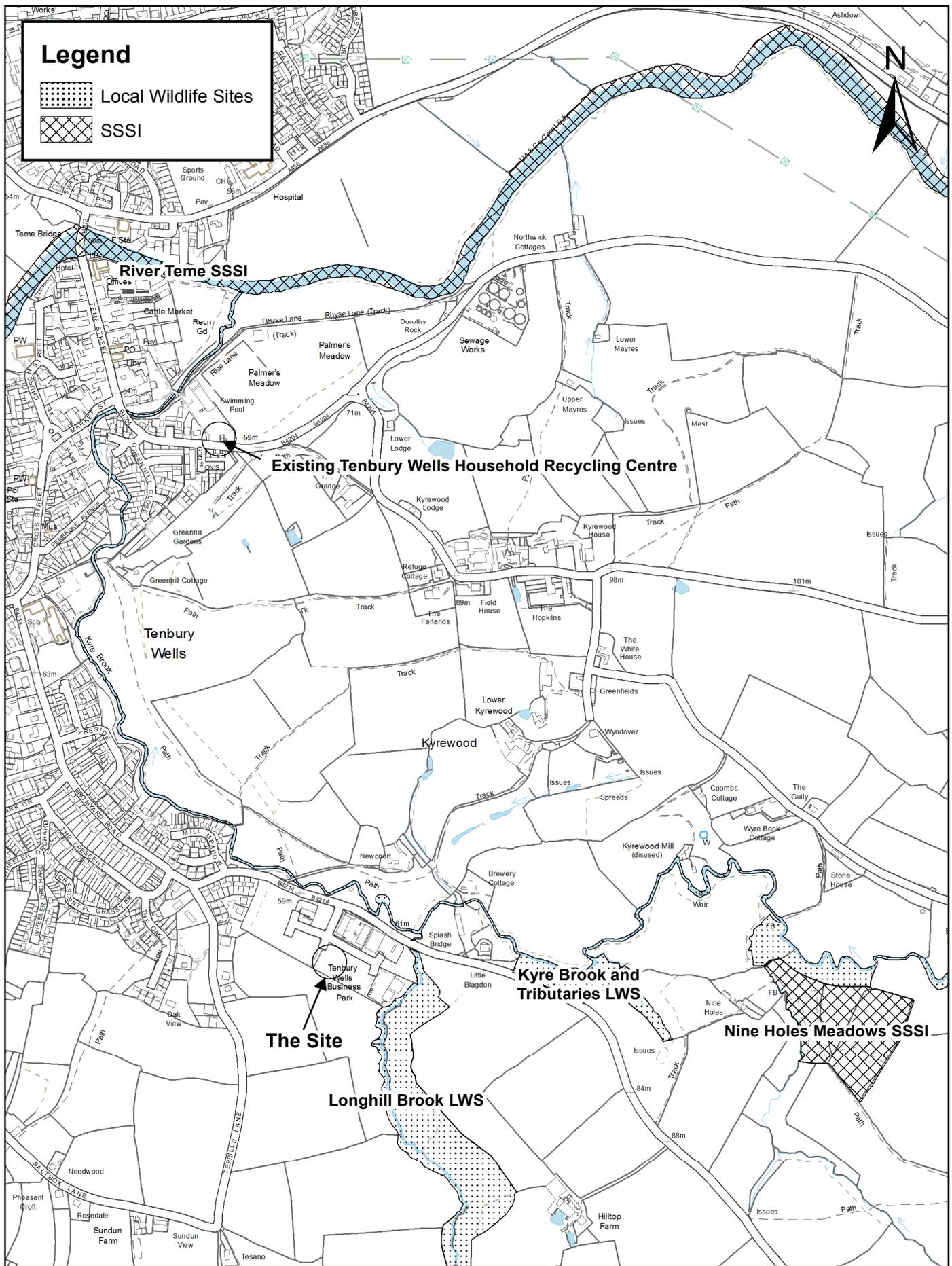
Case Officer: Steven Aldridge, Principal Planner:
01905 728507 saldridge@worcestershire.gov.uk

Mark Bishop, Development Control Manager:
01905 766709 mabishop@worcestershire.gov.uk

List of Background Papers

In the opinion of the proper officer (in this case the Development Control Manager - Planning) the following are the background papers relating to the subject matter of this item:

