

## **PLANNING AND REGULATORY COMMITTEE**

### **7 FEBRUARY 2023**

# **PROPOSED RETENTION OF EXISTING FACILITIES, OPERATIONS AND ACCESS; THE INSTALLATION OF A WASH PLANT AND ASSOCIATED INFRASTRUCTURE FOR THE PROCESSING OF INERT MATERIALS, TO PRODUCE RECOVERED AGGREGATE AND SOILS; THE RELOCATION OF THE WASTE SORTING SHED, WORKSHOP PERMITTED UNDER PLANNING PERMISSION REF: 18/000048/CM, AND THE PROVISION OF A NEW SITE OFFICE AT LONG MARSTON WORKS, LONG MARSTON ROAD, LONG MARSTON, NEAR STRATFORD-UPON-AVON**

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#### **Application Reference Number**

21/000035/CM

#### **Applicant**

Midlands Reclamation & Waste Limited

#### **Local Member**

Councillor Alastair Adams

#### **Purpose of Report**

1. To consider a County Matter planning application for the proposed retention of existing facilities, operations and access, the installation of a wash plant and associated infrastructure for the processing of inert materials, to produce recovered aggregate and soils; the relocation of the waste sorting shed, workshop permitted under planning permission County Planning Authority (CPA) Ref: 18/000048/CM, and the provision of a new site office at Long Marston Works, Long Marston Road, Long Marston, near Stratford-upon-Avon.

#### **Background**

2. The existing Midlands Reclamation & Waste Limited (MRW) waste management site has a lawful use for the sorting, processing and storage of recyclable materials, granted by Wychavon District Council in February 2000 (District Council Ref: W/96/0879/CLU) and is subject to a Section 106 Agreement, dated 8 February 2000, which included restricting the operating hours to between 07:00 to 20:00 hours Mondays to Saturdays inclusive. The operation on the site involves manual and mechanical sorting and separating of domestic; commercial and industrial; and construction and demolition waste materials.

3. Part of the proposed extension area has planning permission for the change of use of land used as a metal processing yard to use as a weekly disposal location for End-of-Life Vehicles (ELVs), which was granted planning permission by Wychavon District Council in August 2001 (District Council Ref: W/00/01735/CU). The applicant states that until recently the site was used as a storage facility for car and other vehicles trading dealership. Prior to which it was used for more long-term storage of vehicles and as a scrap storage facility prior to them being recycled on by an adjacent Scrap Metals facility.
4. In October 2001, planning permission was granted by Wychavon District Council (Wychavon District Council Ref: W/01/01424/PN). for the erection of a perimeter fence measuring approximately 3 metres (m) high and the installation of electric lighting standards on land at Birds Depot.
5. In May 2007, Wychavon District Council granted planning permission for the erection of a sorting shelter and vehicle workshop on the existing MRW waste management site (District Council Ref: W/07/00639/PN).
6. In October 2014, the CPA granted planning permission for the proposed installation of an Energy from Waste machine (less than 1 tonne per hour) on the existing MRW waste management site (CPA Ref: 14/000012/CM). This application was not lawfully implemented and has lapsed.
7. Permission was granted by the Planning and Regulatory Committee on 10 July 2019 (CPA Ref:18/000048/CM, Minute No. 1022 refers) for an extension to the existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas The red line boundary for this application, which is the subject of this report is similar to, but not as extensive as the red line boundary submitted under CPA Ref: 18/000048/CM and omits the adjacent I.M.C.R site as per the red line boundary of approved planning application CPA Ref: 21/000035/CM.
8. Condition 4 of CPA Ref: 18/000048/CM states that *“The combined annual throughput of materials handled by the development together with existing site as outlined in blue on Drawing Numbered 2037/02, Titled: `Location Plan` shall be limited to a maximum of 25,000 tonnes per annum and records shall be kept and made available to the County Planning Authority on written request for the duration of the operations on the site”*.
9. In October 2019, planning application (CPA Ref: 19/000038/CM), for permission to operate without complying with conditions 4 (annual throughput of waste) and 6 (operating hours) of planning permission CPA Ref: 14/000012/CM to allow the existing Energy from Waste plant to operate on a permanent basis (24 hours a day/7 days per week) was withdrawn by MRW.
10. In May 2020, planning permission (CPA Ref: 20/000001/CM) was granted for the retrospective installation of a wood burning boiler housed in a building with associated flue and feed hopper; installation and use of mobile drying containers; erection and use of a covered store at MRW.
11. In May 2021, an Environmental Impact Assessment (EIA) Screening Opinion was issued by the CPA for the proposed installation of an aggregate wash plant and

the relocation of permitted waste management structures at MRW (this application). The Screening Opinion concluded that given the nature and scale of the proposal and the nature of the receiving environment it is considered that while there may be some impact on the surrounding areas as a result of this proposal, it would not be of a scale and nature likely to result in any significant environmental effects, therefore, it was considered to not be EIA development (CPA Ref: 21/000010/SCR).

#### Adjacent Site

12. In August 2021, planning permission was granted by Wychavon District Council (District Council Ref: 21/00845/FUL) for the installation of two industrial workshops for the dismantling, refurbishment and re-engineering of railway rolling stock to serve to the existing railway carriage storage area located on land connected to the application site and owned by the Bird Group. Development would include laying railway tracks from the loading area to the workshops and access would be via the existing roadway currently serving the MRW site and the I.M.C.R Ltd. site.

13. With reference to CPA Ref: 18/000048/CPA above, the adjacent I.M.C.R site located to the north of the application site, which previously shared throughput with MRW was granted planning permission under CPA Ref: 22/000024/CM on 11 November 2022, for "*Proposed amendments to the operation of the existing scrap metal yard approved under planning permission Ref: 18/000048/CM, including amendments to the annual operations throughput of waste materials*". Condition 3 restricts throughput at the site to 16,000 tonnes per annum.

## **The Proposal**

14. The applicant is seeking retention of all existing waste operations and structures at the site and planning permission for the proposed installation of an aggregate wash plant and the relocation of permitted waste management structures at an established industrial site at MRW, Long Marston Road, Long Marston, near Stratford-upon-Avon.

15. Planning permission was granted on 10 July 2019 for a proposed extension to the existing waste recycling facility incorporating additional buildings to serve separate metals and mixed waste areas (CPA Ref: 18/000048/CM, Minute No. 1022 refers).

16. Part of the proposed development would occupy land previously permitted as part of CPA Ref: 18/000048/CM. That parcel of land is included as part of this application and located in the south of the application site.

17. The applicant proposes to increase throughput to a maximum 180,000 tonnes per annum and states that CPA Ref: 18/000048/CM currently limits throughput to 25,000 tonnes per annum, which is split between the MRW site (approximately 15,000 tonnes per annum) and the I.M.C.R site (approximately 10,000 tonnes per annum) located to the north of the application site.

18. The applicant states that the investment required to support a wash-plant could not be justified on an annual combined throughput of 25,000 tonnes and, therefore, wishes to increase the throughput to a maximum of 180,000 tonnes. The proposed throughput would consist of inert construction, demolition and excavation waste to

be washed and graded. The applicant states that currently all their aggregate products are dry screened only which limits the scope for controlling both product quality and throughput and that the addition of a wash plant would produce a better quality of graded aggregates and soil products.

19. The applicant states that the proposed installation of the aggregate wash plant combined with the reconfiguration of the site to include the plant and its associated equipment would improve the management and efficiency of the waste recycling process and increase the proposed amount of construction and demolition waste streams that would come to the site. The wash plant would essentially refine the process and enable the production of sand and soil type products as well as increasing the recovery of waste material due to the proposed cleaning process. The applicant states that the recycling and recovery of construction and demolition waste leaves 'fines' which are currently going to landfill when it could be recovered alongside mixed soils and aggregates bought to the site and sold as recycled graded aggregate.

20. The proposed development would comprise of the following:

- An increased consolidated throughput of a maximum of 180,000 tonnes per annum of which 25,000 tonnes per annum is existing through the current operations;
- Retention of all existing waste operations and reconfiguration of permitted waste management structures;
- Installation of a silt press;
- Installation of a low-level aggregate wash plant for aggregates and soils;
- Installation of water storage tanks, which would hold approximately 150,000 litres;
- Replacement single storey mobile office and installation of a new mobile office measuring approximately 15m length by 3.5m width;
- Processed and unprocessed material stockpiles/associated stock bays;
- Retention and use of the traffic route to Long Marston Lane;
- Relocation of the permitted sorting shed and workshop (permitted under CPA Ref: 18/000048/CM);
- Installation of a concrete acoustic barrier measuring approximately 4m in height and to be located on the north and east sides of the site; and a
- Site run-off water collection system for use in processing.

