

PLANNING AND REGULATORY COMMITTEE
7 JULY 2020**PROPOSED EXTENSION OF BUILDING TO HOUSE**
1 NO. ADDITIONAL BIOMASS BOILER AT GO
GREENER, GUINNESS PARK FARM, A4103,
LEIGH SINTON, WORCESTERSHIRE

Applicant

Go Greener Recycling

Local Member

Mr P A Tuthill

Purpose of Report

1. To consider a County Matter planning application for the proposed extension of building to house 1no. additional biomass boiler at Go Greener, Guinness Park Farm, A4103, Leigh Sinton, Worcestershire.

Background

2. Planning permission for a waste transfer station was originally granted by the then Hereford and Worcester County Council, Strategic Planning and Transportation Committee, County Planning Sub-Committee in February 1994 (County Planning Authority (CPA)) Ref: 407339, Minute No. 400 refers). That permission was time limited, requiring operations to cease by the 31 March 1998. Since then the waste transfer station has been granted a succession of time limited permissions by the CPA to continue operations on this site, with the latest being CPA Ref: 407486, Minute No. 129 refers), which allowed the retention of the waste transfer station until 31 May 2010.
3. In February 2009 the site operators at the time, Mailes Waste Management, applied under Section 73 of the Town and Country Planning Act 1990 to rescind condition 1 of planning permission 407486, dated 9 May 2000 to permit permanent use of the transfer station for recycling and reclamation of waste materials at Guinness Park Farm (CPA Ref: 09/000008/CM, Minute No. 648 refers). However, whilst Members of the Planning and Regulatory Committee granted planning permission in July 2009, they imposed a condition (condition number 1), which required the development to cease by 31 May 2011 and the site restored. This was because the site had already been extended without the necessary planning permission. In view of this, the Planning and Regulatory Committee considered that it would be inappropriate to grant a permanent planning permission for the waste transfer station. It was recommended that permission be granted for a time limited period which would allow sufficient time for the applicant to make a further planning application to the County Council for permission to bring the extended area of the site, and associated waste transfer / processing operations, within planning control. If no such application was forthcoming within this period of time then enforcement

action would be considered against the operator for the unauthorised use of the land and the associated waste transfer/processing operations.

4. In March 2010, planning permission was granted on a permanent basis for the use of land as waste transfer station and extension of site area for stockpiling and grading of inert materials (CPA Ref: 09/000057/CM).

5. Separate to the waste transfer station permissions outlined above, in January 1995 Malvern Hills District Council granted planning permission for "*use of land as a Depot for the open storage of empty skips and waste containers, associated vehicle parking and ancillary development*" (Malvern Hills District Council Planning Ref: MH 95 / 1089). In February 1996 Malvern Hills District Council granted planning permission for an application to vary condition 9 of planning permission MH 95 / 1089 to extend the operating hours to allow the site to operate from 07:00 to 18:00 hours Mondays to Fridays and 07:00 to 13:00 hours on Saturdays (Malvern Hills District Council Planning Ref: MH 95 / 1392). This site is located immediately to the south of the above waste transfer station and to the north of the commercial units. Since being taken over by the applicant Go Greener Recycling, the depot for open storage now forms part of the wider waste transfer station site.

6. In December 2018, planning permission was granted for the proposed consolidation planning application for the construction and operation of a biomass boiler, erection of replacement building to house the biomass boiler, installation of replacement washing plant and amendments to the layout and operation of the existing waste transfer station (CPA Ref: 09/000057/CM) including increased waste throughput and amended operating hours (Part Retrospective) at Go Greener Recycling, Guinness Park Farm, A4103, Leigh Sinton, Malvern, Worcestershire (CPA Ref: 18/000009/CM, Minute No. 1009 refers).

The Proposal

7. Go Greener Recycling is seeking planning permission for the proposed extension of building to house 1 no. additional biomass boiler at Go Greener, Guinness Park Farm site.

8. The applicant has stated that the boiler would be fuelled by Grade A – C waste wood and that, on average, the boiler would require 4 tonnes of wood per day running at normal capacity. This has the potential to generate approximately 40 kW of electricity. It is intended that the generated electricity would be used on site to power the equipment and machinery associated with the waste transfer station. Any surplus would be fed back into the grid to provide electricity to the local area. The applicant has also set out that discussions are underway with Western Power Distribution to provide the necessary infrastructure to feed excess electricity into the grid. The proposed building extension would house three Organic Rankine Cycles (ORCs) (turbines) to produce electricity. In addition to any generated electricity, an average daily output of 31,000 kW of heat would be achieved. Heat is used for the established drying floors and would be used on site to supply the wash plant flocculant tank.

9. Prior to incineration, the wood would be sorted and screened removing any hazardous / contaminated wood or material falling below Grade C. The sorted wood would then be chipped to G80 size specification. The boiler contains measures, including a Continuous Emissions Monitoring System (CEMS), to ensure that there would be no risk of any unacceptable or hazardous emissions.

10. The applicant has stated that there is currently an Environmental Permit in line with schedule 13A of the Environmental Permitting (England and Wales) Regulations 2016 and article 44 of the Industrial Emissions Directive granted by Worcestershire Regulatory Services that covers the two operational boilers. This permit would be amended to cover the proposed additional boiler.

11. The applicant has also stated that there is no proposal to increase the input of waste received to the site above that which is presently occurring. Condition 2 of planning permission 18/00009/CM limits throughput of controlled waste to 25,000 tonnes per year and inert waste to 150,000 tonnes per year. This aligns with the control imposed by the Environment Agency (EA) under the Environmental Permit for the wider site.

12. Wood accounts for approximately 35% of the controlled waste that is brought onto site in skips. The applicant has stated that approximately 8,200 tonnes per annum of wood currently passes through the site. The boilers approved under CPA Ref: 18/00009/CM, once fully operational would only be capable of recovering a maximum of approximately 2,800 tonnes of wood per boiler which equates to a maximum capacity of approximately 5,600 tonnes in total per annum over the next 12-month period. An additional boiler, as proposed in this current application, would increase the boiler capacity to a maximum of approximately 8,400 tonnes per annum. Therefore, this would mean that the excess wood, which would otherwise need to be transported off site, would be able to be used on site.

13. The excess wood which is removed from the site is transported by HGV to A&A Recycling Services Ltd. who are based in Meriden, West Midlands. The sites are approximately 72 kilometers apart via road. At Meriden, the wood is processed and then transported to other regions in the Country for use in other biomass boilers or supplied nationally to chip board manufacturers. Some of that excess wood is shipped abroad to be processed or disposed of. The applicant has referenced that the carbon footprint associated with the removal of excess wood from the Go Greener site is high and that the opportunity to eliminate the need for any excess wood to be transported from the site would represent a significant environmental benefit. The proposed boiler would reduce in excess of 165 HGV movements between Leigh Sinton and Meriden and further HGV movements from Meriden to end users of the wood products.

The Site

14. The existing waste transfer station is located at Guinness Park Farm, approximately 7 kilometres south-west of Worcester City Centre and approximately 700 metres, broadly north of Leigh Sinton. The application site is part of a small commercial estate that is accessed via a concrete / tarmac drive, measuring approximately 180 metres long, off the A4103 Worcester to Hereford Road. The existing waste transfer station is located on the northern side of the commercial estate. There are other commercial uses adjacent to the site. The commercial estate is predominantly surrounded by soil bunds. There is an existing line of tall conifers broadly to the south-east side of the estate. The commercial estate is set within open countryside, surrounded by agricultural land on all sides.

