

**PLANNING AND REGULATORY COMMITTEE
6 DECEMBER 2016****PROPOSED CHANGE OF USE OF AGRICULTURAL
BUILDINGS AND ASSOCIATED LAND TO MATERIAL
RECLAMATION FACILITY (MRF) AT WEIGHTS FARM,
WEIGHTS LANE, REDDITCH, WORCESTERSHIRE**

Applicant

Mr Adam Wood

Local Member

Mr C B Taylor

Purpose of Report

1. To consider a County Matter planning application for the proposed change of use of agricultural buildings and associated land to Material Reclamation Facility (MRF) at Weights Farm, Weights Lane, Redditch, Worcestershire.

Background

2. Weights Farm is a working farm that has diversified into industrial activities and waste management. There are about 40 businesses trading from 58 commercial units operating at Weights Farm, providing approximately 100 jobs. One of these businesses is Redditch Skip Hire, a skip hire and Waste Transfer Station, which operates from units 19 and 20 and is owned by the applicant.

The Proposal

3. The applicant is seeking planning permission for a proposed change of use of agricultural buildings and associated land to MRF at Weights Farm, Weights Lane, Redditch.
4. The proposed development would change the use class of 6 existing agricultural buildings and associated land to a sui generis use of a Material Reclamation Facility (MRF). Two agricultural buildings within the application site would be retained for agricultural use (units 65 and 66). The 6 buildings proposed for the change of use are the following:
 - Building 59 measuring about 473 square metres
 - Building 60 measuring about 877 square metres
 - Building 61 measuring about 1,382 square metres
 - Building 62 measuring about 740 square metres
 - Building 63 measuring about 2,367 square metres
 - Building 64 measuring about 1,970 square metres

5. The cumulative floor area of the six buildings is approximately 7,809 square metres. The proposed MRF would process up to 100,000 tonnes of waste per year. This would be an increase of approximately 75,000 tonnes per annum compared to the existing Waste Transfer Station (Redditch Skip Hire). This equates to about 300 tonnes per working day. The facility would accept the following types of waste:

- Construction and Demolition (C&D) waste
- Metals
- Wood Chipping and Timber
- Waste Electrical and Electronic Equipment (WEEE)
- Tyres
- Plastics
- Plasterboard.

6. The applicant has confirmed that all unsorted / untreated waste would arrive by skip lorry, which would be weighed on the proposed weighbridge. Mixed waste would be tipped and sorted within unit 61. Pre-sorted waste would be taken to units 60, 61, 62 and 63. Empty skips would be temporarily stored within unit 61. Other empty skips would be stored off site at Redditch Skip Hire (units 19 and 20). All sorting, washing, crushing and chipping would take place within the buildings. Sorted waste would be transferred for processing and treatment in units 60, 61, 62, 63 (where the processing plant would be located) and the former silage clamp (bays E and F). Sorted, processed and treated waste would be stored temporarily in bays A (grade A timber), B (grade B timber), C (tree clippings and topsoil) and D (brick/rubble/soil). Waste that cannot be recycled would be stored temporarily in unit 64, before being taken to landfill. Treated waste would then be exported from the site via skip lorries for further processing and recycling at other waste management facilities or for use in manufacturing. Any recycled materials would be sold on a pre-ordered basis. On-site sales would be prohibited.

7. The proposal would employ about 50 members of staff (full-time equivalent), which would be an increase of approximately 20 members of staff (full-time equivalent) compared to the existing Waste Transfer Station. The proposed MRF would operate between the hours of 06:00 hours to 19:00 hours Mondays to Saturdays, inclusive.

8. 25 car parking spaces are proposed of which 4 spaces would be dedicated for disabled users. 7 spaces are proposed for HGV parking and 6 cycle spaces are proposed.

9. A new weighbridge is proposed to be installed at the proposed MRF, adjacent to the site access.

10. The existing Waste Transfer Station would continue to be operated by Redditch Skip Hire from their existing premises (units 19 and 20) on Weights Farm, but only insofar as empty skips would be stored within the units. Waste management operations are proposed to be relocated to the application site.

The Site

11. The application site is approximately 3.3 hectares in area and is located approximately 1.9 kilometres north of Redditch Town Centre, within the administrative boundaries of Bromsgrove District Council, immediately north of the Redditch Borough administrative boundary. The whole of the application site is located within the Green Belt.

12. Immediately to the north-east and east of the application site is a railway line, beyond which is agricultural land. To the north is agricultural land, and west is agricultural land and the dwelling of Lucerne House. Weights Lane landfill site, an inert landfill (County Planning Authority Refs: 407235, 407325, 407376, Minutes 1580 and 280 refers) is operated by the applicant's family (J & S A Wood) is located approximately 115 metres west of the proposal. To the south are commercial businesses operating from Weights Farm. This includes the applicant's existing Waste Transfer Station / Skip Hire Business (Redditch Skip Hire), located about 145 metres south of the proposal.

13. The site is accessed via a private road, off Weights Lane (U22404), which connects to the Birmingham Road (A441) about 650 metres to the east of the site.

14. National Grid's high pressure gas pipeline runs along the north-eastern boundary of the application site and Health and Safety Executive's Major Accident Hazard Pipeline zone that buffers this pipeline is located within the application site. Western Power Destruction's overhead powerline and underground cable (Surf Telecom apparatus) are located approximately 115 metres and 30 metres west of the proposed development, respectively.

15. Hewell Park Lake Site of Special Scientific Interest (SSSI) is located approximately 2 kilometres west of the proposal. Dagnell End Meadow SSSI is located about 1.7 kilometres south-east of the proposal. Butler's Hill Wood Local Wildlife Site (LWS) and Shortwood Rough Grounds LWS are located about 225 metres and 1 kilometre north-west of the application site, respectively. River Arrow LWS is located about 295 metres east of the proposal. Brockhill Wood LWS is located approximately 915 metres south-west of the proposed development. A Landscape Protection Area designated by the adopted Bromsgrove District Local Plan is located on the western side of Weights Lane.

16. The registered park and garden of Hewell Grange is situated approximately 1.6 kilometres west of the application site. The Grade II Listed Buildings of 'Bordesley Lodge Farmhouse', 'Granary' and 'Water Pump' are located about 855 metres south-east of the proposal. Bridleway TC-540 is located about 370 metres west of the proposal.

17. The nearest existing residential properties to the application site are that of Lucerne House located approximately 40 metres south of the site, and Butlers Field Cottage situated approximately 70 metres north-west of the site. Further dwellings of Orchard House, Primrose Cottage and Weights Cottage are situated about 240 metres and 435 metres south-east of the proposal, accessed off Weights Lane.