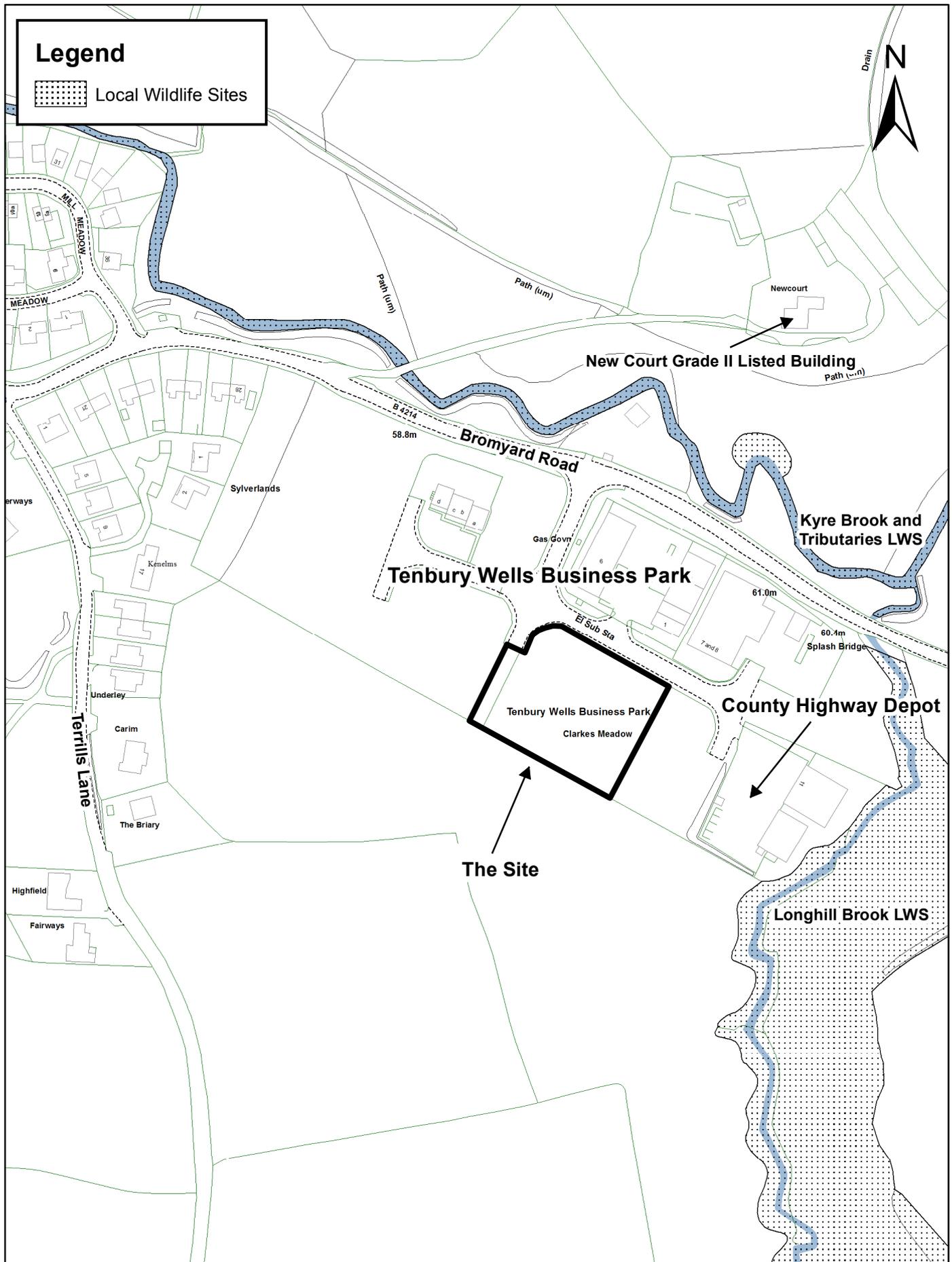
The application, plans and consultation replies in file reference 14/000030/CM.



 worcestershire county council	Scale: 1:10,000	0 35 70 140 210 280 350 420 490 560 630 700 Metres
		0 0.035 0.07 0.14 0.21 0.28 0.35 0.42 0.49 Miles