15. The Malvern Hills Area of Outstanding Natural Beauty (AONB) is located approximately 2.5 kilometres west of the proposal. The nearest Site of Special

Scientific Interest (SSSI) is the River Teme SSSI located approximately 1.4 kilometres, broadly north-east of the application site. There are also a number of non-statutory wildlife designated sites within 2 kilometres of the proposal, which include the Ashes Local Wildlife Site (LWS), Marsh Cottage Meadows LWS, The Cuckoopit LWS, and Leigh Disused Railway LWS are located about 385 metres, 730 metres, 1.2 kilometres and 1.4 kilometres, broadly to the north of the application site, respectively. Leigh Brook LWS is situated about 1.5 kilometres north-west of the proposal. Whitegate Orchard LWS, Middledyrd Coppice LWS, and Whitehouse & Bush Hill Coppices LWS are located approximately 1.6 kilometres broadly north-east, 1.8 kilometres broadly north-east, and 1.7 kilometres broadly east of the application site. The Carey's Brook LWS flows west to east, located at its closest point approximately 710 metres south of the application site, beyond which is North Wood LWS, situated about 1 kilometre south of the proposal and Lower Howsell Sidings LWS located approximately 1.6 kilometres south of the application site.

16. Ancient Woodland of the Ashes and Chapelhill Coppice are located approximately 370 metres broadly north and 390 metres broadly east of the application site, respectively.

17. No Public Rights of Way cross the application site, but there are a number of Public Rights of Way within the context of the application site, including Footpath LI-615 located about 185 metres west of the application site, running perpendicular to the A4103. Footpath LI-616 runs north-west to north-east of the application site, located about 250 metres from the application site at its closest point. Footpaths LI-604, LI-612 and LI-614 and Bridleways LI-606 and LI-608 are located approximately 350 metres, broadly north-west of the application site.

18. The Grade II Listed Buildings of Castle Green Farmhouse and Rosebank Cottage are located about 450 metres broadly north-west and 325 metres broadly east of the proposal respectively. The Scheduled Monument of Motte and Bailey Castle at Castle Green is located approximately 450 metres broadly north-west of the application site.

19. The development is located within Flood Zone 1 (low probability of flooding).

20. Guinness Park Farm landfill site, which was granted planning permission in May 1990, is situated adjacent to the eastern boundary of the application site. No landfilling operations ever took place and the planning permission for that site is no longer extant (CPA Ref: 407241, Minute No. 1614 refers).

21. Guinness Park Farm Riding School is located approximately 250 metres broadly south of the proposal on the western side of the A4103. Residential properties are located approximately 200 metres broadly to the east of the proposed development, situated on the eastern side of the A4103 and this includes Numbers 3, 4, 5, 6 Suffield (Suffield Cottages and Cherry Tree Cottage), dwellings located off Suffield Close, and Suffield Lodge. Further residential properties are located approximately 300 metres, broadly south of the proposal on the western side of the A4103 and include the Hop Cottage, Orchard Farm Cottage and Guinness Park Farm. Castle Green is located approximately 420 metres broadly north-west of the application site.

Summary of Issues

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

- The waste hierarchy;
- Location of the development;
- Landscape character and visual impacts;
- Residential amenity (including noise, dust, odour and air quality);
- Traffic and highways safety;
- The water environment; and
- Ecology and biodiversity.

Planning Policy

National Planning Policy Framework (NPPF)

23. The revised National Planning Policy Framework (NPPF) was updated on 19 February 2019 and replaces the previous NPPF published in March 2012 and July 2018. The NPPF sets out the government's planning policies for England and how these are expected to be applied. The revised NPPF is a material consideration in planning decisions and should be read as a whole (including its footnotes and annexes).

24. The NPPF should be read in conjunction with the Government's planning policy for waste (National Planning Policy for Waste). Annex 1 of the NPPF states that *"the policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication"*.

25. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

26. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and

decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

27. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking, this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

28. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

29. The following guidance contained in the NPPF is considered to be of specific relevance to the determination of this planning application:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment
- Section 17: Facilitating the sustainable use of minerals

National Planning Policy for Waste

30. 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

31. The Development Plan is the strategic framework that guides land use planning for the area. In this respect, the current Development Plan that is relevant to this proposal consists of the adopted Worcestershire Waste Core Strategy Development Plan Document and the adopted South Worcestershire Development Plan.

32. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

33. With regard to the weight to be given to existing policies adopted prior to the publication of the revised NPPF, Annex 1 states "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*".

Worcestershire Waste Core Strategy Development Plan Document (WCS)

34. The Worcestershire Waste Core Strategy policies that are of relevance to the proposal are set out below:

Policy WCS 1: Presumption in favour of sustainable development
Policy WCS 2: Enabling Waste Management Capacity
Policy WCS 4: Other Recovery
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

South Worcestershire Development Plan (SWDP)

35. The SWDP covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP policies that are of relevance to the proposal are set out 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 12 Employment in Rural Areas
Policy SWDP 21 Design

Policy SWDP 22 Biodiversity and Geodiversity
Policy SWDP 23 The Cotswolds and Malvern Hills Areas of Outstanding Natural Beauty (AONB)
Policy SWDP 24 Management of the Historic Environment
Policy SWDP 25 Landscape Character
Policy SWDP 27 Renewable and Low Carbon Energy
Policy SWDP 28 Management of Flood Risk
Policy SWDP 29 Sustainable Drainage Systems
Policy SWDP 30 Water Resources, Efficiency and Treatment
Policy SWDP 31 Pollution and Land Instability
Policy SWDP 33 Waste

Draft Planning Policies

Emerging South Worcestershire Development Plan Review (SWDPR)

36. Worcester City Council, Wychavon District Council and Malvern Hills District Council are reviewing the SWDP. The SWDPR will cover the period to 2041. The 'Preferred Options' consultation version of the SWDPR was consulted on from 4 November to 16 December 2019. The next step is to produce a Publication Version of the SWDPR, which is currently programmed for October / November 2020. The SWDPR would then be submitted to the Secretary of State for Housing, Community and Local Government for independent examination. The Secretary of State would then appoint an independent Planning Inspector to assess the 'soundness' and legal compliance of the plan. Once the plan is adopted it would replace the existing policies in the SWDP. Having regard to the advice in the NPPF, Section 4, as the SWDPR is still at an early stage of preparation, only limited weight should be applied to the policies.