18. Outline planning permission was granted by Redditch Borough Council on 11 March 2014 for '*mixed use development of up to 200 dwellings, 5,000 square metres (gross) Class B1 office floorspace with associated open space and access arrangements*' on land at Weights Lane, Redditch (Redditch Borough Council Ref: 2012/120/OUT). The subsequent Reserved Matters planning application was granted on 16 December 2015 (Redditch Borough Council Ref: 2015/265/RM) and works have now commenced on site. This site is located about 335 metres south-east of the proposed development.

19. A mixed use development of 296 dwellings, play area, community house and public open space and outline application for up to 3,100 square metres of Class B1 (Business) floorspace and access (Redditch Borough Council Ref: 2014/256/OUT) is pending consideration, awaiting the satisfactory completion of a Section 106 Planning Obligation. This development is located about 450 metres south-east of the application site.

20. Planning permission was granted for the Bordesley Bypass (County Planning Authority Refs: 602510 and 603332, Minutes 530 and 451 refers) by the then Hereford and Worcester County Council County Planning Sub-Committee in 1995 and the Worcestershire County Council Planning and Regulatory Committee in 2006. Both planning permissions have since expired.

Summary of Issues

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

- The Waste Hierarchy
- Location of the Development
- Green Belt
- Landscape Character and Appearance
- Residential Amenity (Noise, Dust and Odour)
- Traffic and Highways Safety
- The Water Environment
- Ecology and Biodiversity.

Planning Policy

National Planning Policy Framework (NPPF)

22. 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.

23. 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".

24. 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.

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

- Section 1: Building a strong, competitive economy
- Section 3: Supporting a prosperous rural economy
- Section 4: Promoting sustainable transport
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 9: Protecting Green Belt land
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment
- Section 13: Facilitating the sustainable use of minerals

National Planning Policy for Waste

26. 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

27. The Development Plan is the strategic framework that guides land use planning for the area. In this respect the current Development Plan consists of the Worcestershire Waste Core Strategy Development Plan Document, and the Adopted Bromsgrove District Local Plan.

28. 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.

29. 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 13: Green Belt

Policy WCS 14: Amenity

Policy WCS 15: Social and economic benefits

Bromsgrove District Local Plan

Policy DS1 Green Belt Designation

Policy DS2 Green Belt Development Criteria

Policy DS13 Sustainable Development

Policy C4 Criteria for Assessing Development Proposals

Policy C9 Development affecting SSSI's and NNR's

Policy C10 Development Affecting SWS's and LNR's

Policy C17 Retention of Existing Trees

Policy C27 Re-Use of Existing Rural Buildings

Policy C31 Farm Diversification Schemes

Policy C32 Criteria for Assessing Farm Diversification Schemes

Policy E9 Criteria for New Employment Development

Policy TR1 The Road Hierarchy

Policy TR2 Safeguarding of Land for Future Road Proposals

Policy TR11 Access and Off-Street Parking

Policy ES1 Protection of Natural Watercourse Systems

Policy ES4 Groundwater Protection

Policy ES14 Development near Pollution Sources

Policy ES14A Noise Sensitive Development

Draft Bromsgrove District Plan

30. The Draft Bromsgrove District Plan will outline the strategic planning policy framework for guiding development in Bromsgrove District up to 2030. It will contain a

long-term vision and strategic objectives, a development strategy, key policies, strategic site allocations and a monitoring and implementation statement. The Plan will also include a copy of the Redditch Cross Boundary Development Policy (Policy RCBD1), which appears in the Draft Borough of Redditch Local Plan No.4.

31. On 12 March 2014 Bromsgrove District Council submitted the Draft Bromsgrove District Plan to the Secretary of State for independent examination. The Secretary of State has appointed an independent Inspector (Mr Michael J Hetherington) to undertake an independent examination into the soundness of the Bromsgrove District Plan. The Bromsgrove District Plan and the Borough of Redditch Local Plan No.4 examinations are being held concurrently and have included several joint hearing sessions as well as separate hearing sessions relating to each Local Plan. Hearing sessions commenced in June 2014 and ran until March 2016.

32. The Inspector published a list of proposed Main Modifications to the submitted Draft Bromsgrove District Plan which he considers are required to make the plan sound. The Inspector's proposed Main Modifications were published for an eight week consultation from 27 July to 21 September 2016. The Inspector invited comments on the proposed Main Modifications as part of the examination into the Draft Bromsgrove District Plan and BORLP4. The Inspector will take account of all representations relating to the Modifications before publishing his final report to the Councils.

33. The Examination formally remains open until the Inspector issues his binding report and it is possible that further hearings could be held if the Inspector chooses to do so. In the circumstances the Draft Bromsgrove District Plan cannot yet be declared sound and cannot be adopted. It is not yet, therefore, part of the development plan. However, having regard to the advice in the NPPF, Annex 1, it is the view of the Head of Strategic Infrastructure and Economy, that whilst full weight cannot be attached to the Draft Bromsgrove District Plan, significant weight should be attached to the Draft Bromsgrove District Plan in the determination of this application. The Draft Bromsgrove District Plan policies that are relevant to the proposal are listed below:-

- Policy BDP1 Sustainable Development Principles
- Policy BDP4 Green Belt
- Policy RCBD1 Redditch Cross Boundary Development
- Policy BDP13 New Employment Development
- Policy BDP15 Rural Renaissance
- Policy BDP16 Sustainable Transport
- Policy BDP19 High Quality Design
- Policy BDP21 Natural Environment
- Policy BDP22 Climate Change
- Policy BDP23 Water Management

Waste Management Plan for England (2013)

34. 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.

35. There are comprehensive waste management policies in England, which taken together deliver the objectives of the revised Waste Framework Directive, therefore, it is not the intention of the Plan to introduce new policies or to change the landscape of

how waste is managed in England. Its core aim is to bring current waste management policies under the umbrella of one national plan.

36. 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.

37. 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

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

Consultations

39. **Tutnall and Cobley Parish Council** has no objections to the proposal.

40. **Bromsgrove District Council and Redditch Borough Council** have provided the following joint comments that the site is located within the Green Belt, therefore, the proposal should be considered against criteria (e) of Policy DS2 and Policy C27 of the adopted Bromsgrove District Local Plan. They also note that paragraph 90 of the NPPF considers that the re-use of buildings is acceptable in the Green Belt provided the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. If there is an impact on openness the proposal would constitute an inappropriate form of development in the Green Belt. In accordance with paragraphs 87 and of the NPPF, inappropriate development should only be approved where there are very special circumstances that clearly outweigh the harm to the Green Belt.