21. The aggregate wash plant comprises a low-level feed hopper and oversize screen, a conveyor with magnet to remove metal from the waste and a washing unit and rotating scrubber barrel with a final screen deck feeding separate product conveyors and stockpiles.

22. Waste streams entering the site would be sorted in the northern half of the site, with soil and stone separated out from the skip waste to be fed into the wash plant. The applicant states that MRWs main waste stream at present consists of construction and demolition waste, which includes excavation and demolition waste as well as low levels of non-aggregate and soil materials, for example wood offcuts, low levels of plastic and metals (off cut wire and pipes etc) typically found in a builder's skip. Once processed the washed and graded aggregate and soils would

be stored in the southern half of the site to avoid contamination with the non-aggregate and soil materials in the north of the site.

#### Wash Plant

23. The proposed aggregate wash plant and associated infrastructure would process construction, demolition and excavation waste materials having a maximum throughput of 180,000 tonnes per annum.

24. The applicant states that the manufacturer Tyrone has proven capabilities, with similar plants already established across the UK. The multi-stage process of an aggregate wash plant progressively segregates waste material into various sizes and removes finer clays to produce graded sand and soil aggregate. The wash plant is split into two sections, a lower processing and wash plant area and a larger filter press plant that sits adjacent and to the east of the existing screening bund.

25. The proposed aggregate wash plant would have a footprint of approximately 81m long by 32m at its widest point and would be orientated south-west to north-east running parallel to the existing track in the northern parcel of land. The proposed new replacement office and weighbridge would be located along the north-west site perimeter. A workshop measuring approximately 12m high by 34m long by 10m wide would be relocated further along the northern perimeter of the site. An open sided sorting shed housing a trommel screen, which is a rotary mechanical screening machine (possibly replaced with a quieter flip flow screen) and measuring approximately 4.8m high by 13m long by 4m wide would be relocated along the northern boundary of the site. Both of which benefit from planning permission. The remaining plant and infrastructure would measure less than approximately 7.5m in height.

#### Filter Press (Silt Press)

26. The filter press building measures approximately 13.5m in height and would be located to the west of the wash plant adjacent to the existing screening bund. The filter press cleans silty wash water and returns recovered clean water to the holding tank prior to it being inserted back into the processing plant. The filter press building comprises a ground mounted thickener tank measuring approximately 6.5m high, which refines the dirty water and concentrates it into a thicker slurry which is then fed through a pressured filter press that separates out the water and silt by-product collected in a small pile below the plant and periodically removed. The silt by-product can be sold as bulk fill or used as a clay material to line ponds. The filter press would sit next to the thickener tank.

27. The recovered clean water would then be fed back into the water storage tanks prior to being fed back to the processing plant, ensuring that water is recirculated and reused in the system requiring periodic top up from mains water.

#### Stockpiles

28. The existing stockpiles measuring approximately 8 -10m high, located in the south of the application site boundary are split into incoming waste and processed stock and would remain as existing.

29. Unprocessed material would be fed directly into the wash plant feed hopper across the track, with a small amount of stock on the ground next to the feeder.

30. Processed aggregate and soil stocks would be collected and stored within the Lego block bays measuring approximately 6m wide located centrally within the site or to the existing larger stockpiles in the south of the application boundary.

31. The applicant clarifies that the Lego block bays north of the spine wall would be used to store recovered materials from the sorting shed, and that the bays south of the spine wall would be used to store aggregate and soil products from the wash plant. The operational yard would be concreted and sealed prior to use.

32. A throughput of 180,000 tonnes per annum would equate to approximately 80 HGV movements per day (approximately 40 HGV's entering the site and 40 HGV's leaving the site) which equates to approximately 1 HGV movement every 7 minutes. The applicant states that MRW would endeavour to backhaul loads to reduce the number of trips in line with business needs which could potentially reduce the number of HGV movements to 40 per day (approximately 20 HGVs entering the site and 20 HGVs leaving the site) equating to approximately 4 HGV movements per hour.

33. Hours of operation as defined by the planning application would be the subject of conditions as set out below:

- Waste Processing Operations' 08:00 to 18:00 hours Mondays to Fridays, inclusive and 08:00 to 13:00 hours on Saturdays.
- Site Maintenance' 08:00 to 18:00 Mondays to Fridays and 08:00 to 17:00 hours on Saturdays.
- Loading / Sales and Deliveries 07:00 to 18:00 hours Mondays to Fridays, inclusive and 07:00 to 13:00 hours on Saturdays.
- No operations are proposed on Sundays, Bank Holidays or Public Holidays.

34. MRW currently employ 24 people which would increase by 9 employees to 33 employees in total and would include no.1x plant manager; no.1x plant maintenance operator; no.2x loading shovel drivers and no.5x hauliers.

## **The Site**

35. The application area, including the access road and stockpiles measures approximately 2 hectares and is wholly located within Worcestershire and Wychavon District, but near to the administrative boundaries of Stratford-on-Avon District Council, Warwickshire County Council, Cotswold District Council and Gloucestershire County Council.

36. Worcester is located approximately 30 kilometres (km) north-west of the application site: Stratford-upon-Avon is located approximately 10km north-west of the application site; and Evesham is located approximately 11km west of the application site.

37. Long Marston Works consists of Sims Metal Management which is an established metal processing and reclamation yard located to the south-west of the application site and I.M.C.R scrap metal yard which is located to the north-west of the application site.

38. Access to the application site is via the existing Long Marston Works entrance, shared with Sims Metal Management site and I.M.C.R site, off Long Marston Road

(C2266). The topography of the site is relatively flat consisting of hard core and hardstanding.

39. Broad Marston is located approximately 1km broadly north-west of the application site, beyond which is Pebworth located approximately 1.8km from the application site. Meon Vale, a new residential estate is located approximately 1km broadly north-east of the application site. Upper Quinton is situated approximately 2km, broadly east of the application site. Marston is located about 2.3km north of the application site. Mickleton is located about 2km south of the application site.

40. The top of Meon Hill is located approximately 2.1km, broadly to the south-east of the application site and forms part of the Cotswolds National Landscape (formerly Cotswolds Area of Outstanding Natural Beauty (AONB)) which at its closest point is located approximately 1.1km to the east of the application site. A Scheduled Monument (multivallate hillfort) is located approximately 1.8km to the south-east of the application site on Meon Hill. Littleton Meadows (grassland) a Local Wildlife Site (LWS) is located approximately 8km west of the application site.

41. The nearest watercourse to the application site is Gran Brook ordinary watercourse, which is a tributary of Noleham Brook, and runs in a north-westerly direction, approximately 350m east of the site.

42. A mature woodland area is located approximately 150m to the north of the application site and forms the northern boundary of the wider industrial site of Long Marston Works. Bunds measuring approximately 9m in height flank the western perimeter of the proposed application site. Several disused railway carriages are located on adjacent land that forms part of the north and east perimeter of the sites red line boundary. The land to the north of the site drops in level by approximately 47m towards the mature woodland, however the immediately surrounding topography east of the site, is predominantly flat. The proposed site area is further screened by the location of stockpiles to the south of the site on land included as part of the red line boundary and intersected by the location of the access road.

43. Sims Metals operational buildings and associated offices (approximately 4 storeys high) are set back from Long Marston Road by approximately 60m and occupy most of the frontage, the remaining frontage being made of mature leylandii and trees and vegetation. The application site is located approximately 220m to the rear (east) of Sims Metals.

44. Stockpiles are located within the red line boundary on the south parcel of land which is bisected from the north parcel of land by the location of the access road which gives access to Sims Metals and then to Long Marston Road.

45. Outline planning permission was granted on appeal (Appeal Ref: APP/H1840/A/13/2202364) for a mixed-use development, comprising up to 380 dwellings, up to 5,000 square metres of employment (Class B2) floor space, a minimum of 400 square metres of community (Class D2) building(s), public open space with associated landscaping and infrastructure, straddling the administrative boundaries of Wychavon and Stratford-on-Avon District Council (Wychavon District Council Ref: W/13/00132/OU). The Reserved Matters application for Phase 2 to 5 inclusive, comprising 364 dwellings, community building, landscaping and infrastructure (Wychavon District Council Ref: 17/01269/RM) was granted planning

permission on 16 October 2019 by Wychavon District Council. The employment element of this scheme would be located broadly to the east of the application site, and the nearest residential element of this proposed scheme would be located approximately 350m broadly east of the application site. Planning permission was granted for the erection of a substation and gas governor associated with residential development (Wychavon District Council Ref: 20/01958/FUL) on 8 February 2021 by Wychavon District Council.