37. The SWDPR policies that, for the avoidance of doubt, are of relevance to the proposal are set out below:

Policy SWDPR 1: Employment, Housing and Retail Requirements
Policy SWDPR 2: The Spatial Development Strategy and Associated Settlement Hierarchy
Policy SWDPR 3: Strategic Transport Links
Policy SWDPR 4: Green Infrastructure
Policy SWDPR 5: Historic Environment
Policy SWDPR 7: Health and Wellbeing
Policy SWDPR 9: Non Allocated Employment Development
Policy SWDPR 11: Employment in Rural Areas
Policy SWDPR 25: Design
Policy SWDPR 26: Biodiversity and Geodiversity
Policy SWDPR 27: The Cotswolds and Malvern Hills Areas of Outstanding Natural Beauty (AONB)
Policy SWDPR 28: Management of the Historic Environment
Policy SWDPR 29: Landscape Character
Policy SWDPR 31: Renewable and Low Carbon Energy
Policy SWDPR 32: Management of Flood Risk
Policy SWDPR 33: Sustainable Drainage Systems
Policy SWDPR 34: Water Resources, Efficiency and Treatment
Policy SWDPR 35: Amenity
Policy SWDPR 36: Air Quality
Policy SWDPR 37: Land Stability and Contaminated Land

Emerging Leigh and Bransford Neighbourhood Plan

38. Leigh and Bransford Parish Council submitted an application to Malvern Hills District Council in May 2013, to designate the parish boundary of Leigh and Bransford as a Neighbourhood Area. This was subject to consultation between 17 May 2013 and 28 June 2013.

39. On 24 September 2013, the application for the designation of the area defined by the boundaries of Leigh and Bransford Parish, as a Neighbourhood Area for the purpose of neighbourhood planning was approved by Malvern Hills District Council.

40. Neighbourhood plans must meet certain 'basic conditions' and other legal requirements, as set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.

41. The emerging Leigh and Bransford Neighbourhood Plan has not been tested at examination, has not been subject to a referendum or adopted by the District Council. Should the Parish Council wish to proceed with the Neighbourhood Plan in the future, then there would be further stages of consultation on the document prior to submission to the Secretary of State. Having regard to the advice in the NPPF, Section 4, it is the view of the Head of Strategic Infrastructure and Economy that the emerging Leigh and Bransford Neighbourhood Plan should be given very little weight in development management terms in the determination of this application.

Other Documents

Our Waste, Our Resources: A Strategy for England (2018)

42. This Strategy is the first significant government statement in relation to waste management since the 2011 Waste Review and the subsequent Waste Prevention Programme 2013 for England. It builds on this earlier work, but also sets out new approaches to long-standing issues like waste crime, and to challenging problems such as packaging waste and plastic pollution. The Strategy is guided by two overarching objectives:

- To maximise the value of resource use; and
- To minimise waste and its impact on the environment.

43. The Strategy sets five strategic ambitions:

- To work towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025;
- To work towards eliminating food waste to landfill by 2030;
- To eliminate avoidable plastic waste over the lifetime of the 25 Year Environment Plan;
- To double resource productivity by 2050; and
- To eliminate avoidable waste of all kinds by 2050.

44. It contains eight chapters which address: sustainable production; helping consumers take more considered action; recovering resources and managing waste; tackling waste crime; cutting down on food waste; global Britain: international leadership; research and innovation; and measuring progress: data, monitoring and evaluation. Chapter 3 – 'Resource Recovery and Waste Management' is the most relevant chapter to this proposal.

45. This states that whilst recycling rates in construction have improved since 2000, from 2013 onwards recycling rates have plateaued. The government wishes to drive better quantity and quality in recycling and more investment in domestic recycled materials markets. The government wants to promote UK-based recycling and export less waste to be processed abroad. The government wish to:

- Improve recycling rates by ensuring a consistent set of dry recyclable materials is collected from all households and businesses;
- Reduce greenhouse gas emissions from landfill by ensuring that every householder and appropriate businesses have a weekly separate food waste collection, subject to consultation;
- Improve urban recycling rates, working with business and local authorities;
- Improve working arrangements and performance between local authorities;
- Drive greater efficiency of Energy from Waste (EfW) plants;
- Address information barriers to the use of secondary materials; and
- Encourage waste producers and managers to implement the waste hierarchy in respect to hazardous waste.

Waste Management Plan for England (2013)

46. The Government through the Department for Environment, Food & Rural Affairs (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.

47. 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.

48. 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.

49. 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

50. 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

51. **Malvern Hills District Council** raises no objections to the proposal, subject to further information being received that satisfies Worcestershire Regulatory Services with regard to noise impact and air quality and satisfies Natural England with regards to impact on the nearby SSSI. The District Council would also like to see that the conditions recommended by Severn Trent Water Limited are imposed to address surface water run-off. In addition, if any comments are received from local residents these need to be taken into consideration and satisfactorily addressed.

52. **Leigh and Bransford Parish Council** support the application.

53. The **County Landscape Officer** has no objection having reviewed the scale and scope of the extension and concludes that it would not impose any additional landscape or visual impact within the context of the existing facility.

54. The **Malvern Hills AONB Partnership** have no objection. They have commented that the site is some 5 kilometres from the Malvern Hills and appears to be surrounded by a tree-lined bund. Therefore, the development is extremely unlikely to have a significant effect on views from the AONB. Large, modern, steel clad buildings used for agriculture or industry would usually have a lower impact on the landscape if they are constructed in darker, matt materials. In this case the proposal is to extend an existing building which is very light, which makes things rather more complex. Building the extension in the same light coloured material is likely to compound the visibility of the existing structure because it would have a larger mass which would not be broken up in any way. However, building the extension in a darker, matt colour like anthracite or merlin grey (dark grey colours) runs the risk of drawing attention to the structure through contrast. If the existing structure is due to be re-clad in the next few years it may be advisable to build the extension in a darker, matt material, in the expectation that the same material is then used to re-clad the original in the future. Even if re-cladding is not planned in the short-term it may be best to use a darker, matt material for the proposed development on the basis that any other similar, new developments on site would also, ideally, be dark and matt. They note that the other sizeable structure on site is a dark green colour. Care needs to be taken if green is selected since various hues and tones of green can appear very artificial and prominent in the landscape.

55. The **Campaign to Protect Rural England (CPRE)** have made no comments.

56. **Natural England** considers that the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. They have referred the County Planning Authority to their generic advice on other natural environment issues.

57. **Worcestershire Wildlife Trust** have no objection and is content to defer to the County Ecologists for all on-site biodiversity considerations.

58. The **County Ecologist** has no objection as there are no obvious or immediate ecological implications for the scheme and negligible opportunities for biodiversity gain within the scheme's red line boundary.

59. **Historic England** do not wish to offer any comments but suggests that the views of the specialist conservation and archaeological advisers are sought, as relevant.

60. The **County Archaeologist** has no archaeological concerns or issues with this application.

61. The **Environment Agency** have commented that they understand the proposed appliance would increase the existing waste incineration capacity of the site. The nature of the wood, mixed non-hazardous grades, coupled with the cumulative throughput means that the proposed installation would remain as a small waste incineration plant (SWIP) and require a variation to the existing Schedule 13A authorisation under the Environmental Permitting Regulations. Worcestershire Regulatory Services are the relevant Environmental Permitting authority in this instance. The Environment Agency would not seek to regulate the biomass operation unless the capacity of the installation to incinerate non-hazardous waste exceeded three tonnes per hour (the threshold for a Part A(1) Permit under Section 5.1 of the Environmental Permitting Regulations). The proposed capacity is less than one tonne per hour. They do not wish to comment on any emissions associated with the proposed development including any air quality assessments submitted but recommended seeking the comments of Worcestershire Regulatory Services in relation to this issue and to ensure that any fire management plan requirements are in place. They note that the site also operates as a waste transfer station and holds an Environmental Permit for such, alongside a permit for aggregates. It is likely that the waste transfer station Environmental Permit would need varying as the proposed built development is located within the Permit site boundary. Developers should incorporate pollution prevention measures to protect ground and surface water and they have referenced where pollution prevention guidance can be viewed.