41. **The Environment Agency** has no objections stating that a Bespoke Permit was issued to Mr Wood on 02/12/2014. The permit (Ref: EAWML 48235) to operate a non-hazardous waste transfer station was transferred to Redditch Skip Hire Ltd (operates from units 19 and 20) on 23/11/2007. The permit was varied on 23/07/2015 from a Bespoke Permit to a Standard Rules Permit SR2008No3.

42. It is likely that the permit currently in force could cover all of the proposed activities, and the applicant is advised to contact the Environment Agency regarding this matter. The Environmental Permit would control general management of the site, records and reporting and emissions to land, water and air (including odour, noise dust and vibration).

43. The Environment Agency note that according to their records there have been a number of Permit breaches at the permitted site. All of which have been recorded as minor breaches that are unlikely to impact on the local amenity. It is unlikely that this

proposal would significantly increase the impact on the local amenity. The Environment Agency notes that the operating hours and vehicle movements are not controlled by the Environmental Permit.

44. **Worcestershire Regulatory Services (Air Quality and Contaminated Land)** has no objections or adverse comments in respect of air quality and contaminated land impacts.

45. **Worcestershire Regulatory Services (Noise, Dust and Odour)** has no objections, subject to the imposition of conditions requiring the development to be carried out in accordance with the recommendations of the submitted Noise Assessment. They note that the Noise Assessment is satisfactory and indicates a low impact at the nearest residential property.

46. With regard to dust and odour impacts, they note that the site would require an Environmental Permit from the Environment Agency, which would control dust and odour emissions.

47. **Public Health England** has no objections, stating that they have no significant concerns regarding risk to health of the local population from the proposed development, subject to the applicant taking all appropriate measures to prevent or control environmental emissions, in accordance with industry best practice.

48. **Lead Local Flood Authority** wishes to defer to the opinion of North Worcestershire Water Management.

49. **North Worcestershire Water Management** has no objections, subject to the imposition of a condition requiring a scheme for surface water drainage, which shall include measures to manage and treat any surface water pollution from the site.

50. The Drainage Officer states that the site is located within the River Arrow catchment and sits within 300 meters of the main river channel. Environment Agency fluvial mapping indicates that the site is located within Flood Zone 1, while the site is in moderately close proximity to the River Arrow; it is around 15 metres higher than river level so the fluvial flood risk to the site is not considered to be significant. Based on the surface water flood maps there is also minimal surface water pooling to the site at the 1 in 100 year return period.

51. The applicant has only provided partial details of the sites existing drainage arrangements. Therefore, a condition is recommended requiring the applicant to submit a drainage showing all surface and foul connections on site, including the main surface water drains, existing ditch line and its route to the edge of the site and all connections from the existing roof drainage.

52. The planning application makes reference to the proposed future use of rainwater harvesting to provide some attenuation of roof drainage, this is welcomed and it is recommended that this is incorporated into the scheme as early as possible to provide some betterment to the site runoff attenuation.

53. It is considered that there is increased risk of contaminated surface water runoff being discharged from the site. With increased vehicular use and with the introduction waste handling on site, even with careful site management, it is inevitable that there

would be some contaminant present in the surface water runoff. Therefore, physical measures are required to be put in place to control this; these should be indicated on the required drainage plan.

54. With respect to the Network Rail's comments, the Drainage Officer acknowledges their concerns, however, from the details that has been provided they do not consider that the proposals would lead to any changes on the site that would increase the level of runoff from the site; and therefore, it is the Drainage Officer's view that the impact to the railway would remain fairly static.

55. **Severn Trent Water Limited** has no objections to the proposal, subject to the imposition of a condition requiring a scheme for the disposal of foul and surface water.

56. **The County Highways Officer** has raised no objections, subject to the imposition of a condition limiting the number of HGV movements to that outlined within the planning application; and constructing the access and parking facilities.

57. The County Highways Officer notes that the Weights Farm site benefits from an approved commercial / business use including the operation of a skip hire business the changes in the traffic patterns created by the proposed development are unlikely to result in a severe impact on the safety or capacity of the local highway network. Approved changes to the connection to the Birmingham Road are in the process of being constructed (under Redditch Borough Council planning permission refs: 2012/120/OUT and 2015/265/RM) and this would further address any possible capacity issues.

58. The submitted Planning Application Planning Statement states that the number of vehicular movements associated with the skip hire and recycling business is restricted by the site licence and it is, therefore, thought reasonable to impose a condition limiting the vehicular movements to those stated in the Transport Statement. This would enable the County Planning Authority to monitor the impact of the operation and have a degree of control over expansion of the operation should licences for a larger operation be granted in the future that does not involve works requiring planning permission.

59. **The Campaign to Protect Rural England (CPRE)** objects to the proposal on the grounds of adverse impacts upon the Green Belt and upon the amenity of existing local businesses and future housing developments.

60. CPRE note that the application submission considers the impact upon Butler's Field Cottage which is assessed as having a minimal noise impact. However, no reference has been made to the impact upon residential properties, which are now being constructed along Weights Lane (Redditch Borough Council Ref: 2012/120/OUT and District Ref: 2015/265/RM) or to the impact on Brockhill East Phase Two residential development (Redditch Borough Council Ref: 2014/256/OUT).

61. They state that at the point that the Emerging Bromsgrove District Local Plan is formally adopted, the land south of Weights Lane would cease to be Green Belt and become an allocated housing site. This means that it is almost certain that housing would be constructed up to Weights Lane within the next 10 to 15 years. These new

houses would be affected by the HGVs travelling along Weights Lane and by the air and probable noise pollution caused by this proposal.

62. The application site would remain part of the Green Belt, and CPRE consider that this is not an acceptable use in the Green Belt. They consider that the reuse of existing agricultural or other rural buildings for industrial purposes would commonly be acceptable, but waste transfer is not an ordinary industrial use. The application site is already incongruous in an area, which is Green Belt, albeit brownfield land and, as the houses advance from the south, increased traffic and associated pollution at the site would not encourage the free access to the countryside and sustainable modes of travel which might have been expected from housing development on the outskirts of Redditch.

63. In addition, CPRE note that the planning application submission shows vehicle movements taking place very close to buildings that are to be retained as cattle sheds. This may result in a conflict between uses and if cattle and HGVs are using the same space, there is a risk that muck would be carried onto the public highways, which is considered unacceptable.

64. **The County Archaeologist** has no objections, stating that the application site does not contain any known heritage assets and is also situated at some distance from any known archaeological sites. Furthermore, the existing buildings within the development area are all of relatively recent origin, post-dating World War II. On that basis the County Archaeologist does not consider that the development would affect any heritage assets of archaeological or built historic environment interest.