46. Planning permission was granted on 26 February 2010 for a mixed-use redevelopment by Stratford-on-Avon District Council Ref: 09/00835/FUL, at Long Marston Business Park located approximately 500 metres north-east of the application site. The proposal included the creation of a leisure village with up to 300 self-catering lodges and holiday homes, 80 touring pitches, train related attractions including a museum, B1, B2 and B8 uses, the retention of an existing trade vehicle auction site, up to 500 dwellings and associated landscaping and surface water attenuation features.

47. Nearby residential properties include Marston Grange, located about 300m broadly to the north of the application site, and those residential properties associated with Jordans Farm, which are sited approximately 200m broadly to the north-east of the application site. Further residential properties including Farnold House, Meon View, and South Dakota of New Buildings Farm are situated approximately between 600 to 700m, broadly to the north-west of the application site. The residential properties of Little Grange and Mickleton Grounds, located in Gloucestershire, are about 450m broadly to the southwest of the application site. The new residential estate of Meon View, located in Warwickshire approximately 1km broadly north-east of the application site.

48. The application site falls within Flood Zone 1 (low probability of flooding).

## Summary of Issues

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

- The Waste Hierarchy
- Location of the Development
- Landscape Character, Visual Impacts and Historic Environment
- Residential Amenity (Noise, Dust and Air Quality)
- Traffic and Highway Safety
- Water Environment
- Ecology and Biodiversity

## Planning Policy

### National Planning Policy Framework (NPPF)

50. The revised National Planning Policy Framework (NPPF) was published on 20 July 2021 and replaces the previous NPPF published in March 2012 and July 2018 and February 2019. A National Model Design Code was also published on 20 July 2021. The government expect the National Model Design Code to be used to inform the production of local design guides, codes and policies.



51. The revised NPPF sets out the government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions and should be read as a whole (including its footnotes and annexes).

52. 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".

53. 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

54. 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.

55. 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.

56. 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.

57. 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 11: Making effective use of land
- 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

### **National Planning Policy for Waste**

58. The National Planning Policy for Waste (NPPW) 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**

59. The Development Plan is the strategic framework that guides land use planning for the area. The extant Development Plan that is relevant to this proposal consists of the Adopted Worcestershire Minerals Local Plan, Adopted Worcestershire Waste Core Strategy Development Plan Document, the Adopted South Worcestershire Development Plan, and the Made (Adopted) Pebworth Parish Neighbourhood Plan.

60. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF and NPPW are material considerations in this planning decision.

61. With regard to the weight to be given to existing policies adopted prior to the publication of the revised NPPF, Annex 1 of NPPF 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 Minerals Local Plan (Adopted July 2022)**

62. The Worcestershire Minerals Local Plan was adopted by the County Council on 14 July 2022 and replaces the minerals policies in the County of Hereford and Worcester Minerals Local Plan. The policies that are of relevance to the proposal are set out below:

- Policy MLP 13: Contribution of Substitute, Secondary and Recycled Materials and Mineral Waste to Overall Supply

### **Worcestershire Waste Core Strategy Development Plan Document**

63. The Waste Core Strategy was adopted in November 2012 and sets out planning policies against which applications for waste development in the county must be judged. The Waste Core Strategy policies relevant to the proposal are:

- Policy WCS 1: Presumption in favour of sustainable development
- Policy WCS 2: Enabling Waste Management Capacity
- Policy WCS 3: Re-use and Recycling
- Policy WCS 6: Compatible land uses
- Policy WCS 8: Site infrastructure and access
- Policy WCS 9: Environmental assets
- Policy WCS 10: Flood risk and water resources
- Policy WCS 11: Sustainable design and operation of facilities
- Policy WCS 12: Local characteristics
- Policy WCS 14: Amenity
- Policy WCS 15: Social and economic benefits

### **South Worcestershire Development Plan**

64. The South Worcestershire Development Plan (SWDP) covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP was adopted in February 2016. 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 4: Moving Around South Worcestershire  
Policy SWDP 5: Green Infrastructure  
Policy SWDP 6: Historic Environment  
Policy SWDP 8: Providing the Right Land and Buildings for Jobs  
Policy SWDP 11: Vale of Evesham Heavy Goods Vehicle Control Zone

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 32: Minerals

### **Pebworth Parish Neighbourhood Plan**

65. The Pebworth Parish Neighbourhood Plan was ‘made’ and adopted in 2019 by Wychavon District Council. The Localism Act 2011 introduced a new element to the planning system for England in the form of Neighbourhood Planning.

66. Neighbourhood Planning allows a partnership of communities including businesses, residents and interested parties to develop policies that, subject to an independent examination and community referendum, will become part of the planning framework for land uses in their local area.

67. The Pebworth Parish Neighbourhood Plan now forms part of the Statutory Development Plan, guiding development in the parish from 2018 to 2030. For the avoidance of doubt, the policies that are of relevance to the proposal are set out below:

- P3: Design Policy
- P5: Protect Locally Important Views
- P9: Retaining Existing Employment Opportunities in the Parish

### **Draft Planning Policy**

#### **Emerging South Worcestershire Development Plan Review (SWDPR)**

68. 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. An Additional Preferred Options (focused on Sustainability Appraisal) Consultation (Regulation 18) was consulted upon from 1 March to 19 April 2021.

69. The Councils consulted on the Publication Consultation version (Regulation 19) of the SWDPR from 1 November to 13 December 2022. This is the last stage of public engagement before the Plan is submitted to the Secretary of State for Levelling Up, Housing and Communities for independent examination, which is anticipated to be in early 2023. The Secretary of State would then appoint an independent Planning Inspector to assess the ‘soundness’ and legal compliance of the plan, anticipated to be February to May 2023, with adoption anticipated in October 2023.

70. 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.

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

- Draft Policy SWDPR 01: Climate Change Mitigation and Adaption
- Draft Policy SWDPR 03: The Spatial Development Strategy and Settlement Hierarchy
- Draft Policy SWDPR 05: Design and Sustainable Construction
- Draft Policy SWDPR 06: Transport
- Draft Policy SWDPR 07: Green Infrastructure
- Draft Policy SWDPR 08: Historic Environment
- Draft Policy SWDPR 10: Health and Wellbeing
- Draft Policy SWDPR 13: Non-Allocated Employment Development
- Draft Policy SWDPR 26: Design
- Draft Policy SWDPR 27: Biodiversity and Geodiversity
- Draft Policy SWDPR 28: The Cotswolds and Malvern Hills Areas of Outstanding Natural Beauty (AONB)
- Draft Policy SWDPR 29: Management of the Historic Environment
- Draft Policy SWDPR 30: Landscape Character
- Draft Policy SWDPR 31: Amenity
- Draft Policy SWDPR 33: Renewable and Low Carbon Energy
- Draft Policy SWDPR 34: Management of Flood Risk
- Draft Policy SWDPR 35: Sustainable Drainage Systems
- Draft Policy SWDPR 36: Water Resources, Efficiency and Wastewater Treatment
- Draft Policy SWDPR 37: Air Quality
- Draft Policy SWDPR 38: Land Stability and Contaminated Land

## **Other Documents**

### **Waste Management Plan for England (2021)**

72. The Government, through Defra, published the latest Waste Management Plan for England in January 2021. The Waste Management Plan for England is required to fulfil the requirements of the Waste (England and Wales) Regulations 2011 and together with its associated documents, local authorities' waste local plans and, combined with the equivalent plans produced by the devolved administrations in Scotland, Wales and Northern Ireland, and Gibraltar, it ensures that waste management plans are in place for the whole of the UK and Gibraltar. It supersedes the previous Waste Management Plan for England (2013).

73. While the Our Waste, Our Resources: A Strategy for England (2018) sets out a vision and a number of policies to move to a more circular economy, such as waste prevention through policies to support reuse, repair and remanufacture activities, the Waste Management Plan for England focuses on waste arisings and their management. It is a high-level, non-site-specific document. It provides an analysis of the current waste management situation in England and evaluates how the Plan will

support implementation of the objectives and provisions of the Waste (England and Wales) Regulations 2011. It will be supplemented by a Waste Prevention Programme for England, which will set out the Government's plans for preventing products and materials from becoming waste, including by greater reuse, repair and remanufacture supported by action to ensure better design to enable this to be done more easily.

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

74. 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.

1. 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.

75. It contains eight chapters that 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.

76. Chapter 3 – 'Resource Recovery and Waste Management' is the most relevant chapter to this proposal. This states that whilst recycling rates in construction have improved since 2000, from 2013 onwards recycling rates have plateaued. The Government seeks to drive better quantity and quality in recycling and more investment in domestic recycled materials markets, such that UK-based recycling can be promoted and a reduced level of waste be processed abroad.

77. The Government seeks 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.

### **The Government Review of Waste Policy England 2011**

78. 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.