62. **Hereford and Worcester Fire and Rescue Service** have not commented on the proposal.

63. The **Lead Local Flood Authority (LLFA)** recognise that the planning application from 2018 (CPA Ref: 18/000009/CM) for the wider site covered the drainage required and had conditions imposed to cover drainage. The new 2020 application is only for the extension works and as long as the plans as already submitted are implemented and pulled into the wider site drainage then the LLFA have no concerns regarding this site.

64. **Worcestershire Regulatory Services (contaminated land and air quality)** have no adverse comments to make in relation to air quality. Worcestershire Regulatory Services recommended that as the site has a previous industrial / commercial use, as a precaution a condition relating to unexpected contamination should be imposed.

65. **Worcestershire Regulatory Services (noise)** are satisfied that the cumulative impact noise assessment appears satisfactory and predicts that the operation of the

three small waste incineration plants (SWIPs) should not adversely impact the nearest noise receptors. They, therefore, have no objection to the application in terms of noise.

66. **Public Health England (PHE)** comment that in previous correspondence, they have recommended that any Environmental Permit issued for the site should contain conditions to ensure potential emissions from the site do not impact on public health including: fugitive emissions of dust and particulate matter; point source emissions from the biomass boiler; and emissions related to accidental fires. They have previously recommended that consideration is given to ensuring adequate access to the site for firefighting and the provision of fire breaks. Providing the site is compliant with the conditions of the permit (including this advice) and all appropriate measures are taken to control pollution at the site in accordance with relevant sector technical guidance or industry best practice, PHE has no significant concerns regarding the health of the local population.

67. **Severn Trent Water Limited** have no objections, subject to the inclusion of appropriate conditions relating to drainage plans and ensuring that the scheme is brought into use in accordance with the approved details.

68. The **County Highways Officer** has no objection, subject to conditions. They note that there have been a number of planning applications associated with the development site, most recently in 2018 (CPA Ref: 18/000009/CM) and that the Highway Authority raised no objection to the previous development proposals. They note that the applicant has set out the number of likely trips based upon the operation of the site. Furthermore, they note that the access would be gained via the existing access, which has been previously considered acceptable for the traffic demand and the type of vehicle accessing the site. They anticipate that a planning condition would be advised to limit the tonnage per annum and hours of working by the County Planning Authority. They seek the imposition of a condition to try to avoid mud, dust or debris being carried onto the public highway.

69. **West Mercia Police** have no objection.

Other Representations

70. The application has been advertised on site, in the press and by neighbour notification. To date, one letter of support and one letter of objection have been received. These letters of representation were made available to Members of the Planning and Regulatory Committee upon request. Their main comments are summarised below:

Support

- As the former owner of Go Greener, they support the proposal as they are very much aware of the problems of disposal of the vast amounts of waste wood that is brought into this site.

Objection

- Original application for building was completely retrospective and a fait accompli.

The building and chimneys can be seen from the road and many neighbouring properties, despite the planning application claiming that they cannot. Were told that the biomass boiler would produce sufficient electricity to supply half of Leigh Sinton yet when visited the site, were told that it was not producing electricity and if it did produce electricity, it would probably only serve the industrial estate.

- At the time of the initial retrospective planning application, burning of wood was considered to be more environmentally friendly, but since then the government have said that they want to reduce the use of wood burning stoves as well as gas appliances to zero over the coming years to reach their carbon zero target.
- Appears as though the main use of the biomass boilers is to produce heat to dry the recycling material and not to produce electricity. Were told that the heat from producing electricity was a by-product, but would be used for the secondary purpose of drying recycled material to aid sorting, rather than just allow the heat to escape into the atmosphere.
- Since the original biomass boilers became operational there have been two major fires at the site. Consider that it is likely that these were caused by the drying of recycling materials. Although there is now a fire pond to help with the supply of water for the Fire Brigade, the potential smoke from fires must be considered as a health hazard.
- During the year we see clouds of dust raised by lorries using the access road during dry periods. When it has been wet there have been muddy tracks going in both directions for a considerable distance and lorries with mud above the level of their wheel rims leaving the site. Access road is not being regularly swept and that the wheel wash has not been in operation during wet periods. Go Greener do not appear to be keeping to the conditions as laid down by the County Council following site meetings during the summer. The amount of mud and debris from the Go Greener site is considerable and fills the grips and drains when it is washed off the road. This is leading to flooding problems on the A4103 with very large puddles forming after rain. One only has to look at the condition of the verges, gutters and pavement to see the amount of slurry and debris which is coming from the site on the wheels of the vehicles. The pavement is a hazard to pedestrians, particularly in the wet when it becomes very slippery. The properties near to the site suffer from a constant layer of dust blown from the site and from the road. This is not only very inconvenient but also a health risk to local residents and the local school children.
- The flooding problems have recently been slightly reduced with some of the drains being cleaned. Not all of the drains were cleaned and some are still full of debris and mud. There are still many puddles left along the road where the grips to the ditch have been filled with the debris and mud from the road. When there is freezing weather these puddles will become lethal and could be the cause of more accidents along this road.
- The applicant claims that access to and from the site is good, as it is onto the A4103. The main problem with this access is that it is on a 60 mph stretch of road. There have been accidents when lorries have been waiting to turn right and many near misses. The state of the grass verge, where vehicles have had to take avoiding action and have driven onto the verge, is testament to the

problems. With the potential for more and/or larger vehicles using the site access careful consideration must be given to the speed limit along this part of the road.

- If the planning application is granted there should be conditions attached which should be monitored and enforced.

The Head of Strategic Infrastructure and Economy's Comments

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

The Waste Hierarchy

72. 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.

73. 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) and also in Our Waste, Our Resources: A Strategy for England (2018), which states that *"the waste hierarchy, which ranks options for waste management, has driven some progress...instead we have increased our rates of recovery and recycling and generated much more energy from waste. We want to shift away from waste towards resource efficiency, and will do this by focusing not just on managing waste, but, on managing the resources which become waste"*.

74. 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.

75. Policy WCS 2 of the Waste Core Strategy identifies a current capacity gap for Worcestershire to achieve equivalent self-sufficiency for 'other recovery'. It is considered that the proposed development would constitute an 'other recovery' facility, falling within Policy WCS 4 'Other types of recovery' of the waste hierarchy. This is because the Waste Core Strategy defines 'recovery' as *"any operation the principal result of which is waste serving a useful purpose by replacing other*

materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. In the Waste Core Strategy 'other recovery' includes thermal treatment and any recovery facilities that do not fall into the category of 're-use', 'recycling' or 'disposal'".

76. Policy WCS 4 of the Waste Core Strategy requires recovery facilities to demonstrate that sorting of waste is carried out to optimise re-use and recycling; resource recovery from outputs of the process is optimised and any residues can be satisfactorily managed and disposed of; and where thermal treatment is carried out, energy recovery is optimised.

77. As referenced earlier in the report under 'The Proposal' heading, the applicant has stated that the existing boilers are not capable of meeting the demand and that the excess wood is being transported approximately 72 kilometers to Meriden. At Meriden, the wood is processed and then transported to other regions in the Country for use in other biomass boilers or supplied nationally to chip board manufacturers. Some of that excess wood is shipped abroad to be processed or disposed. Therefore, the carbon footprint associated with the removal of excess wood off site would be reduced.