65. **The County Landscape Officer** has no objections, stating that the application sets out how the proposed change of use would make few changes to the site layout and structural morphology of the existing buildings. The proposal to upgrade the buildings and increase throughput in broad terms would not impact to the landscape setting, or the setting of the historic farm buildings to the south-east of the site.

66. **Hereford and Worcester Fire and Rescue** has made no comments.

67. **Natural England** has no objections, stating that they are satisfied that the proposed development being carried out in strict accordance with the submitted application would not damage or destroy the interest features for which Dagnell End Meadow SSSI has been notified. They therefore advise that this SSSI does not represent a constraint in the determination of this application.

68. **Worcestershire Wildlife Trust** has no objections to the proposal, stating that they are satisfied with the findings of the submitted ecology assessment, in particular the Bat and Bird Surveys. They note the River Arrow LWS is located near to the application site and there may be hydrological connectivity between the application site and the LWS. Taking into account the findings of the submitted surveys and on the assumption that pollution control measures can be conditioned in order to protect the receiving watercourse they raise no objections and wish to defer to the County Ecologist for all on site detailed matters relating to biodiversity.

69. **The County Ecologist** has no objections, subject to the imposition of a condition outlined in the submitted Preliminary Bat Roost and Nesting Bird Assessment, namely no works shall take place within the bird nesting season (March to August inclusive)

unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before works commence.

70. **Network Rail** objects to the proposal, as surface water is proposed to be drained towards the railway. This is not acceptable to Network Rail. Surface water draining in the direction of the railway could increase Network Rail's liability, including increasing the potential for flooding, soil slippage and pollution.

71. However, should planning permission be granted they recommend the following conditions relating to: drainage scheme; scaffolding should not over-sail the railway; a method statement for vibro-compaction machinery / piling machinery or piling and ground treatment works; details of all excavations and earthworks adjacent to the railway; and they encourage the installation of suitable high kerbs or crash barriers on the site.

72. Network Rail also notes that a number of agreements, assessments and consents are from them due to the proximity of the Railway Line. This includes: a Basic Asset Protection Agreement; a Risk Assessment and Method Statement; and serve a Party Wall Act 1996 notification on Network Rail.

73. **Health and Safety Executive (HSE) (HSE Planning Advice Web App)** has no objections to the proposal.

74. **National Grid** comments that a high pressure gas pipeline crosses the site. Due to the presence of National Grid apparatus within the application site, they advise that the applicant contacts National Grid before any works are carried out to ensure their apparatus is not adversely affected by the proposed works.

75. The Institute of Gas Engineers Standards (IGE/TD/1), states that no habitable buildings be constructed within 14 metres of the proven pipeline position and with an approximate standard easement width of 12.2 metres.

76. National Grid also advise that the County Planning Authority seek guidance from the Health and Safety Executive.

77. **Western Power Distribution** comments that an 11 kV overhead electricity line and underground cable (Surf Telecom apparatus) are located within the vicinity of the application site. The applicant must comply with health and safety legislation and the Western Power Distribution guidance.

78. **Fisher German on behalf of Petroleum Company Limited** has no objections, subject to the development being carried out in accordance with their guidance: "Special Requirements for Safe Working".

79. **West Mercia Police** has no objections, stating that they consider the proposal will not have an adverse impact on crime and disorder.

80. **Worcestershire Local Economic Partnership (LEP)** has made no comments.

81. **The County Sustainability Officer** has made no comments.

Other Representations

82. The application has been advertised on site, in the press and by neighbour notification. To date no letters of representation have been received commenting on the proposal.

The Head of Strategic Infrastructure and Economy's Comments

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

Waste Hierarchy

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

- Delivery of sustainable development and resource efficiency...by driving waste management up the waste hierarchy
- Ensuring that waste management is considered alongside other spatial planning concerns...recognising the positive contribution that waste management can make to the development of sustainable communities
- Providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of, and
- Helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment.

85. 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). The Worcestershire Waste Core Strategy sets out a number of objectives. Objective WO3 of the Waste Core Strategy seeks to make driving waste up the waste hierarchy the basis for waste management in Worcestershire.

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

Location of the Development

87. National Planning Policy for Waste seeks to drive waste management up the waste hierarchy, and to secure the re-use of waste without endangering human health or harming the environment. Section 4 identifies possible suitable sites for waste management, this includes industrial sites, opportunities for co-location, re-use of previously developed land, sites identified for employment uses and redundant agricultural and forestry buildings and their curtilages. Section 5 includes criteria for assessing the suitability of sites for new waste management facilities and Appendix B

sets out locational criteria. The Worcestershire Waste Core Strategy is broadly in accordance with these principles and the National Planning Policy for Waste.

88. 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'.

89. Policy WCS 3 of the Waste Core Strategy requires waste management facilities that enable re-use or recycling of waste, including treatment, storage, sorting and transfer facilities, to be permitted within all levels of the Geographic Hierarchy, where it is demonstrated that the proposed location is at the highest appropriate level of the Geographic Hierarchy.

90. The proposal would be located in Level 1 of the geographic hierarchy for waste management in Worcestershire (the highest level), and therefore, complies with Policy WCS 3 of the Waste Core Strategy.

91. 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, such as this, to land which includes existing or allocated industrial land; contaminated or derelict employment land; redundant agricultural or forestry buildings or their curtilage; and sites with current use rights for waste management purposes as long as they are enclosed. It also directs enclosed re-use and recycling sites to active mineral workings or landfill sites; land within or adjoining a waste water treatment works; or co-location with producers, end users or other complementary activities, where strongly justified. Greenfield land is stated as not being a compatible land use.

92. The proposed development would re-use farm buildings and associated land and therefore, would comply with Policy WCS 6 of the Waste Core Strategy, falling under the compatible land use of 'redundant agricultural or forestry buildings or their curtilage'.

Green Belt

93. The proposed development would be located wholly within the West Midlands Green Belt. CPRE object to the proposal on the grounds of adverse impacts upon the Green Belt.

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

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

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

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

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

97. The NPPF considers that the construction of new buildings is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, there are a number of exceptions in paragraphs 89 and 90 of the NPPF, which are considered to be appropriate forms of development in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Paragraph 90 of the Framework allows the re-use of buildings provided that the buildings are of permanent and substantial construction.

98. The proposed development does not require any new buildings, extensions or hardstanding and the existing yard would be used for parking. The proposed external alterations to the buildings by cladding the walls would have no impact on openness of the Green Belt. Unloading, handling, processing and storage of processed waste would take place within the existing permanent buildings that are of substantial construction. A limited amount of external storage of processed materials would take place within existing storage bays numbers A, B and C. However, these storage areas are currently used in association with agricultural use, such as animal bedding, biomass woodchip and silage, and therefore, would have no greater impact on the openness of the Green Belt. The site is well contained within palisade fencing and no new fencing is proposed. No external storage of skips is proposed, with skips proposed to be stored at the applicant's existing Waste Transfer Station (Redditch Skip Hire) located to the south of the site at Weights Farm. No floodlighting is proposed.