### **Planning for Health in South Worcestershire Supplementary Planning Document (SPD)**

79. The South Worcestershire Planning for Health SPD was adopted in September 2017, and primarily focuses on the principal links between planning and health. The SPD addresses nine health and wellbeing principles, one of which is focussed on air quality, noise, light and water management. The SPD presents guidance on how these matters can be improved via the planning process, including ‘designing development proposals to avoid significant adverse impact from pollution ...’.

### **South Worcestershire Design Guide Supplementary Planning Document (SPD)**

80. The South Worcestershire Design Guide SPD was adopted in March 2018 and provides additional guidance on how the design-related policies should be interpreted, for example through the design and layout of new development and public spaces across South Worcestershire. It is consistent with planning policies in the South Worcestershire Development Plan, in particular Policy SWDP 21 (Design).

### **South Worcestershire Water Management and Flooding Supplementary Planning Document (SPD)**

81. The South Worcestershire Water Management and Flooding SPD was adopted in July 2018 and sets out in detail the South Worcestershire Councils' approach to minimising flood risk, managing surface water and achieving sustainable drainage systems. This applies to both new and existing development whilst ensuring that the reduction, re-use and recycling of water is given priority and water supply and quality is not compromised. It relates to policies SWDP 28 (Management of Flood Risk), SWDP 29 (Sustainable Drainage Systems) and SWDP 30 (Water Resources, Efficiency and Treatment) of the adopted South Worcestershire Development Plan.

### **Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan (2018 – 2023)**

82. The Cotswolds Conservation Board has a statutory duty to prepare and review a management plan for the Cotswolds AONB at five-yearly intervals. The Board adopted the Cotswolds AONB Management Plan on 20 September 2018. The Management Plan sets out the vision, outcomes, ambitions and policies to guide the management of the AONB for the period 2018-2023. The Management Plan is a key mechanism for achieving the purposes of: (i) conserving and enhancing the natural beauty of the AONB; and (ii) increasing the understanding and enjoyment of the AONB's special qualities. While having regard to these purposes, it seeks to foster the economic and social well-being of local communities within the AONB. It also

seeks to foster a more consistent and coordinated approach across this administratively complex AONB in order to achieve these purposes more effectively.

83. The AONB Management Plan contains 24 policies, which are grouped under each of the 14 themed outcomes. The key policies in relation to this application are considered to be Policy CE1: 'Landscape', Part 2) which states: *"proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced"*.

## Consultations

84. **Local County Councillor Alastair Adams** wishes to make no specific comments regarding the application but wishes to flag local concern relating to the storage of railway carriages at the site.

85. Councillor Adams provided an ariel photograph of the application site and the adjacent sites (Sims Metal & I.M.C.R).

86. Councillor Adams comments that hundreds of railway carriages are shown to be stored in the top right-hand corner of the aerial photograph, located adjacent to the land referred to in this planning application.

87. Councillor Adams states that local residents have been complaining that up to 9 railway carriages are being transported per day, along narrow rural roads to site, with some vehicles weighing up to approximately 100 tonnes which is destroying the road surface.

88. Councillor Adams notes that the applicant for this planning application is being submitted by the skip hire business MRW and states that there is concern locally that the current planning application intends to process the railway carriages and specifies that should permission be granted, it is for the intended purpose and not for something unintended.

89. **Pebworth Parish Council** have indicated that they have no comments to make.

90. **Marston Sicca Parish Council (Long Marston) (Neighbouring)** have made no comments.

91. **Mickleton Parish Council (Neighbouring)** have made no comments.

92. **Quinton Parish Council (Neighbouring)** have made no comments.

93. **Wychavon District Council** have no objections to the application provided that it would not result in a severe impact upon the highway. Wychavon District Council comment that the proposed development is contained within the existing active waste management site and would recover materials from local waste streams and notes that the proposed increased throughput to 180,000 tonnes per annum would provide economic benefits.



94. **Gloucestershire County Council (Neighbouring) County Planning Authority** comment that the proposal amounts to the reconfiguration and expansion of facilities at an existing waste management site which contains a Materials Recovery Facility (MRF). They note that existing facilities would be retained, and an aggregate wash plant and other associated infrastructure introduced.

95. Gloucestershire County Council comment that a throughput limit has been proposed by the applicant to address a potential conflict with overlapping permissions, but from the submitted information it is not clear what the envisaged tonnages of recycled aggregates would be once the redevelopment of the site is completed and that this is a matter for the case officer to clarify particularly when assessing the significance of any potential impacts from the proposed changes to the site.

96. Gloucestershire County Council advise that they have no specific policy comments to make but advise that consultation responses should be sought from both Gloucestershire and Warwickshire County Council in respect of potential amenity and highway impacts associated with the proposal due to the relative proximity of the application site to county borders and potential for cross border impacts on the local highway network

97. **Gloucestershire County Council (Neighbouring) Highway Authority** have no objection and state that based on the analysis of the further information submitted consider that there would not be an unacceptable impact on highway safety or a severe impact on congestion.

98. Gloucestershire County Council Highway Authority state that further to earlier representations made by the Highway Authority, a revised Transport Statement (TS) (dated November 2022) has been submitted. Gloucestershire County Council Highway Authority previously cited concerns regarding the impact of proposed HGV movements on Gloucestershire's highway network, on the Long Marston Road / Stratford Road priority junction and the roundabout at Granbrook Lane and Stratford Road.

#### Base Traffic Conditions

99. Gloucestershire County Council Highway Authority state that the revised TS has completed the manual classified turning counts at the Long Marston Road / Stratford Road priority junction and the roundabout at Granbrook Lane and Stratford Road between the hours of 07:00 to 10:00 and the hours of 15:00 to 18:00. They consider that the three-hour peak periods capture the historic highway peak hours.

100. An assessment of the personal injury collision data for these junctions has also been provided covering the most recently available 5-year data, the data shows that during this period there was a single serious accident recorded on Stratford Road which they consider suggests no inherent deficiencies in respect of highway safety in the area.

#### Predicted Vehicular Generation

101. Gloucestershire County Council Highway Authority consider that for a development of this nature, it is common practice to consider a first principles approach towards vehicular generation. They note that the proposal would increase

throughput at the site to approximately 180,000 tonnes of material per annum and that the extant planning consent (CPA Ref: 18/000048/CM) currently allows a throughput of approximately 25,000 tonnes of material per annum. They state that based on the predicted size of HGV, the proposal would result in a total increase of 36 HGV loads a day and that assuming that these would be split equally across the day would result in an increase of 4 arrivals and 4 departures (8 two-way trips) per hour. Gloucestershire County Council Highway Authority accept this methodology.

#### Junction Impact Assessment

102. Gloucestershire County Council Highways Authority note that the applicant has completed junction capacity assessment of the Long Marston Road / Stratford Road junction using the industry recognised modelling tool. It is noted that there are several errors in respect of this modelling, notably that the vehicle mix matrix has not been completed. This allows the user to input the percentage of HGV's. Gloucestershire County Council Highways Authority note that the applicant has explained that when completing the modelling exercise, they have converted actual flows to Passenger Car Units, which Gloucestershire County Council Highways Authority concur can be used as an approach to test the impact at junctions.

103. Gloucestershire County Council Highways Authority state that, in any event, it is apparent from the modelling that the predicted vehicle flow through the junction is so low in comparison to the available capacity that even if the correct vehicle mix matrix was used it would be unlikely to significantly alter the results of the modelling. As such, Gloucestershire County Council Highway Authority are content that the proposals would not lead to a severe impact at this junction, as defined by paragraph 111 of the National Planning Policy Framework (NPPF).

104. Gloucestershire County Council Highways Authority state that no specific modelling exercise has been completed for the roundabout Granbrook Lane and Stratford Road. They note that this junction is located approximately 2km from the application site. They state that based on the proposed trip generation, distribution and assignment of vehicular traffic, the proposals are expected to increase the number of vehicles at this junction in the order of 4 HGVs per hour and as such, Gloucestershire County Council Highway Authority consider that the proposed increase in traffic movement would not be considered severe in the context of paragraph 111 of the NPPF.

105. Gloucestershire County Council Highway Authority conclude that based on the above there are no justifiable grounds on which an objection could be maintained.

106. **Warwickshire County Council (Neighbouring) Highway Authority** have no objection to the proposal and state that they accept the applicants worst case scenario with regard to the Warwickshire County highway network, in that most trips would use the Long Marston Road/Station Road/Campden Road route to Stratford-upon-Avon.

107. **Warwickshire County Council (Neighbouring) County Planning Authority** state that they have no objection to the proposal, subject to the imposition of appropriate conditions to protect the Cotswold National Landscape and the amenities of the nearby residents of Warwickshire in Meon Vale and Lower Clopton from any intensification of operations and uses at the site through an increase in noise, dust, visual intrusion, landscape and traffic.