78. The applicant has also stated that the boiler has the potential to generate electricity and that the proposed building extension would house three Organic Rankine Cycles (ORCs) (turbines) to produce electricity. The applicant has also set out that discussions are underway with Western Power Distribution to provide the necessary infrastructure to feed excess electricity into the grid. Notwithstanding these ongoing discussions, a condition is recommended that should planning permission be granted the proposed biomass boiler shall not be brought into use until a grid connection has been made.

79. Heat is used for the established drying floors and would be used on site to supply the wash plant flocculant tank. The Head of Strategic Infrastructure and Economy notes that the existing Environmental Permit for the biomass boilers, which is required to be amended to control the proposal, requires *"the operator shall ensure that any heat generated by the waste incineration plants shall be recovered as far as practicable"*. In view of the above, it is considered that the proposal would accord with the aim of Government to obtain the most energy from waste and to recover heat through the process. The proposal would accord with the key principle of sustainable waste management by moving waste up the hierarchy contributing towards the ambition of a zero-waste economy.

80. The sorting of waste to optimise re-use and recycling already takes place on the Go Greener Recycling waste transfer station site. The proposal would generate electricity from wood waste that would otherwise be sent to landfill or the energy recovered in incineration plants in other parts of the UK, Northern Continental Europe and Scandinavia. The energy generated from the process would be used on site to power the equipment and machinery associated with the waste transfer station, with any surplus electricity being fed in the grid to provide electricity to the local area.

81. Furthermore, paragraph 148 of the NPPF States that *"the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure"*.

82. Paragraph 154 of the NPPF states that *"when determining planning applications for renewable and low carbon development, local planning authorities should:*

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas"*.

83. The Head of Strategic Infrastructure and Economy considers that the development of the biomass boiler and associated wood chipping operation would overall, move waste up the waste hierarchy from disposal to other recovery and reduce waste miles associated with transporting the excess wood waste off site. It would, therefore, comply with the objectives of the waste hierarchy, and Policies WCS 2, WCS 4 and WCS 15 of the Worcestershire Waste Core Strategy.

Location of the development

84. The 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 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.

85. The Worcestershire 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 Worcesterzone'.

86. The principle of the existing waste transfer station and biomass boiler in this location have already been established and accord with the locational policies of the Worcestershire Waste Core Strategy (Policies WCS 3 and WCS 6). However, as part of this application the applicant is now seeking to install an additional biomass boiler enclosed within a building and, therefore, this needs to be considered against the Development Plan.

87. Policy WCS 4 Part b) of the Waste Core Strategy states that "*in order to deliver the spatial strategy, proposals for 'other recovery' facilities will be permitted in levels 1 and 2 where it is demonstrated that the proposed location is at the highest appropriate level of the geographic hierarchy*".

88. The application site is located within level 5, the lowest level of the geographic hierarchy. Part c) of Policy WCS 4 states that:

"Planning permission will not be granted for 'other recovery' facilities in level 3, 4 or 5 except where it is demonstrated that:

- i. the proposed development cannot reasonably be located in levels 1 or 2 of the geographic hierarchy, and*
- ii. the proposed location is at the highest appropriate level of the geographic hierarchy*".

89. The applicant states that "*the facility would be located at an existing waste transfer station where waste is currently sorted. Prior to incineration, waste wood would be sorted and processed. The biomass boiler would generate electricity and heat both of which would be collected and used on site. In this case the facility would be an ancillary function of an existing waste transfer station. As such the facility would be located at the highest appropriate level of the geographic hierarchy in order to deliver the spatial strategy. The key aim of the spatial strategy is to locate facilities to take advantage of opportunities for on site management of waste where it arises. In this case, waste wood already enters the site, so it is most appropriate to manage the waste on site and recover energy in the form of electricity and heat. It would be less appropriate to sort the waste wood on site and then transport to it to an alternative location to be processed even if the alternative location was located in a higher level of the geographic hierarchy*".

"Furthermore, the spatial strategy aims to locate facilities where they are best suited to serve the needs of local communities and the local economy and minimize the distance waste is moved by road. In this case the facility would provide electricity to local residents and businesses serving the needs of the local community and economy. The provision of an on-site 'other recovery' facility would reduce significantly the distance that waste wood is moved by road".

90. Although the development site is sited within Level 5 'All other areas' of the hierarchy, the applicant has demonstrated that the proposed development cannot reasonably be located in levels 1 or 2 of the geographic hierarchy. The biomass boiler is dependent on the location where the waste is generated and is ancillary to the wider waste transfer station site, as it provides electricity and heat for use by the existing waste transfer station. Therefore, it is considered that the proposed location is at the highest appropriate level of the geographic hierarchy in accordance with Policy WCS 4 of the Waste Core Strategy.

91. The proposed development would be located within the existing waste transfer station site, which is an established waste management site, within the broader Guinness Park Farm commercial estate. Policy WCS 6 of the Worcestershire Waste Core Strategy states that proposed 'other recovery' facilities, located on "*existing or*

allocated industrial land" and / or located on "sites with current use rights for waste management purposes" are compatible land uses.

92. This planning policy direction is also reflected in the National Planning Policy for Waste, which states *"waste planning authorities should...consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities...give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages"*.

93. Policy SWDP 2 of the South Worcestershire Development Plan sets out a Development Strategy and Settlement Hierarchy, these are based on a number of principles including *"safeguard and (wherever possible) enhance the open countryside"*. Policy SWDP 2 c) defines the 'open countryside' as *"land beyond any development boundary"*. Therefore, the existing site and the application site are located within the open countryside. Policy SWDP 2 c) goes on to state that in the open countryside, development will be strictly controlled and will be limited to a number of defined types of developments and uses including employment development in rural areas and refers to Policy SWDP 12 of the South Worcestershire Development Plan.

94. Policy SWDP 12 b) seeks to protect existing employment sites in rural areas stating *"to help promote rural regeneration across South Worcestershire, existing employment sites in rural areas that are currently or were last used for B1, B2, B8...purposes will be safeguarded for employment-generating uses during the plan period"*.

95. Whilst the proposal is located in the open countryside, as defined by Policy SWDP 2 of the South Worcestershire Development Plan, it is noted that the site constitutes an existing employment site and benefits from planning permission (CPA Ref: 18/000009/CM). Whilst a waste management facility is not explicitly referred to within Policies SWDP 2 and SWDP 12 of the SWDP, the proposal would constitute the retention of an existing employment site and is for the re-use of previously developed land, complying with these policies.

96. The Head of Strategic Infrastructure and Economy considers the principle of the proposed development in this location is acceptable and accords with Policies WCS 4 and WCS 6 of the Worcestershire Waste Core Strategy.

Landscape character and visual impacts

97. A letter of representation has been received objecting to the proposal, stating that the building and chimneys can be seen from the road and many neighbouring properties.

98. The site is part of a small commercial estate that measures approximately 3.4 hectares in total and is accessed via a concrete / tarmac drive off the A4103. The existing waste transfer station is located on the northern side of the commercial estate. The whole commercial estate is surrounded by soil bunds measuring approximately 8 metres high on the northern and eastern side and approximately 5 metres high to the north-west and south-west. There is an existing line of tall conifers on the south-

east side of the estate. The commercial estate is set within open countryside, surrounded by agricultural land on all sides. The Malvern Hills AONB is located approximately 2.5 kilometres west of the proposal.