99. In view of this, the Head of Strategic Infrastructure and Economy considers that the proposal would not have a greater impact on the openness of the Green Belt than the existing agricultural buildings and would not conflict with the five purposes of Green Belt. It is considered that the proposal would fall under the Green Belt exemptions (paragraph 90: 'the re-use of buildings provided that the buildings are of permanent and substantial construction'), and therefore, would be an appropriate form of development in the Green Belt.

100. Under the Town and Country Planning (Consultation) (England) Direction 2009, the County Council is required to consult the Secretary of State for Communities and Local Government on new buildings in the Green Belt it intends to approve that would be inappropriate development and exceed 1,000 square metres; or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. As the proposal is considered to be an appropriate form of development in the Green Belt, there is no need to consult the Secretary of State in this instance.

Landscape Character and Visual Impacts

101. Public views of the application site are limited due to the oblique nature of the views from Weights Lane, which is a public highway and bridleway (for part of its length), the undulating topography, the location of Butlers Hill Wood about 225 metres north-west of the proposal and the existing industrial / commercial estate at Weights Farm to the south, all of which help to screen the proposal in the wider landscape. However, close up views of the proposal would be available from the residential properties of Lucerne House located approximately 40 metres south of the site.

102. No new buildings or hardstanding are proposed and the applicant has confirmed that all waste management processing operations would take place within the buildings and external storage would be limited to three existing storage bays.

103. The County Landscape Officer has been consulted and has raised no objections to the proposal. The Head of Strategic Infrastructure and Economy considers that should planning permission be granted conditions should be imposed regarding the materials of the building (infill panels), external lighting and height of external stockpiles.

104. In view of the above matters, the Head of Strategic Infrastructure and Economy considers that subject to the imposition of appropriate conditions, the proposed development would not have an adverse or detrimental impact upon the character and appearance of the local area.

Residential Amenity (Noise, Dust and Odour)

105. The nearest existing residential properties to the application site are that of Lucerne House located approximately 40 metres south of the site, and Butlers Field Cottage situated approximately 70 metres north-west of the site.

106. The proposed hours of operation, including the operation of plant and equipment are between 06:00 and 19:00 hours Mondays to Saturdays, inclusive, with no operations on Sundays or Bank Holidays.

107. CPRE object to the proposal on the grounds of adverse impacts on residential amenity, in particular noise and air quality impacts. They also state that the submitted Noise Assessment does not consider the impact upon the residential properties being constructed along Weights Lane (Redditch Borough Council Ref: 2012/120/OUT and District Ref: 2015/265/RM) or to the impact on Brockhill East Phase Two residential development (Redditch Borough Council Ref: 2014/256/OUT).

108. The application was accompanied by a Noise Assessment and Air Quality Assessment. The Noise Assessment concludes that the proposal would result in a low adverse impact with respect to the additional noise generated at Butlers Field

Cottage and to the rear of the residential properties on Birmingham Road, subject to the following mitigation measures which includes the gap between the top of the 'new' concrete wall and the roof being filled with trapezoidal panels and no gaps within the buildings.

109. The Air Quality Assessment concludes that the majority of the waste processing and storage operations would be undertaken within buildings. As such, the potential for emission of dust and odour is limited. HGVs transferring materials to and from site would be sheeted which would control potential odour and dust emissions during the delivery and export of wastes. Subject to the following mitigation measures which are required by the Environmental Permit for the site, no significant impacts are predicted at any of the identified dust and odour sensitive receptors. Mitigation measures include: spraying of stockpiles; a dust suppression sprinkler system within the buildings; and if a malodorous waste is discovered, it will be immediately consigned to the skip / container for rejected waste and the EA contacted or load removed from site immediately.

110. There is potential for emissions of Nitrogen Dioxide and Particulate Matter from cars and HGVs associated with the proposed development. A qualitative assessment has been undertaken by the applicant. Based on the existing background pollutant concentrations, which are less than 50% of the Air Quality Limit Values as outlined within The Air Quality Standards Regulations 2007 for Particulate Matter and Nitrogen Dioxide, and the predicted number of additional car and HGV movements, potential impacts from vehicle exhaust emissions are not predicted to be significant.

111. Whilst the Noise Assessment did not consider the impacts upon the residential developments under construction along Weights Lane or that of Brockhill East Phase Two, which is pending consideration, following the resolution of a satisfactory 106 Agreement. It is noted that the proposal considered the impact upon the nearest residential properties. It is noted that Worcestershire Regulatory Services (Noise, Dust and Odour) has been consulted and has raised no objections, subject to the imposition of conditions requiring the development to be carried out in accordance with the recommendations of the submitted Noise Assessment. Worcestershire Regulatory Services also note that the Noise Assessment is satisfactory and indicates a low impact at the nearest residential property(s). With regards to dust and odour impacts, they note that the site would require an Environmental Permit from the Environment Agency, which would control dust and odour emissions. Worcestershire Regulatory Services (Air Quality and Contaminated Land) has also raised no objections.

112. Paragraph 122 of the NPPF states that *"local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively"*. Paragraph Reference ID: 28-050-20141016 of the Government PPG elaborates on this matter, stating that *"there exist a number of issues which are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively. The focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. However, before granting planning permission they*

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

113. It is noted that the Environment Agency has raised no objections and that an Environmental Permit would be required for the site, which would control emissions, including noise, dust, odour and vibration. Worcestershire Regulatory Services also raises no objections to the proposal.

114. With regard to impacts to human health, Public Health England has raised no objections, stating that they have no significant concerns regarding risk to health of the local population from the proposed activity, provided that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.

115. The Head of Strategic Infrastructure and Economy recommends that a condition is imposed restricting the construction hours in accordance with those outlined within Worcestershire Regulatory Services' Code of Best Practice for Demolition and Construction Sites, namely between the hours of 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays. Furthermore, it is considered appropriate, given the proximity of the proposal to residential dwellings and developments to limit the operating hours to the same as the construction hours to limit the impact of the operations on amenity grounds.

116. In view of the above matters, the Head of Strategic Infrastructure and Economy considers that, subject to the imposition of appropriate conditions relating to operating hours, construction hours requiring a detailed lighting scheme and implementation of the mitigation measures outlined in the submitted Noise Assessment, there would be no adverse air pollution, noise or dust impacts on residential amenity or that of human health.