108. Warwickshire County Council note that Stratford-on-Avon District Council have not objected to the proposal and recommend that Worcestershire County Council would need to consider the impacts of the proposal on nearby Cotswolds National Landscape and the scheduled monument Meon Hill hillfort, both located in Warwickshire.

109. Warwickshire County Council consider that there is a lack of information relating to the cumulative impacts of the proposed additional waste management facility in this location and whether/what need for mitigation measures to make the proposal acceptable in planning terms. Impacts relating to noise, dust, air quality, visual intrusion, and traffic.

110. Warwickshire County Council state that in the light of comments set out in the Development Control Engineers letter, Warwickshire County Council requested Worcestershire to consult the Warwickshire County Council Highway Authority in the additional requested information is submitted by the applicant, as they consider that this may have a bearing on the traffic implications of the proposal on nearby Warwickshire roads including the B4632.

111. Warwickshire County Council note that the Planning Statement makes the following references to matters which relate to Warwickshire:

- The current aggregates supply situation in Warwickshire and the emerging Minerals Plan 2018.
- The lack of local wash plants/ waste management facilities in nearby Warwickshire.
- The impact planning policy restrictions in that part of the Cotswolds National Landscape in Warwickshire.

112. Warwickshire County Council state that there are currently only 3 sites in Warwickshire producing sand and gravel and that they are all located in the north of the county and serving the Nuneaton, Rugby, and Coventry markets. The Minerals Plan 2018 is at the stage of proposed modifications to the submitted plan with the consultation closing on 7 January 2022. The minerals plan contains proposals for 6 allocations one of which will help supply the south of the county but is located some distance from Long Marston in Barford and is subject to a number of objections. The plan also supports the safeguarding of 9 aggregates recycling sites with only one in the south of the county at Napton which again is some distance from the site. Warwickshire County Council notes that none of the 9 sites contain wash plants and state that therefore the proposed site in Worcestershire would be helpful in providing a source of local aggregates for parts of Warwickshire beyond the border.

113. The adopted Warwickshire Waste Core Strategy 2013-2028 (July 2013) identifies waste management infrastructure to the south of Stratford-upon-Avon town centre up to the Worcestershire border, but it is based on old data and none of these facilities contain wash plants. Policy CS 3 of the plan which deals with the Council's strategy for locating large scale (50,000 tonnes or more) waste sites requires such facilities to be located in and round primary settlements the nearest being Stratford-upon-Avon. Close proximity to a primary settlement means no more than 5km so in this case with the border 14km from Stratford-upon-Avon there would be a presumption against locating wash plants in this part of Warwickshire. In that part of

the Cotswolds National Landscape next to the site there are no waste management facilities in Warwickshire.

114. Warwickshire County Council were reconsulted with additional information submitted in support of the application and they now consider that issues relating to noise, dust and air quality assessed by Worcestershire Regulatory Services and Stratford-on-Avon District Council are acceptable. Visual intrusion and landscape have also been considered. Save for traffic / transport matters to be considered by Warwickshire County Council Highways Authority, Warwickshire County Council are satisfied that any cumulative impacts would be unlikely to affect Warwickshire residents.

115. Warwickshire County Council have assessed the additional information relating to an amended northern visibility splay; cumulative impact of trip generation on Warwickshire and information from the agent regarding cumulative impacts and state that they have referred the further information to their highway engineers and transport planners for comment.

116. Warwickshire County Council note comments received from the agent about the site based cumulative impacts, but state that in the absence of evidence in the statements to verify the information it would be difficult to provide further comments.

117. **Cotswold District Council (Neighbouring)** have made no comments.

118. **Stratford-on-Avon District Council (Neighbouring)** have consulted Stratford-on-Avon District Council Environmental Health Department and have no objections to raise.

119. **The Environment Agency (EA)** have no objections to the proposal, stating that the current permit allows the transfer and physical treatment of wastes, and the depollution and dismantling of End-of-Life Vehicles. The permit allows for the acceptance of less than 75,000 tonnes of waste per year and imposes limits on the amounts of waste to be treated per day and the amount of time wastes are to be stored on site.

120. The site also operates a biomass boiler, the heat from which is used in a wasted drying process authorised by the permit.

121. The permit requires the operator to manage their activities in accordance with a Fire Prevention Plan and Dust Management Plan.

122. The EA advise the applicant to update the permit to reflect any changes to the site layout, physical infrastructure or activities proposed as part of the planning application.

123. With regard to emissions, the EA advise that the applicant should ensure that best practices and appropriate measures are adopted on site to help avoid and manage operational impact on surrounding receptors at Marston Grange to the north and Mickleton Grounds to the south of the site, scattered properties south along the B4682 Campden Road and Meon Vale is located approximately 1.5km to the east of the application site.

124. The EA note that the applicant has undertaken assessments for emissions of dust, noise and impacts upon air quality associated with their operations and state that certain aspects of these are also controlled by the Environmental Permit. The operator should ensure that best practices and appropriate measures (recommendations as suggested) are adopted on site to help avoid and manage impact of their operations on surrounding receptors.

125. The EA note that the proposed wash plant installation requires additional water supplies for its operation and that the applicant has proposed two main sources of water; a sump to collect surface water runoff; and seasonal abstraction from a nearby agricultural field drain, with water collected being stored in a storage tank on site. The EA advise that the applicant should review whether the proposed type of extraction is exempt, falls within a Regulatory Position Statement, or may require an abstraction license from the EA and recommends that the applicant contacts that EA for further information.

126. **Worcestershire Regulatory Services (WRS) (Air Quality)** have no objections to make in terms of air quality noting that the nearest Air Quality Assessment Area (AQMA) to the site is the Stratford-upon-Avon AQMA located approximately 9.6km to the north-east of the site. WRS agrees with the methodology and conclusions of the submitted Dust Management Plan and Air Quality Assessment and therefore have no adverse comments to make in respect of air quality.

127. With regard to the construction phase, the report assessed the risks for earthworks, construction and trackout as negligible for nuisance dust soiling effects, negligible for PM10 (Particulate Matter) health effects and negligible for ecology. Dust mitigation measures in accordance with the Dust Management Plan should be employed to minimise impacts from dusts and fine particles.

128. With regard to the operational phase, the Transport Assessment predicted the Annual Average Daily Traffic for Light Duty Vehicles & HGVs would be below the Environmental Protection UK and Institute Air Quality Monitoring thresholds for an Air Quality Assessment (AQA) outside of an Air Quality Management Area (AQMA). A detailed assessment of the proposed development's operational phase impacts was not considered to be necessary, and the scheme-generated traffic would be unlikely to have a significant impact on local air quality.

129. **WRS (Contaminated Land)** have no objections and comment that the site has a commercial/industrial past and present and require the imposition of a tiered contaminated land investigation condition.

130. **WRS (Noise and Dust)** have no objections in terms of noise and dust adversely impacting sensitive receptors, subject to the imposition of an appropriate condition requiring the implementation of the noise mitigation measures outlined in the submitted Noise Assessment, relating to the erection of a 4m high pre-cast concrete noise barrier around the northern and eastern perimeters of the site.

131. WRS state that the submitted Noise Assessment, undertaken in accordance with British Standard 4142:2014 A1:2019, appears satisfactory in terms of methodology and conclusions, but comment that the Noise Assessment is based on

daytime operations only and recommends that operational hours are therefore conditioned.

132. In terms of dust, WRS state that as part of the construction phase, dust mitigation measures as set out in the submitted Dust Management Plan should be employed to minimise impacts from dusts and fine particles. WRS comment that the Dust Management Plan assessed the risks for earthworks, construction and trackout as Negligible for nuisance dust soiling effects. Negligible for PM10 health effects and negligible for ecology.

133. **The County Council Public Health Department** have no comments to make.

134. **South Worcestershire Land Drainage Partnership** have made no comments.

135. **The Lead Local Flood Authority** have no objection and state that the proposal would involve intercepting rainfall to use in part of the proposed site processes and as such, in conjunction with no increase to the impermeable area of the site would result in reduced run-off.

136. **Severn Trent Water Limited** have no objections to the proposal and do not require a drainage condition to be applied.

137. **The County Highways Officer** has no objections to the proposal, subject to the imposition of pre-commencement conditions requiring details of access visibility, sheltered and secure cycle parking, accessible parking provision and two electric vehicle charging points and the imposition of a condition requiring HGVs leaving the site to be covered or enclosed to prevent spillage on the public highway and a condition that prohibits debris on the public highway.