99. The proposed square extension to the building would lengthen and widen the building by approximately 12 metres. The proposed extension would be the same height as the existing building. The building walls and roof would be coloured Dove Grey (light grey colour). One additional flue is proposed, which would be constructed from stainless steel like the existing two flues. The flue would, like the existing two flues, extend approximately 4.4 metres above ridge height. An additional boiler feed bin would be provided on a concrete pad, broadly to the south of the proposed extended building. This boiler feeder bin would have the same dimensions as the existing two feeder bins on site and would measure approximately 6 metres long, 5 metres wide and 2.9 metres in height. While the application form references that the site is only 144 square metres, this measurement relates solely to the proposed extension to the building. The site area is larger than 144 square metres as indicated by the red line planning application boundary and includes the area upon which the additional boiler feed bin would be sited.

100. The Head of Strategic Infrastructure and Economy considers that the proposal would generally be well screened from public views of the site, due to the existing perimeter bunding, established vegetation, and for certain views the intervening existing commercial units. Notwithstanding this, distant and glimpsed views of the site, would be observed above the bunds. More open, but distant views of the building, flue and the boiler feeder bin would be possible from the south / south-west of the site along the A4103, but such views would be seen in the context of the existing established waste transfer station / commercial estate.

101. The extant permission requires a landscaping scheme and details have been approved which include additional visual screen planting on the south-western corner of the site.

102. Historic England have been consulted and have not raised any concerns. Malvern Hills District Council have not raised any concerns regarding visual impact. Due to the distance from the Malvern Hills AONB, the Malvern Hills AONB Partnership has been consulted. The existing biomass plant building is constructed from coat steel, which is Dove Grey. While noting the Malvern Hills AONB Partnership's comments about potentially using a darker matt material, they also recognise that this could draw attention to the structure through contrast when compared to the existing building. The County Landscape Officer has been consulted and has raised no objections to the proposal. They have stated that the mature screening that borders the site and its setting, the bund and relative remoteness of the site is such that any cumulative visual impact imposed by the extension would be negligible. The Head of Strategic Infrastructure and Economy considers that given the County Landscape Officer has no objections and the Malvern Hills AONB Partnership consider it is highly unlikely that the proposal would have any significant effect on the AONB that the proposed Dove Grey colour of the building is acceptable in this instance.

103. The Head of Strategic Infrastructure and Economy considers that the proposed development would not have an unacceptable impact on landscape character or visual impact, subject to the imposition of appropriate conditions including ensuring that the development is carried out in accordance with the approved plans that show the materials that would be used.

Residential amenity (including noise, dust, odour and air quality)

104. One letter of objection has been received. As set out under the 'Other Representations' heading in this report, they have objected on a number of grounds including concerns about dust, slurry and debris caused by vehicles, which have made the pavement slippery.

105. Guinness Park Farm Riding School is located approximately 250 metres broadly south of the proposal on the western side of the A4103. Residential properties are located approximately 200 metres broadly to the east of the proposed development, situated on the eastern side of the A4103 and this includes Numbers 3, 4, 5, 6 Suffield (Suffield Cottages and Cherry Tree Cottage), dwellings located off Suffield Close, and Suffield Lodge. Further residential properties are located approximately 300 metres, broadly south of the proposal on the western side of the A4103 and include the Hop Cottage, Orchard Farm Cottage and Guinness Park Farm. Castel Green is located approximately 420 metres broadly north-west of the application site.

106. As well as the existing planning conditions, the primary environmental controls over the operations would be contained within the Worcestershire Regulatory Services Environmental Permit for the biomass boiler and the Environment Agency's Environmental Permit for the wider waste transfer station facility.

107. Paragraph 183 of the NPPF states that *"the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions 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"*.

108. Malvern Hills District Council raises no objection, subject to further information being received that satisfies Worcestershire Regulatory Services in regard to noise impact and air quality. In addition, if any comments are received from local residents, they consider that these need to be taken into consideration and satisfactorily addressed.

109. Public Health England have stated that in previous correspondence, they have recommended that any Environmental Permit issued for the site should contain

conditions to ensure potential emissions from the site do not impact on public health including: fugitive emissions of dust and particulate matter; point source emissions from the biomass boiler; and emissions related to accidental fires. They have previously recommended that consideration is given to ensuring adequate access to the site for firefighting and the provision of fire breaks. Providing the site is compliant with the conditions of the Permit (including this advice) and all appropriate measures are taken to control pollution at the site in accordance with relevant sector technical guidance or industry best practice, Public Health England have stated that they have no significant concerns regarding the health of the local population.

110. The Environment Agency has been consulted and raises no objections to the proposal, commenting that the proposed installation will remain as a SWIP and would require a variation to the Environmental Permit from Worcestershire Regulatory Services. The Environment Agency would not seek to regulate the biomass operation unless the capacity of the installation to incinerate non-hazardous waste exceeded three tonnes per hour (the threshold for a Part A(1) Permit under Section 5.1 of the Environmental Permitting Regulations). The proposed capacity is less than one tonne per hour. They note that the site also operates as a waste transfer station and holds an Environmental Permit for such, alongside a Permit for aggregates. They consider that it is likely that the waste transfer station Environmental Permit would need varying as the proposed built development is located within the Permit site boundary.

111. Worcestershire Regulatory Services (noise) have no objection to the application in terms of noise. They consider that the cumulative impact noise assessment appears satisfactory and predicts that the operation of the three small waste incineration plants (SWIPs) should not adversely impact the nearest noise receptors.

112. Worcestershire Regulatory Services (Air Quality Officer) also have no objections to the proposal.

113. A local resident has raised concerns that two fires have occurred since the installation of the biomass boiler. The Environment Agency are aware of two fires, one which took place on 26 June 2017 and consisted of 20-40 tonnes of general waste from the transfer station. The other fire that the Environment Agency are aware of took place on 30 June 2018. In that fire, the material on fire was approximately 25 tonnes of unspecified waste and the likely cause was a piece of glass in the general waste stockpile. Both of these fires predated the approval of the consolidated planning application (CPA Ref: 18/000009/CM), which included conditions relating to the construction of a fire pond and return pond. The applicant also has a fire prevention plan as required as part of the Environmental Permits from both Worcestershire Regulatory Services and the Environment Agency. Hereford and Worcester Fire and Rescue Service have been consulted but no comments have been received.

114. The existing development has an approved noise and dust management plan, which requires measures such as sheeting of vehicles, dampening down stockpiles and sweeping of the access road, together with an approved scheme to prevent mud and detritus being deposited on the public highway, which includes a jet wash

facility. The Head of Strategic Infrastructure and Economy considers that the proposal would have no adverse noise, dust, or odour impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions including those relating to prevent mud and detritus being deposited on the public highway, those controlling noise, dust, contamination, burning of waste and the storage of oils, fuels or chemicals.

Traffic and highway safety

115. Objections from a local resident have been received on highway grounds, including clouds of dust being raised by lorries using the access road during dry conditions and muddy tracks when it is wet. They have also referenced that mud and debris from the Go Greener site is washed off the road leading to flooding problems as well as causing a hazard to pedestrians through making the footway slippery.