Traffic and Highway Safety

117. Weights Lane is a public highway wide enough for two cars to pass each other and the site lies approximately 430 metres from Birmingham Road (A441). Weights Lane is not a 'through road' and is used only by people accessing Weights Farm industrial / commercial estate and a small number of dwellings. The application site is accessed via a private road about 100 metres north from its junction with Weights Lane. This private road is wide enough for two HGVs to pass each other, with a layby at the entrance to the proposed MRF providing further room for manoeuvring. A weighbridge is located on Weights Lane about 250 metres west of its junction with Birmingham Road (A441). A new weighbridge would be installed at the proposed MRF, adjacent to the site access. Vehicles would enter and exit the application site via the same access.

118. 25 car parking spaces are proposed of which 4 spaces would be dedicated for disabled users. 7 spaces are proposed for HGV parking and 6 cycle spaces are proposed.

119. Bromsgrove District Council has granted planning permission for a "*mixed use development of up to 200 dwellings, 5,000 square metres of Class B1 office floorspace and public open space*" (District Ref: 2012/120/ OUT and 2015/265/RM)), which includes works to replace the existing T-junction between Weights Lane and Birmingham Road (A441) with a new 28 metre diameter roundabout. The layout of

the new roundabout provides four arms – Birmingham Road forming two arms, Weights Lane and the residential site access.

120. Paragraph 32 of the NPPF states that:

All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development..".*

121. It is noted that the NPPF goes on to state that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

122. Whilst the application is not supported by a standalone Traffic Assessment or Transport Statement, it is noted that the Planning Application Planning Statement contained a detailed assessment of traffic movements. This states that the existing Waste Transfer Station and skip hire business (Redditch Skip Hire) generates approximately 62 HGV movements per day combined (31 HGVs entering the site and 31 HGVs exiting the site per day). The proposed development (skip hire business and MRF combined) would generate about 248 HGV moments per day (about 124 HGVs entering the site and 124 HGVs exiting the site per day).

123. The County Highways Officer has raised no objections, subject to the imposition of a condition limiting the number of HGV movements to that outlined within the planning application; and constructing the access and parking facilities. They also note that the proposal is unlikely to result in a severe impact on the safety or capacity of the local highway network. Approved changes to the connection to the Birmingham Road are in the process of being constructed (under District Refs: 2012/120/OUT and 2015/265/RM) and this would further address any possible capacity issues.

124. With regard to the recommended conditions by the County Highways Officer, the Head of Strategic Infrastructure and Economy notes that the site benefits from an existing hardstanding and no new hardstanding is proposed therefore the condition regarding the construction specification of the hardstanding is not considered relevant in this instance. A condition requiring the development to be carried out in accordance with the submitted drawings is recommended. With regard to limiting the HGV movements, it is considered that this would be best achieved through the imposition of a condition limiting the throughput of the facility as this could be monitored and enforced, and a condition is recommended to this effect.

125. In view of the above matters, the Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have an unacceptable impact upon traffic and highway safety, subject to the imposition of appropriate conditions.

Water Environment

126. Policy WCS 10 of the Worcestershire Waste Core Strategy states that proposals will be permitted where unacceptable adverse flood risk impacts have been mitigated to ensure safety and water quality.

127. The site is located within the River Arrow catchment and sits within 300 metres of the main river channel. The application site falls within Flood Zone 1 which has a low probability of flood risk. The application site is 3.3 hectares in area. The applicant does not propose to increase the area of roofs or impermeable surfaces.

128. All existing surface water from the sites drains to a ditch which runs along the north-western site boundary, adjacent to the Alvechurch to Redditch railway line. The applicant does not propose to alter these arrangements.

129. The applicant states that "*all treatment and storage of wastes capable of releasing polluting run-off would be undertaken within the existing buildings which would be bunded to prevent any escape of liquids or within former silage clamps which benefit from sealed drainage systems preventing run-off to surface drains*".

130. The foul water from messing and welfare facilities associated with Unit 59 would be drained to an existing package Sewage Treatment Plant which serves part of the businesses on the adjacent Weights Farm industrial / commercial estate.

131. As the application site area exceeds 1 hectare in area, a Flood Risk Assessment was submitted in support of the planning application. The Flood Risk Assessment concludes that "*the proposed change of use would not increase the risk of flooding arising from the site and as such there are no direct measures to mitigate flows from the site*".

132. With regard to the Sequential Test, the aim of which is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Flood Risk Assessment states that as the proposed development is located in Flood Zone 1, it therefore meets the Sequential Test.

133. The proposed development is classed as 'less vulnerable', as identified by Table 2: 'Flood risk vulnerability classification' of the Government's Planning Practice Guidance (PPG). Table 3: 'Flood risk vulnerability and flood zone 'compatibility' of the PPG identified that less vulnerable uses of land are considered appropriate in this zone.

134. Network Rail has been consulted due to the proximity to the railway line and objects to the proposal, as surface water is proposed to be drained towards the railway. This is not acceptable to Network Rail. Surface water draining in the direction of the railway could increase Network Rail's liability, including increasing the potential for flooding, soil slippage and pollution. However, should planning permission be granted they recommend a condition relating to surface water drainage.

135. In response to Network Rail, the applicant states that "*the proposal would not increase the impermeable surface area of the site...therefore, the proposal would have no additional impact on the quantities of surface water generated by the existing*

complex of yards and buildings...the proposal would not result in any increased risk of flooding in comparison to the existing agricultural use of land, including adjacent land owned by Network Rail".

136. The Lead Local Flood Authority has been consulted and has deferred to the opinion of North Worcestershire Water Management for all detailed matters relating to surface water drainage. North Worcestershire Water Management has no objections, subject to the imposition of a condition requiring a scheme for surface water drainage, which shall include measures to manage and treat any surface water pollution from the site.

137. With respect to the Network Rail's comments, North Worcestershire Water Management acknowledges their concerns, however, from the details that has been provided they do not consider that the proposals would lead to any changes on the site that would increase the level of runoff from the site; and therefore, it is the view that of North Worcestershire Water Management that the impact to the railway would remain fairly static.

138. The Environment Agency has also raised no objections to the proposal. Severn Trent Water has also raised no objections to the proposal, subject to a condition requiring a scheme for the disposal of foul and surface water.

139. Based on the advice of North Worcestershire Water Management, the Head of Strategic Infrastructure and Economy considers that subject to the imposition of an appropriate condition, there would be no adverse effects on the water environment and considers that the planning application accords with Policy WCS 10 of the Worcestershire Waste Core Strategy.