138. The County Highways Officer notes that the application would allow the site to increase throughput to 180,000 tonnes per annum, compared to the current 25,000 tonnes per annum associated with the extant consent and current operations at the site, therefore the application proposes to increase throughput at the site by a total of 155,000 tonnes per annum.

139. The Transport Statement states in Para 4.2.2 that '*currently materials are screened based on size to produce a crushed and graded aggregate product and a soil material. The proposed wash plant will refine this process and allow the production of sand type products. The proposed wash plant will also mean that a greater percentage of the waste material can be recovered as a result of the cleaning process*'.

140. With regard to access, the County Highways Officer notes that access would remain unchanged via the existing priority junction on Long Marston Road. To determine the suitability of access junction visibility, the applicant obtained 85th percentile speeds from a seven-day Automatic Traffic Count (ATC) in June 2021. The results identified 85th percentile speeds of 43.8mph in the northbound direction and 37.8mph in the southbound direction. Results concluded that visibility splays of approximately 120m in each direction would be required in accordance with Design Manual for Roads and Bridges (DMRB) guidance.

141. The County Highways Officer states that the current proposals would intensify vehicle trips at the site and that there is a requirement for the access to fully meet with visibility requirements, irrespective of the site access being used on a daily basis. The County Highways Officer considers that at present access visibility is constrained to the north of the site by a fence and a row of trees fronting the site on Long Marston Road. The County Highways Officer considers that the applicant's proposal to remove the trees and the fence currently obstructing visibility would be acceptable subject to the imposition of a condition requiring that access visibility is achieved and maintained and that any low-level landscaping and planting should not obscure vehicle sight lines.

142. With regard to trip generation, the County Highways Officer comments that paragraph 6.1.1 of the Transport Statement states that '*a throughput of 180,000 tonnes per annum would result in eight HGV movements per hour (80 movements per day). 8 movements per hour equates to an average of one vehicle every seven minutes*'. The County Highways Officer notes trip generation would include four additional members of staff working Mondays to Fridays between 07:00 to 17:00 hours.

143. The applicant states that '*the additional material generated by the proposed development will not be transported using skip trucks...with the additional material transported using larger tipper trucks, typically of 17t – 24t. Based on the additional material vehicle load size, loads per annum and the hours worked per day, there will be an additional 36 loads per day (3.6 loads per hour)*' equating to approximately 8 two-way vehicles trips per hour.

144. The County Highways Officer acknowledges that material is currently transported to the site via 1.3 tonne skips and transported out of the site by 7.5 tonne articulated lorries (previous transport statement). The County Highways Officer accepts that the use of 17 – 24 tonne tipper trucks which would be able to contain more material would reduce the overall number of vehicle movements required.

145. With regard to employees, the County Highways Officer notes that employee trips have been distributed using 'Journey to Work' 2011 census data obtained for the 'Cotswold 001' Middle Super Output Area (MSOA). The trip distribution indicates that 65% of employee trips would travel to / from Long Marston Road (south) and 35% would be to / from Long Marston Road (north), which would also apply to the 4 additional members of staff. The County Highways Officer states the use of 'Travel to Work' 2011 census data for staff trips is accepted.

146. HGV trips have been distributed based on HGV proportional flows obtained from traffic counts, with the majority of trips shown to favour routes south of the site. MRW have confirmed that 95% of HGV traffic turns left out of the site access onto the B4632 to access wider destinations.

147. The County Highways notes that whilst the site access junction is situated within Worcestershire, the local highway network to the north of the site, including Long Marston village is located within Warwickshire. The local highway network positioned to the south of the site, including the village of Mickleton, is located within Gloucestershire.

148. The County Highways Officer notes that only the site access and villages of Pebworth and Broad Marston, situated to the west of the site are located within Worcestershire. The County Highways Officer notes that the applicant's intention is not to route HGVs through villages which may include the immediate surrounding villages of Broad Marston, Pebworth, Long Marston, Dorsington and Welford-on-Avon, except to serve customers in those areas.

149. The County Highways Officer notes that there are 10 tonne weight limits on bridges at Bidford and Welford-on-Avon, which currently prevents MRW tippers from using those routes. All HGV traffic entering and leaving the site should do so via the Long Marston Road / B4632 Stratford Road junction, positioned to the south of the site. From this junction, HGV traffic would travel to/from the north towards Stratford-upon-Avon.

150. The County Highways Officer considers that the site is not located in a particularly sustainable location, but that this is accepted given the nature of the proposals and considers that the site is an existing and well-established business. They comment that with only a limited population within walking distance of the site that focus should be on public transport provision and car sharing as a means to reduce single occupancy vehicle trips to and from the site.

151. The County Highways Officer notes that HGV parking would be provided on an informal basis to meet demand, they consider that sufficient space would be available on site to legitimise that arrangement and note that the applicant confirms that "*HGVs will always be able to enter the site on arrival and will not be required to wait on street (Long Marston Road)*". Separate employee car parking would be provided within the site to accommodate the additional four members of staff with a total of 20 employee parking spaces currently available.

152. The County Highways Officer notes that collision data obtained for the most recently available five-year period from August 2016 to July 2021 for an approximate 3km study area centred around the site showed that in total two slight severity collisions occurred in the study area. There were no serious or fatal collisions and none of the recorded collisions involved HGVs or occurred at or in the vicinity of Long Marston Road

153. The County Highways Officer considers that with HGVs able to hold additional material and only a limited number of additional HGVs and employee trips generated by the proposals, the local highway network has not been subject to further capacity assessment and concludes that it is demonstrated that the access junction can accommodate the additional vehicle trips with no capacity issues.

154. The County Highways Officer states that they have undertaken a robust assessment of the application and that based on the analysis of the information submitted and consultation responses from third parties, that there would not be a severe highway impact and therefore, there are no justifiable grounds on which an objection could be maintained.

155. The County Highways Officer response to the submitted traffic survey states that whilst acknowledging that the proposals would generate additional vehicle trips during the most sensitive weekday peak hours, for the Local Highway Authority (Worcestershire), the majority of the roads that these vehicles would travel on are



situated outside of the Worcestershire County boundary, predominantly travelling on roads within Warwickshire and Gloucestershire. The site access junction is located within Worcestershire and the Local Highway Authority has included planning conditions to ensure that this junction meets with the relevant design standards for access visibility, ensuring that it remains safe for turning vehicles. The villages and routes surrounding the villages of Pebworth and Broad Marston would not be used for HGVs associated with the development proposals, except in the circumstances where there would be a requirement to serve customers in these areas. The County Highways Officer considers that HGV traffic volumes impacting on these Worcestershire villages would therefore be minimal.

156. **The County Archaeologist** has no archaeological concerns and comments that although the site lies close to Broad Marston Grange, the proposed works are likely to have minimal impact given their nature and the previous industrial use of the site.

157. **Historic England** have no objections to the proposal on heritage grounds and comment on the amended plans that they are pleased that the applicant has taken into consideration previous comments regarding the implementation of additional mitigation measures to mitigate the visual impacts of the scheme within the wider landscape setting. Historic England state that the introduction of hedgerow planting along the eastern and southern site boundaries may help to soften the edges of this industrial site and assist in reducing the impacts of the development upon the wider setting of the scheduled monument at Meon Hill (a multivallate Iron Age hillfort, situated on top of Meon Hill, located about 1.8km south-east of the proposal).

158. Historic England state that in line with their previous comments, which have been noted by the applicant, careful choice of the colour scheme used for the proposed cladding and roofing materials, making them darker and unobtrusive, would help to reduce the visual impacts of the scheme upon the wider landscape.

159. **The District Archaeologist** have made no comments.

160. **The Cotswolds Conservation Board** have no objections to the proposal and recommend that appropriate conditions be imposed to ensure that lighting and landscape mitigation and enhancement schemes are secured in the interests of conserving and enhancing the landscape and natural beauty of the Cotswolds National Landscape.

161. With regard to landscape and visual impact the Board notes that the applicant has subsequently submitted revised more detailed landscape plans in response to the Boards previous comments and that of the County Landscape Officer and welcomes the additional hedgerow planting, which the Board comment would assist in breaking up the massing of the structures in long distance views from the Cotswolds National Landscape.

162. With regard to lighting, the Board's previous comments refer to the Cotswold AONB Landscape Strategy and Guidelines which seek to conserve areas of dark skies and identifies that the introduction of lit elements to characteristically dark landscapes as a potential adverse implication of development such as this which impacts long views and panoramas. Cotswolds Conservation Board state that dark skies are one of the special qualities of the Cotswold National Landscape.

163. The Board note that the proposed operational hours could be noticeable particularly during the winter months and that the applicant has not submitted any detailed plans in respect of lighting and that based on the reasons outlined in the Boards previous response request the control of lighting via a pre commencement condition requiring the submission of further details.