116. It is noted that Paragraph 109 of the NPPF states "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

117. The site is accessed via an existing concrete / tarmac drive, directly from the A4103 Worcester to Hereford Road, measuring approximately 180 metres long.

118. Condition 2 of planning permission 18/000019/CM limits throughput of controlled waste to 25,000 tonnes per year and inert waste to 150,000 tonnes per year. The applicant has set out the maximum vehicular movements associated with the throughput of 25,000 tonnes of controlled waste and 150,000 tonnes of inert waste may be calculated as follows:

Controlled Waste –

Max 25,000 per year

Max 81.7 tonnes per day (25,000 divided by 306 working days)

Max 28 vehicle movements into the site per day (81.7 tonnes divided by 3 (tonnes) being max load of a 7.5 tonne skip lorry)

Total maximum skip lorry movements per day = 56 (28 x 2 to allow for movements in and out)

Inert Waste –

Max 150,000 tonnes per year

Max 490 tonnes per day (150,000 divided by 306 working days)

Max 27 movements per day (490 tonnes divided by 18 (tonnes) being max load of 32 tonne lorry)

Total maximum lorry movements per day = 54 (27 x 2 to allow for movements in and out)

Staff and Visitors

12 F/T staff = 24 car movements per day

Max 4 visitors per day = 8 car movements per day

Total car movements per day = 32

Total Maximum vehicle movements per day = 142

119. Operating at maximum capacity, the applicant has stated that the maximum number of vehicular movements into and out of the site would be 142 per day. This equates to 18 per hour based on an 8-hour working day. The site does not operate at its maximum capacity so the actual vehicular movements into and out of the site are much lower. They therefore consider that the access and existing road can work safely. The proposal would not increase vehicle movements as it is proposed to burn the existing waste wood imported to the site and would, therefore, reduce vehicle movements off site in terms of negating the need for wood to be transported off site. The proposed boiler would reduce in excess of 165 HGV movements between Leigh Sinton and Meriden and further HGV movements from Meriden to end users of the wood products.

120. The County Highways Officer has been consulted and has raised no objections subject to appropriate conditions. They note that access would be gained via the existing access which has been previously considered acceptable for the traffic demand and the type of vehicle accessing the site. They have also recommended conditions relating to ensuring that no mud, dust or debris shall be carried onto the public highway. Such a condition was already imposed under the extant consolidated application (CPA Ref: 18/00009/CM) as well as requiring wheel washing facilities. Conditions reflecting the approved scheme are recommended to be imposed should this application be granted planning permission.

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

Water environment

122. The application site is located within Flood Zone 1, as identified on the Environment Agency's Indicative Flood Risk Map and has a low probability of flooding.

123. The nearest watercourse is Leigh Brook, a small tributary of the River Teme, which flows beyond the northern and eastern boundaries of the site and is, located approximately 225 metres from the application site at the nearest point. The River Teme is located approximately 1.4 kilometres north-east of the application site.

124. Severn Trent Water Limited have no objections, subject to the inclusion of appropriate conditions relating to drainage plans and ensuring that the scheme is brought into use in accordance with the approved details.

125. Malvern Hills District Council would also like to see that the conditions recommended by Severn Trent Water Limited are imposed to address surface water run-off.

126. As part of approved planning application 18/000009/CM, which was for the proposed consolidation planning application, condition 16 required the submission and approval of a Sustainable Drainage System (SuDS) Management Plan.

127. As part of the current planning application 19/000034/CM, the applicant has submitted a Sustainable Drainage (SuDS) Design, which sets out that there would

be no increase in impermeable area arising from the proposal as the area to be used is already laid to concrete. The applicant has set out that the existing building drains down onto the concrete and flow naturally falls away to the either the drainage ditch at the bottom of the yard or into the tank on the wash bay.

128. The Lead Local Flood Authority (LLFA) recognise that the planning application from 2018 (CPA Ref: 18/000009/CM) relating to the wider site covered the drainage required and had conditions imposed to cover drainage. This new application is only for the extension works and as long as the plans as already submitted are implemented and incorporated into the wider site drainage then the LLFA have no concerns regarding this site.

129. In view of the comments from the LLFA and given that the applicant is proposing minimal changes to the existing drainage regime, it is considered that the condition recommended by Severn Trent Water Limited is not necessary in this instance. The Head of Strategic Infrastructure and Economy considers that the proposal would not have an unacceptable impact upon the water environment, subject to the imposition of appropriate conditions.

Ecology and biodiversity

130. Section 15 of the NPPF, paragraph 170 states that *"planning policies and decisions should contribute to and enhance the natural and local environment", by a number of measures including "protecting and enhancing...sites of biodiversity...(in a manner commensurate with their statutory status or identified quality in the development plan); minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*.

131. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply four principles (a. to d.), this includes: *"if significant harm to biodiversity 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"; and "development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

132. The nearest Site of Special Scientific Interest (SSSI) is the River Teme SSSI located approximately 1.4 kilometres, broadly north-east of the application site. There are also a number of non-statutory wildlife designated sites within 2 kilometres of the proposal, this includes the Ashes Local Wildlife Site (LWS), Marsh Cottage Meadows LWS, The Cuckoopit LWS, and Leigh Disused Railway LWS are located about 385 metres, 730 metres, 1.2 kilometres and 1.4 kilometres, broadly to the north of the application site, respectively. Leigh Brook LWS is situated about 1.5 kilometres north-west of the proposal. Whitegate Orchard LWS, Middleyard Coppice LWS, and Whitehouse & Bush Hill Coppices LWS are located approximately 1.6 kilometres broadly north-east, 1.8 kilometres broadly north-east, and 1.7 kilometres broadly east of the application site. The Carey's Brook LWS flows west to east, located at its closest point approximately 710 metres south of the application site,

beyond which is North Wood LWS, situated about 1 kilometre south of the proposal and Lower Howsell Sidings LWS located approximately 1.6 kilometres south of the application site.

133. Due to the proximity to the SSSIs and LWS's, Natural England and Worcestershire Wildlife Trust have been consulted. Malvern Hills District Council raises no objection, subject Natural England being satisfied with regard to any impact on the nearby SSSI.

134. Natural England has no objections, stating that the proposal would not have a significant adverse impact on statutorily protected nature conservation sites or landscapes. Worcestershire Wildlife Trust has also raised no objections to the proposal and wishes to defer to the County Ecologist for all on-site detailed ecological considerations.

135. The County Ecologist has no objections to the proposal, stating that they see no obvious or immediate ecological implications for the scheme and negligible opportunities for biodiversity gain within the scheme's red line boundary.

136. The Head of Strategic Infrastructure and Economy considers that the proposal would not have an unacceptable adverse impact on ecology and biodiversity at the site or on the surrounding area.

Conclusion

137. The applicant is seeking planning permission for the proposed extension of building to house 1no. additional biomass boiler at Go Greener, Guinness Park Farm, A4103 Leigh Sinton, Worcestershire.

138. The Head of Strategic Infrastructure and Economy considers that the development of the biomass boiler and associated wood chipping operation would overall move waste up the waste hierarchy from disposal to other recovery and would reduce the waste miles associated with transporting the excess wood off site. It would therefore comply with the objectives of the waste hierarchy, and Policies WCS 2, WCS 4 and WCS 15 of the Worcestershire Waste Core Strategy.