Ecology and Biodiversity

140. Paragraph 9 of the NPPF states that *"pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life", which includes "moving from a net loss of biodiversity to achieving net gains for nature". This is reiterated within Section 11 of the NPPF, paragraph 109 states that "the planning system should contribute to and enhance the natural and local environment", and this includes "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".*

141. Paragraph 118 of the NPPF states that *"when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles", this includes "if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".*

142. There are only two statutory wildlife designated sites within 2 kilometre of the proposal - Hewell Park Lake SSSI and Dagnell End Meadow SSSI, which are located approximately 2 kilometres west and 1.7 kilometres south-east of the proposal, respectively. There are a number of non-statutory wildlife designated sites within 1 kilometre of the proposal, notably Butler's Hill Wood LWS and Shortwood Rough

Grounds LWS are located about 225 metres and 1 kilometre north-west of the application site, respectively. River Arrow LWS is located about 295 metres east of the proposal. Brockhill Wood LWS is located approximately 915 metres south-west of the proposed development.

143. A Preliminary Bat Roost and Nesting Bird Assessment was undertaken of six agricultural buildings at the site. The buildings were found to be used by roosting birds, and it was also considered possible that they are also used by nesting birds. The buildings inspected had negligible suitability for bats, and no evidence of bat presence was found. Precautionary mitigation measures are recommended by the Assessment. This includes: works should be undertaken outside the bird breeding season; and in the unlikely event that a bat is discovered during conversion works, all work must stop immediately and a licensed ecologist and Natural England consulted.

144. Natural England and Worcestershire Wildlife Trust have been consulted due to the proximity of the proposal to SSSI's and LWS's, respectively. Natural England is satisfied that subject to the proposal being carried out in accordance with the submitted application it would not damage or destroy the interest features for which the sites have been notified. Worcestershire Wildlife Trust also has no objections, subject to the imposition of appropriate conditions and defers to the opinion of the County Ecologist for all on site detailed matters relating to biodiversity. The County Ecologist also has no objections, subject to the imposition of an appropriate condition as outlined in the submitted Preliminary Bat Roost and Nesting Bird Assessment.

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

Other Matters

Economic Impact

146. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development through the three dimensions of economic, social and environmental. In particular the NPPF sees the economic role of planning as *"contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating the development requirements, including provision of infrastructure"*.

147. In addition, the NPPF at Paragraph 19 states that the *"Government is committed to ensuring that the planning system does everything it can to support economic growth, and therefore, significant weight should be placed on the need to support economic growth through the planning system"* and paragraph 28 states that *"planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development"*.

148. The applicant currently employs a total of 20 full-time employees, should this planning application be granted a further 30 employees (full-time equivalent) would be required. By securing existing jobs and creating new opportunities, the proposal would support communities and thereby provide a social benefit. Furthermore, by providing jobs and a service to other businesses, it would contribute to the local

economy. In so far as it provides these social and economic benefits, the proposal would accord with the aims of the NPPF.

Heritage Impacts

149. A number of heritage assets are located within the wider context of the application site, as outlined in paragraph 16, although no designated heritage assets are identified within the immediate site context.

150. The County Archaeologist has no objections, stating that they do not consider that the proposal would affect any heritage assets of archaeological or built historic environment interest.

151. The Head of Strategic Infrastructure and Economy considers that based on the advice of the County Archaeologist, the distance from designated heritage assets, the screening offered by the topography and woodland that the proposed development would have no adverse effects on heritage assets.

Integrity of the railway line

152. The application site would be located in close proximity to the Alvechurch to Redditch railway line. Network Rail has been consulted and objects to the proposal, as surface water is proposed to be drained towards the railway (refer to the 'Water Environment' section of this report). However, should planning permission be granted they recommend the imposition of conditions requesting a method statement should vibro-compaction / displacement piling plant be used in the construction of the proposal, full details of excavations and earthworks to be carried out near the railway line; and any scaffold must not over-sail the railway line. Conditions are recommended to this effect. They also encourage the installation of suitable high kerbs or crash barriers on the site; and the applicant is also advised to contact Network Rail directly to discuss any consents required from Network Rail.

153. In response to Network Rail, the applicant has confirmed that no new buildings would be constructed; no additional hardstanding would be laid; no excavations or earthworks would take place adjacent to the railway boundary; there would be no physical encroachment onto Network Rail land; no vehicles would be parked adjacent to the railway boundary; no waste would be stored or handled adjacent to the railway boundary. The applicant also confirms that the railway boundary fence is a robust 1.8 metre tall metal palisade fence, and therefore, is not proposing to install crash barriers or high kerbs.

154. The Head of Strategic Infrastructure and Economy considers that there would be no adverse impact on the safe operation of the railway, subject to the imposition of appropriate conditions.

Infrastructure Assets

155. National Grid's high pressure gas pipeline runs along the north-eastern boundary of the application site and Health and Safety Executive's (HSE's) Major Accident Hazard Pipeline zone that buffers this pipeline is located within the application site. Western Power Distribution's overhead powerline and underground cable (Surf Telecom apparatus) are located approximately 115 metres and 30 metres west of the proposed development, respectively.

156. National Grid has been consulted and has requested that the applicant contacts them prior to carrying out any works on site; and that the County Planning Authority consults HSE. The HSE Planning Advice Web App raises no objections to the proposal on safety grounds. Western Power Distribution has also been consulted and has raised no objections to the proposal. Fisher German commented on behalf of Petroleum Company Limited and has no objections to the proposal.

157. In view of this, the Head of Strategic Infrastructure and Economy considers that the proposed development would not unduly impact upon the infrastructure assets within and adjacent to the site.

Sustainable Development

158. 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.

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

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

160. The proposal would re-use the existing agricultural buildings at the site, and the proposal does not require any new buildings, extensions or hardstanding to be constructed. The applicant has confirmed that as the site develops means to harvest and utilise rainwater within the site will be explored. The proposed change of use would result in a cumulative floor area of approximately 7,809 square metres, with 3 of the 6 buildings measuring over 1,000 square metres in floorspace. The proposal does not include on-site renewable or low carbon energy generating facilities and the applicant has not demonstrated that this is not practicable. Therefore, in order to comply with Policy WCS 11 of the Waste Core Strategy a condition is recommended requiring the installation of renewable or low carbon energy generating facilities. The applicant has confirmed that "*as the MRF buildings would be unheated it is anticipated the 10% would be delivered by solar panels on the roof of the proposed office (unit 59)*".

161. In view of this, and the preceding sections of this report, the Head of Strategic Infrastructure and Economy, therefore, considers that subject to the imposition of a condition requiring the consideration of renewable or low carbon energy generating facilities to be incorporated as part of the development, that the proposal is a sustainable development, in accordance with the NPPF in relation to its presumption in favour of sustainable development.

Conclusion

162. The applicant is seeking planning permission for a proposed change of use of agricultural buildings and associated land to MRF at Weights Farm, Weights Lane, Redditch.