164. The Cotswolds Conservation Board considers that the height and colour of the proposed buildings would have an impact on the setting of the Cotswolds National Landscape, being noticeable in views out from the Cotswolds National Landscape increasing visual intrusion. However, the Board recognises that the proposal would be viewed in the context of the adjacent sites (Sims Metal site, I.M.C.R site, former military bases and the Meon Vale housing development), all of which are clearly visible from the Cotswolds National Landscape. The Board considers that the proposed buildings would introduce a new and noticeable negative visual element to the landscape and that paragraph 176 of the NPPF should be taken into consideration to minimise impact on the setting of the Cotswolds National Landscape.

165. The Board recommends that the colour of materials be controlled by condition to reduce visual impact.

166. **The County Landscape Officer** has no objections to the proposal on landscape grounds subject to the imposition of appropriate conditions to secure the provision of boundary treatment.

167. The County Landscape Officer notes that the proposal would result in the construction of new infrastructure and the expansion of activities beyond the established screen provided by the existing on-site bund. The County Landscape Officer considers that established woodland located on the north and west boundary would continue to provide functional screening of the scheme and welcomes the intention to plant a native hedgerow along the southern boundary of the site noting that this would help to soften the development and provide east-west infrastructure connectivity.

168. The County Landscape Officer notes the installation of a 4m high acoustic fence along the eastern boundary of the application site and the proximity of the scheme to the emerging residential development to the east of the site is such that additional visual softening should be considered necessary. While there is a bund in place at the western edge of the residential development site, and an intervening hedgerow, these features are outside the control of the applicant, and therefore, there can be no reliance on their future as a functional screen. The proposed scheme should therefore include new native hedgerow planting along the external eastern boundary of the site to soften views towards the site, and specifically the acoustic fence, and complement the hedgerow proposed for the southern boundary. The acoustic fence can still form part of the eastern boundary, being sited on the inside of a hedgerow that should include a sterile strip for maintenance.

169. The County Landscape Officer has reviewed the revised plans and welcomes the additional landscape enhancements to include new native hedgerow planting along the full extent of the eastern boundary with the exception of the access road

which divides the site and state that the amended plans, species mix, and proposed management of the site are satisfactory and can be secured via condition.

170. The County Landscape Officer was consulted further with regard to the applicant's proposal to remove trees located on the western perimeter of the site in order to accommodate an adequate visibility splay. The County Landscape Officer has no objection to the proposed removal of approximately 120m of leylandii to achieve the required level of highway safety and considers that the removal of the trees would not result in substantive harm to the local landscape setting of the scheme. The County Landscape Officer states that views towards the site from the west would not change given the presence of substantial existing vegetation located on the west side of the lane.

171. With regard to boundary treatment, the County Landscape Officer recommends the imposition of an appropriate condition to secure the provision of a new native hedgerow and/or native trees planted in compensation for the loss of the leylandii on the western boundary adjacent to Long Marston Road, which they consider would deliver a measurable landscape and biodiversity enhancement to the scheme, given that leylandii is non-native and of very limited habitat value. The County Landscape Officer further notes that they understand the constraints of the proposed planting area and that any compensation planting would need to be designed and managed within appropriate parameters that would not impede the safe operation of access onto the highway.

172. The County Landscape Officer refers the applicant to the Worcestershire Woodland Guidelines, specifically to advice relevant to the area: E2, Ecological Zone: Avon Vale Claylands, which includes details of species that, with the notable exception of Ash, would be appropriate for inclusion within the context of the affected boundary.

173. **The County Ecologist** has no objections to the proposal, subject to the imposition of conditions requiring a Construction Environmental Management Plan (CEMP), Landscape and Environmental Management Plan (LEMP) and details of any lighting to be installed at the site. The County Ecologist states that under no circumstances should any other external lighting be installed on site without the prior consent of the of the County Planning Authority.

174. The County Ecologist noted that the Preliminary Ecological Statement (PEA) states, "survey results contained in this report are considered accurate for approximately 18 months from the date of survey" and therefore recommended that the PEA is updated by the project ecologist, or that a brief statement is provided by the applicant's ecologist to confirm that its results are still valid despite the intervening period. The County Ecologist noted that the proximity of the site to historic water vole records and the potential for ecological connectivity means that an update to the PEA would be needed.

175. On reconsulting the County Ecologist with updated information from the applicant, the County Ecologist is satisfied that the risk of impact to water vole from abstraction or/and hedgerow creation would be acceptably low and recommends that pre-commencement works are undertaken by a suitably competent ecological clerk of works (ECoW).

176. The County Ecologist notes that the PEA shows that the area marked-up for felling has four target noted features comprising of two former bird's nests (TN1 and TN2) and considers that active bird nests can be adequately addressed through a pre-commencement inspection undertaken by a suitably experienced ECoW, which could be secured through the scheme's CEMP or alternatively, by avoiding felling operations within the bird breeding season (generally recognised as March to August inclusively).

177. The County Ecologist notes that there appear to be two trees in that area marked as having some level of bat roosting potential (T1 and T2). At the time of PEA preparation, it was understood these trees would be retained, however the ecological appraisal also includes a mitigation strategy to address their removal: A 'soft-felling' approach, could also be incorporated into the scheme's CEMP if the assessment of the value of these potential bat roosts remains valid.

178. The County Ecologist has since confirmed that no derogation test is needed for loss of low suitability Potential Roosting Features (PRF), only for impacts to a confirmed bat roost.

179. BCT's Bat Surveys for Professional Ecologist Good Practice Guidelines (3<sup>rd</sup> Ed, 2018) says that if no or only low suitability PRFs for bats are found in trees, then further surveys are not necessary, but that precautionary measures may be appropriate during felling or pruning activities. The Update Survey (RammSanderson, June 2022) recommends that trees still exhibiting low PRF should be removed using low and soft/sectional felling measures. If a soft felling approach were specified in a scheme CEMP, and this also included requirement to return a Statement of Conformity to the CPA, we'd have confidence the ecologist's recommendations were implemented, and any risks to bats had been appropriately considered.

180. In the unlikely event that bats (or evidence of a bat roost) were discovered, the ecologist would need to halt works and seek further advice from Natural England, likely triggering requirement for derogation licence. However, the County Ecologist considers that the risk of this happening is considered sufficiently low so as to adopt precautionary working measures instead of requiring additional bat surveys.

181. The County Ecologist was consulted further with regard to the applicant's proposal to remove leylandii / trees located on the western perimeter of the site in order to accommodate an adequate visibility splay and as such the County Ecologist required an updated PEA which takes account of the proposed tree felling for improved highways access.

182. The County Ecologist is satisfied that the submitted updated PEA is valid and now takes account of the proposed tree felling and considers that the likely ecological constraints would be acceptable, if undertaken with due diligence and appropriate mitigation.

183. Noting the applicant's proposed condition addressing boundary treatment, the County Ecologist was keen to understand what compensation measures for tree loss would be secured within the scheme's boundaries. The removal of coniferous trees in this setting would be ecologically desirable, however they would very much encourage a like-for-like compensation (in terms of tree numbers removed and

replaced). Replacements would ideally draw from the palette of locally appropriate tree species as specified in the Worcestershire Woodland Guidelines. The County Ecologist recommends species such as oak, blackthorn, hazel, hawthorn, field maple, holly, silver birch, midland hawthorn, wayfaring tree. The County Ecologist recommends that this should be secured by a suitably worded condition should be imposed.

184. Additionally, they note that Worcestershire County Council is a corporate signatory to the Woodland Trust's Charter for Trees, Woods and People, amongst the principles of the charter are that we should 'strengthen our landscapes with trees', 'plan greener local landscapes', plant for the future' and 'sustain landscapes rich in wildlife'. Compensation tree planting would therefore help contribute towards this commitment.

185. The County Ecologist is satisfied that risk of impact to flora and fauna arising from the construction or operational phase effects can be controlled through the imposition of suitably worded conditions.

186. **The Campaign to Protect Rural England (CPRE)** have provided no comments regarding the planning application.

187. **West Mercia Police** have no concerns or objections.

188. **Hereford & Worcester Fire and Rescue** comment that the proposed new buildings would be subject to Building Regulations approval. The Fire Service would be consulted by either Local Authority or Approved Inspector Building Control bodies. Fire Service Vehicle access must comply with the requirements of ADB 2019 Vol. 2 B5, section 15 & Table 15.1. In particular, there should be Fire Service vehicle access for a Fire Appliance to:

- 15% of the perimeter
- within 45m of every point of the footprint of the building
- Access road to be in accordance with ADB 2019 Vol. 1 Table 13.1

189. Water for firefighting purposes should be provided in accordance with: ADB 2019 Vol. 2 B5, section 16.

190. **Wales and West Utilities** comment that they have no apparatus in the area.