139. The Head of Strategic Infrastructure and Economy considers the principle of the proposed development in this location is acceptable and accords with Policies WCS 4 and WCS 6 of the Worcestershire Waste Core Strategy.

140. The Head of Strategic Infrastructure and Economy considers that the proposed development would not have an unacceptable impact on landscape character or visual impact, subject to the imposition of appropriate conditions.

141. The Head of Strategic Infrastructure and Economy considers that the proposal would have no adverse noise, dust, or odour impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions.

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

143. The Head of Strategic Infrastructure and Economy considers that the proposal would not have an unacceptable impact upon the water environment, subject to the imposition of appropriate conditions.

144. The Head of Strategic Infrastructure and Economy considers that the proposal would not have an unacceptable adverse impact on ecology and biodiversity at the site or on the surrounding area.

145. Taking into account the provisions of the Development Plan and in particular Policies WCS 1, WCS 2, WCS 4, 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 Policies SWDP 1, SWDP 2, SWDP 3, SWDP 4, SWDP 6, SWDP 8, SWDP 12, SWDP 21, SWDP 22, SWDP 23, SWDP 24, SWDP 25, SWDP 27, SWDP 28, SWDP 29, SWDP 30, SWDP 31 and SWDP 33 of the Adopted South Worcestershire Development 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

146. The Head of Strategic Infrastructure and Economy recommends that planning permission be granted for the proposed extension of building to house 1 no. additional biomass boiler at Go Greener, Guinness Park Farm, A4103 Leigh Sinton, 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;**

Details

- b) **The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawings Numbered 17-374-Loc-001, 17-374-PL-001A, 17-374-PL-002A, 17-374-PL-003A, and 17-374-PL-004A except where otherwise stipulated by conditions attached to this permission;**

Throughput

- c) **The maximum operational capacity of the additional biomass boiler hereby approved shall not exceed 2,800 tonnes of wood waste per annum. If requested by the County Planning Authority, the operator shall provide evidence in writing of the throughput for the plant over the previous 12 month period, within 10 working days of a request being made;**

Waste Acceptance

- d) **Only wood waste that has been processed by the associated wider waste transfer station approved under planning permission ref: 18/000009/CM, dated 11 December 2018, shall be processed by the additional biomass boiler hereby approved;**

Drainage

- e) **No new gates, walls or other means of enclosures shall be constructed within the area occupied by the surface water flow path as shown on Figure 4.2: 'Flood Risk from Surface Water', of Guinness Park Farm Recycling Centre, Flood Risk Assessment, version 1.1, dated 16 July 2018, as approved under planning permission ref: 18/000009/CM, dated 11 December 2018;**
- f) **Notwithstanding the submitted details, within 3 months of the date of permission, a Sustainable Drainage System (SuDS) Strategy and associated Management Plan shall be submitted to the County Planning Authority for approval in writing. This shall include details on management responsibilities, maintenance schedules for all SuDS features and associated pipework, and the strategy that shall be followed to facilitate the optimal functionality and performance of the SuDS schemes throughout its lifetime. Thereafter, the SuDS shall be maintained in accordance with the approved details;**
- g) **There shall be no discharge of trade effluent, sewage effluent or contaminated drainage from the site into any ditch or watercourse;**
- h) **All surface water drainage from the site shall be through an oil interceptor;**

Storage

- i) **The height of stored skips, and all other stored materials shall not exceed 4 metres in height;**
- j) **The storage of skips and materials associated with the development hereby approved shall be carried out and maintained in accordance with scheme approved by the County Planning Authority under Condition 14 of planning permission ref 18/000009/CM, dated 11 December 2018 – drawing titled: 'Condition Release Application – Section of Existing Bund and Planting with Spoil and Skip Details', Numbered: 17-374-CR-205A, dated 30 August 2019; and drawing titled: 'Condition Release Application – Plan of Material Stockpile Locations on Site', Numbered: 17-374-CR-206A, dated 30 August 2019, and approved 10 September 2019;**

Pollution / Noise and Dust Emissions

- k) **Construction works, including installation of any plant and machinery 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, Bank or Public Holidays;**
- l) **Notwithstanding any submitted details, within 3 months of the date of this permission, an updated Noise and Dust Management Scheme for the site shall be submitted to the County Planning Authority for approval in writing. Thereafter, the development shall be carried out in accordance with the approved scheme;**
- m) **Chipping operations associated with the development hereby approved shall only take place between the hours of 09:30 hours and 15:30 hours Mondays to Saturdays inclusive, with no chipping operations on Sundays, Bank or Public Holidays;**

- n) The vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, this shall include the fitting and use of effective silencers;
- o) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the County Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation. No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the County Planning Authority, until requirements i to iv below have been complied with:
- i. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the County Planning Authority prior to any further development taking place;
 - ii. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the County Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation;
 - iii. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation; and
 - iv. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the County Planning Authority prior to the use of the development hereby approved;
- p) 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 should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground

and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund;

- q) There shall be no burning of waste on the site except for the incineration of wood within the permitted biomass boilers, as shown on drawings numbered: 17-374-PL-001A and 17-374-PL-003A;

Electricity

- r) The additional biomass boiler hereby approved shall not operate until the operator has demonstrated, in writing, to the County Planning Authority that the connection to the district network has been made to enable electricity generated by the facility to be supplied to the district network;

Lighting

- s) Details of any new lighting to be installed at the site, associated with the development hereby approved 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;
- v. Any measures to minimise the impact of lighting upon protected
- vi. species and habitats, in particular bats; and
- vii. Times when the lighting would be illuminated;

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

Biodiversity

- t) 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 hedgerow being damaged or removed by the development, it shall be replaced with like species and equivalent size, which in the case of a mature tree may entail multiple plantings, in the next planting season;

Highways

- u) No mud, dust or debris shall be carried onto the public highway. To facilitate this, the access road shall be maintained in a clean condition at all times. The development hereby approved shall be carried out and maintained in accordance with the scheme to prevent mud and detritus being deposited on the public highway, approved by the County Planning Authority under Condition 23 of planning permission ref 18/000009/CM, dated 11 December 2018 – ‘*Section titled: Condition 23 of the document titled: Application for Approval of Details Reserved by Condition – 18/000009/CM, dated August 2019, and drawing numbered: 17-374-CR-206A*’, and approved 10 September 2019;

Cessation

- v) In the event of cessation of the wider associated waste transfer operations approved under planning permission ref: 18/000009/CM, dated 11 December 2018, the site shall be restored in accordance with a scheme to be submitted to the County Planning Authority for approval in writing, within 6 months of the cessation of activities. The approved scheme shall be fully implemented within 2 years of the written approval; and

Planning Permission

- w) 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

Specific Contact Points for this report

Case Officer: John Spurling, Principal Planner, Development Management:

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Steven Aldridge, Team Manager – Development Management

Tel: 01905 843510

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Background Papers

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

The application, plans and consultation replies in file reference 19/000034/CM, which can be viewed online at: <http://www.worcestershire.gov.uk/eplanning> by entering the full application reference. When searching by application reference, the full application reference number, including the suffix need to be entered into the search field. Copies of letters of representation are available on request from the Case Officer.