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

164. Policy WCS 3 of the Waste Core Strategy requires waste management facilities that enable re-use or recycling of waste, including treatment, storage, sorting and transfer facilities, to be permitted within all levels of the Geographic Hierarchy, where it is demonstrated that the proposed location is at the highest appropriate level of the Geographic Hierarchy. The proposal would be located in Level 1 of the geographic hierarchy for waste management in Worcestershire (the highest level), and therefore, complies with Policy WCS 3 of the Waste Core Strategy.

165. The proposed development would re-use farm buildings and associated land and therefore, would comply with Policy WCS 6 of the Waste Core Strategy, relating to compatible land uses.

166. The proposed development would be located wholly within the West Midlands Green Belt. The Head of Strategic Infrastructure and Economy considers that the proposal would not have a greater impact on the openness of the Green Belt than the existing agricultural buildings and would not conflict with the five purposes of Green Belt. It is considered that the proposal would fall under the Green Belt exemptions (paragraph 90: 'the re-use of buildings provided that the buildings are of permanent and substantial construction'), and therefore, would be an appropriate form of development in the Green Belt.

167. Based on the advice of the County Landscape Officer, it is considered that the proposed development would not have an adverse or detrimental impact upon the character and appearance of the local area, subject to the imposition of appropriate conditions.

168. The Head of Strategic Infrastructure and Economy considers that, subject to the imposition of appropriate conditions relating to operating hours, construction hours, requiring a detailed lighting scheme and implementation of the mitigation measures outlined in the submitted Noise Assessment, there would be no adverse air pollution, noise or dust impacts on residential amenity or that of human health.

169. The Head of Strategic Infrastructure and Economy is satisfied that the proposal would not have an unacceptable impact upon traffic and highway safety, subject to the imposition of appropriate conditions.

170. Based on the advice of North Worcestershire Water Management and Severn Trent Water Limited it is considered that subject to the imposition of an appropriate condition, there would be no adverse effects on the water environment, in accordance with Policy WCS 10 of the Worcestershire Waste Core Strategy.

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

172. It is noted that the NPPF affords significant weight to economic growth. By securing existing jobs and creating new opportunities, the proposal would support communities and thereby provide a social benefit. Furthermore, by providing jobs and a service to other businesses, it would contribute to the local economy. In so far as it provides these social and economic benefits, it is considered that the proposal would accord with the aims of the NPPF.

173. 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 13, WCS 14, and WCS 15 of the adopted Worcestershire Waste Core Strategy, Policies DS1, DS2, DS13, C4, C9, C10, C17, C27, C31, C32, E9, TR1, TR2, TR11, ES1, ES4, ES14 and ES14A of the adopted Bromsgrove District Local Plan, and Policies BDP1, BDP4, RCB1, BDP13, BDP15, BDP16, BDP19, BDP21, BDP22 and BDP23 of the Draft Bromsgrove 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

174. The Head of Strategic Infrastructure and Economy recommends that planning permission be granted for the proposed change of use of agricultural buildings and associated land to Material Reclamation Facility (MRF) at Weights Farm, Weights Lane, Redditch, Worcestershire, subject to the following conditions:

Commencement

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;**

Approved Plans

- b) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawings Numbered 7857-100 Rev A, 7857-200, 3475/1940/03 Rev B, 3475/1940/04 Rev A, 3475/1940/05, 3475/1940/06, 3475/1940/07, 3475/1940/08, 3475/1940/09, 3475/1940/10, 3475/1940/11, 3475/1940/12, 3475/1940/13, 3475/1940/14 and 3475/1940/15, except where otherwise stipulated by conditions attached to this permission;**

Throughput

- c) The annual throughput of materials handled at the site shall be limited to a maximum of 100,000 tonnes per annum and records shall be kept and made available to the County Planning Authority on written request for the duration of the operations on the site;

Hours of Working

- d) 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 or Public Holidays;
- e) Excluding the ancillary office on the first floor of unit 59, operations within the site hereby approved shall only take place between the hours of 08:00 hours and 18:00 hours Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays, with operations on Sundays or Bank or Public Holidays;

Noise

- f) All waste processing (including crushing, shredding and screening) shall take place within the buildings hereby approved;
- g) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specifications at all times, and shall be fitted with and use fully operational silencers;
- h) The development hereby approved shall be carried out in accordance with Section 5.8 'Conclusions' of the Noise Chapter of the submitted 'Weights Farm Environmental Assessment, dated 25 August 2016;

Storage Heights

- i) The height of any external stockpiles of material shall not exceed 4 metres and a scheme for the setting up of a permanent marker that allows operatives and officers from the County Planning Authority a means of visually checking this height shall be submitted to and agreed in writing by the County Planning Authority prior to the operation of the development hereby approved. The agreed height marker shall be erected and maintained on site for the duration of the development hereby approved;

Lighting

- j) 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. Colour;
 - iv. Spread of light (in metres);
 - v. Any measure proposed to minimise the impact of the lighting or disturbance through glare; and
 - vi. Times when the lighting would be illuminated;

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

Pollution

- k) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and site glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels, overflow pipe outlets shall be detailed to discharge downwards into the bund;
- l) No materials shall be burnt on the site;

Ecology

- m) The development hereby approved shall be carried out in accordance with Section 4.2 'Recommendations' of the submitted 'Preliminary Bat Roost and Nesting Bird Assessment', dated 19 July 2016;

Materials

- n) Notwithstanding any indication of the materials, which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes for the vehicle maintenance workshop building has 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;
- o) Prior to the use of the development hereby approved, details of renewable or low carbon energy generating facilities to be incorporated as part of the approved development shall be submitted to and approved in writing by the County Planning Authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities. The approved facilities shall be provided prior to the occupation of the development hereby approved;

Drainage

- p) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the County Planning Authority. This should include proposed measures to manage the level of pollution in the sites surface water runoff and provided an appropriate level of treatment. The approved scheme shall be completed prior to the first use of the development hereby approved;

Protection of Railway Lines

- q) Prior to commencement of the development hereby approved, should any excavations, earthworks or temporary site compounds be proposed adjacent to the railway line, or should vibro-compaction or displacement piling plant be used in the construction of the development hereby approved, a Method Statement detailing how the structural integrity of the railway line, embankment and retaining walls shall 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;
- r) 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; and

Planning Permission

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

Contact Points

County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Email: worcestershirehub@worcestershire.gov.uk

Specific Contact Points for this report

Case Officer: Steven Aldridge, Principal Planner:

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Email: mbishop@worcestershire.gov.uk

Background Papers

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

The application, plans and consultation replies in file reference 16/000021/CM.