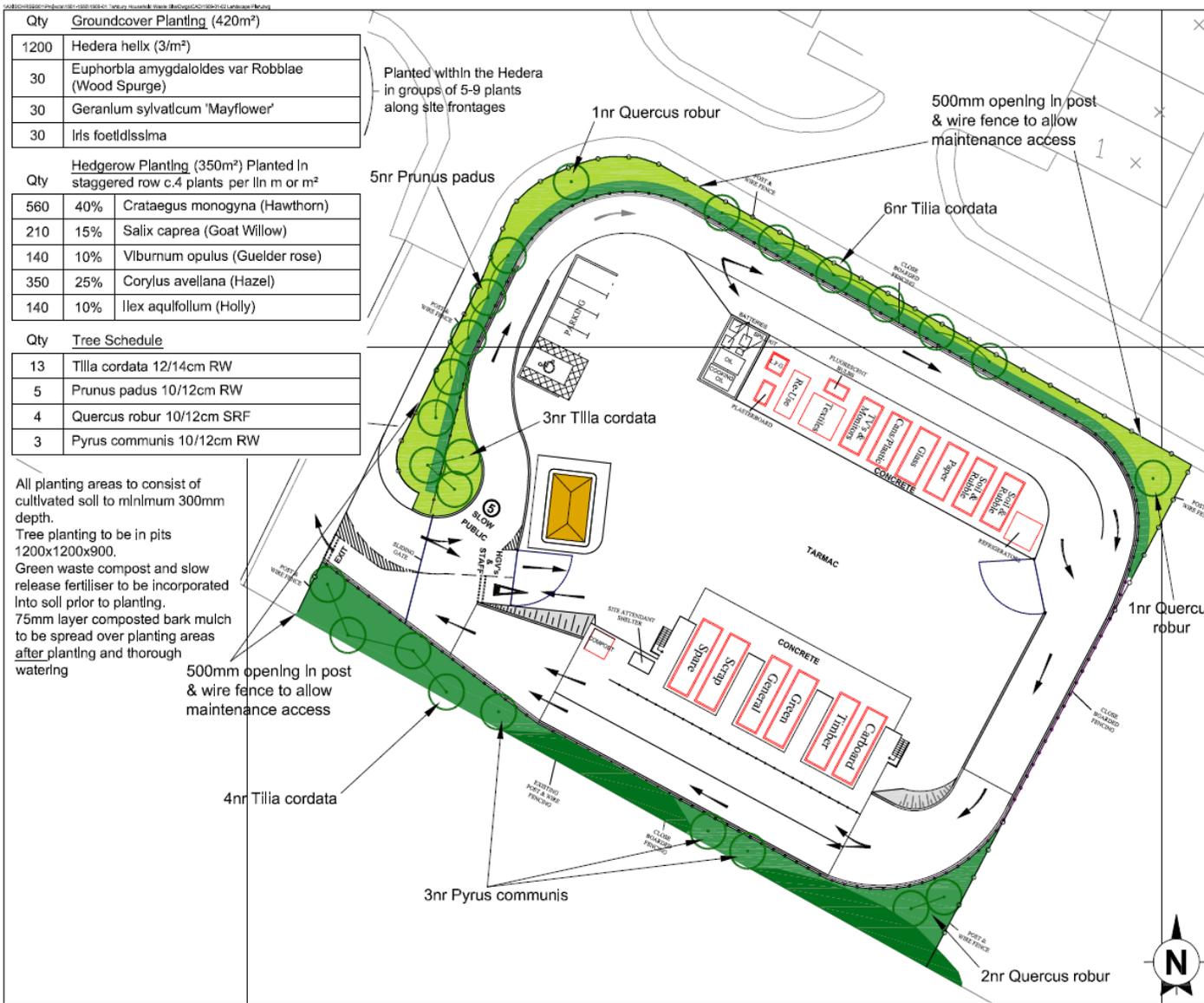
County Hall, Spetchley Road, Worcester WR5 2NP	Proposed development of a Household Recycling Centre (including earthworks, landscaping and access) at Tenbury Business Park, Bromyard Road, Tenbury Wells, Worcestershire, WR15 8FA, Ref: 14/000030/CM	© Crown copyright and database rights 2013 Ordnance Survey 100024230.
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	worcestershire county council	Scale: 1:2,500	0 10 20 30 40 50 60 70 80 90 100 Metres
			0.0075 0.015 0.03 0.045 0.06 0.075 0.09 0.105 Miles

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Qty	Groundcover Planting (420m ²)
1200	Hedera helix (3/m ²)
30	Euphorbia amygdaloides var Robbiae (Wood Spurge)
30	Geranium sylvaticum 'Mayflower'
30	Iris foetidissima

Planted with the Hedera in groups of 5-9 plants along site frontages

Qty	Hedgerow Planting (350m ²)	Planted In staggered row c.4 plants per 1m or m ²
560	40%	Crataegus monogyna (Hawthorn)
210	15%	Salix caprea (Goat Willow)
140	10%	Viburnum opulus (Guelder rose)
350	25%	Corylus avellana (Hazel)
140	10%	Ilex aquifolium (Holly)

Qty	Tree Schedule
13	Tilia cordata 12/14cm RW
5	Prunus padus 10/12cm RW
4	Quercus robur 10/12cm SRF
3	Pyrus communis 10/12cm RW

All planting areas to consist of cultivated soil to minimum 300mm depth.
 Tree planting to be in pits 1200x1200x900.
 Green waste compost and slow release fertiliser to be incorporated into soil prior to planting.
 75mm layer composted bark mulch to be spread over planting areas after planting and thorough watering

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Revision History	Date
A	15/09/2014

- Hedge Mix
- Ground cover planting
- Existing Vegetation Retained
- Specimen tree

Client	axis
Project	Waste Management
Address	Tenbury Household Recycling Centre
Drawn By	Landscape Plan
Issue Date	15/09/2014
Drawing Number	1508-01-02
Scale	1:1000
Author	axis
Checker	axis

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Scale: 1:0



County Hall,
 Spetchley Road,
 Worcester
 WR5 2NP

Proposed development of a Household Recycling Centre (including earthworks, landscaping and access) at Tenbury Business Park, Bromyard Road, Tenbury Wells, Worcestershire, WR15 8FA, Ref: 14/000030/CM

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