191. **National Grid** confirm that they have no equipment or apparatus in the area.

192. **Western Power Distribution** comments that their apparatus is located adjacent to the application site (electricity); the use of mechanical excavators in the vicinity of their apparatus should be kept to a minimum. Any excavations in the vicinity of their apparatus should be carried out in accordance with the document titled: 'Health & Safety Executive Guidance HS(G)47, Avoiding Danger from Underground Services'. The applicant should contact Western Power Distribution should any diversions be required.

## Other Representations

193. The application has been advertised on site, in the press and by neighbour notification. To date, 2 letters of representation have been received objecting to the proposal, one of which has been signed by 3 individuals and 1 letter of representation has been received commenting on the proposal which was accompanied by the submission of an independent traffic flow survey.

194. The letters of representation and the traffic survey were made available to Members of the Planning and Regulatory Committee upon request. Their main comments are summarised below:

### Comments

- Considers that the quantity of application documents submitted makes it difficult to follow an easy audit trail.
- Considers that the sound measurements provided within the submitted Noise Assessment are inaccurate and should include an assessment from points where the proposed new housing would be located (Appendix D of survey).
- Concerned about the visual effect of the building on new development proposals in the area.
- The Tchrattec survey does not refer to the cumulative impact of the proposal and the existing businesses operating from the site.
- The MRW website refers to Asbestos removal and disposal, however it is not clear how this is dealt with at the site.
- How would the water extracted from field drains be kept fully secure to prevent any overspills etc.
- Considers that insufficient detail has been provided that demonstrates vehicle movements associated with the proposal and as currently operational.
- A traffic survey (taken from the corner of the B4632 junction with Long Marston Road) was submitted. The identity of associated site traffic was difficult to assign to any of the No.3 site operators and states that a lack of transparency is therefore demonstrated and is concerned that the increase in traffic movements would impact on the proposed new housing development located within 5 miles of the site.
- Only two movements of HGV could be identified as part of the submitted traffic survey which was a Sims lorry.
- The skips identified as part of the traffic survey were the applicants own.
- Considers that a physical survey of junctions surrounding the site should be provided.
- States that the applicants proposed traffic movements would indicate that Worcestershire County Council would be granting permission to a site that would not be serving the Worcestershire County and not contributing to the Councils Core Strategy, but instead would be contributing to the surrounding Counties (Gloucestershire and Warwickshire) traffic volumes and environmental concerns.

## Letters of Objection

### Traffic and Highway Safety

- Concerned that there is already a significant increase of vehicle movements to and from the site and that a significant number of the vehicles are high sided heavy goods vehicles and vehicles large enough to transport skips.
- Concerned about the intensification of use and increased HGV movements and highway safety.
- Note that HGV drivers speed along the narrow roads and that vehicles trying to pass each other on narrow roads have eroded the verges causing mud on the highway.
- Noted that HGVs park on the grass verges and in the lay-by located to the rear of Marston Grange.
- Skip vehicles hit the humped backed rail bridge speed with little concern for other road users.
- The road between the bridge on the Warwickshire County border and the junction at Chipping Campden Road is currently in disrepair with large potholes causing puddles causing a hazard for other road users.
- Comment that the nature of Long Marston Road has changed because of the existing use at the site and gone from hardly used to a busy cut through used by speeding vehicles.

### Noise and Pollution

- Comments that the site and adjacent sites are operational 24 hours a day.
- Noise is being heard during the night, early mornings and late into the evening with windows closed.
- Noise including extremely loud clanging metal and machinery can be heard with windows closed, over the sound of televisions and music.
- A generator can be heard.
- Noise detection equipment was placed within the boundaries of Marston Mews for 1 week, during which time noise reduced considerably. States that the operators were aware that the noise detection equipment was there and that the noise was controlled to portray a reduced impact.
- Noise pollution from the site has increased significantly over the years.

### Dust and Metal Particles

- Windows and vehicles are constantly covered with a fine iridescent metallic particle that is visible at all times of the year.
- Comments that there are constant levels of thick dust which covers vehicles, including those located at Marston Mews.
- Health impacts from dust and metal particles in general and note that a number of local residents are clinically vulnerable and have significant health concerns.

### Community Engagement

- Comment that the site and adjacent sites do not think of or include local residents, that there is no community cohesion and no pre-application public consultation.
- State that due to the small number of local residents, community liaison and engagement would not be difficult.

### Litter

- Increased litter, including plastic and metal which fall from vehicles into the highway.
- State that there is no financial contribution to assist in the upkeep of the area in general or to clear litter.

## **The Head of Planning and Transport Planning's Comments**

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

### **Waste Hierarchy**

196. 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.

197. 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.

198. This is reiterated most recently in the Waste Management Plan for England (2021) which refers to 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... 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"*.

199. 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.

200. Furthermore, paragraph 152 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”.*

201. Policy MLP 13: ‘Contribution of Substitute, Secondary and Recycled Materials and Mineral Waste to Overall Supply’ of the Worcestershire Minerals Local Plan states that *“planning permission will be granted for proposal that enable the supply of minerals from substitute, secondary or recycled materials or mineral waste where they accord with the policies of the Waste Core Strategy”.*

202. The reasoned justification to this policy states *“mineral resources are finite and it is important to make the best use of them. The use of substitute, secondary and recycled materials and minerals waste helps to reduce the need for primary minerals and can increase resource efficiency by using materials that might otherwise be discarded as waste”.* It goes on to state that *“the use of substitute, secondary and recycled materials and mineral waste is becoming embedded as part of a sustainable minerals market, with more mineral operators seeking to offer a range of sustainable products for sale. Policy MLP 13 encourages and enables this, supporting development which would contribute to the overall sustainable supply of materials and thereby reducing the overall need for the extraction of primary minerals”.*

203. Policy SWDP 32: ‘Minerals’ of the South Worcestershire Development Plan at paragraph 14 seeks to increase and encourage the use of secondary and recycled aggregates and reduce the use of land-won aggregates.

204. Policy WCS 2: ‘Enabling Waste Management Capacity’ of the Waste Core Strategy seeks to deliver new capacity for the recovery of construction and demolition wastes. Policy WCS 15 of the Waste Core Strategy requires proposals for waste management facilities to demonstrate that they would contribute to Worcestershire’s equivalent self-sufficiency in waste management capacity.

205. The Head of Planning and Transport Planning considers that as the proposed development would include the collection, recycling and reuse of soils and inert wastes generated from building projects and would facilitate the bulking up of various sources of waste in preparation for transfer and subsequent recycling by specialist operators it would comply with the objectives of the waste hierarchy and Policy WCS 2 and help to address the capacity gap identified in the Waste Core Strategy, and Policy MLP 13 of the Worcestershire Minerals Local Plan, and Policy SWDP 32 of the South Worcestershire Development Plan in relation to contributing to the supply of recycled aggregate.

### **Location of the Development**

206. 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.

207. The Waste Core Strategy sets out a Geographic Hierarchy for waste management facilities in Worcestershire. The hierarchy takes account of patterns of current and predicted future waste arisings and resource demand, onward treatment

facilities, connections to the strategic transport network and potential for the future development of waste management facilities. The hierarchy sets out 5 levels with the highest-level being Level 1 'Kidderminster zone, Redditch zone and Worcester zone'.

208. Policy WCS 3: 'Re-use and Recycling' of the adopted Worcestershire Waste Core Strategy requires waste management facilities that enable re-use or recycling of waste, such as this proposal, to be permitted within all levels of the Geographic Hierarchy, where it is demonstrated that the proposed location is at the highest appropriate level of the Geographic Hierarchy.

209. Although the development site is sited within Level 5 'All other areas' of the Geographic Hierarchy, it is considered that the principle of the development in this location has already been established by the granting of planning permission CPA Ref: 18/000048/CM, which was considered to be ancillary to the existing MRW waste management site and that it would improve the working conditions by providing new buildings, secure compounds and more space for the management of waste, thereby improving staff welfare and enabling greater working efficiency. The proposed aggregate recycling facility would refine current operations at the site and enable the recovery of material that would normally be landfilled. The diversification of the product range on an existing and established site would enable MRW to meet current market demand for aggregate materials, the applicant states that MRW would attract new business from the construction sector. In addition, the proposed aggregate recycling facility would be ancillary to the existing waste management operations. In view of this, it is considered that the proposal would comply with Policy WCS 3 of the Worcestershire Waste Core Strategy.

210. Policy WCS 6: 'Compatible land uses' of the adopted Worcestershire Waste Core Strategy directs waste management development to land with compatible uses. Policy WCS 6 directs unenclosed re-use and recycling facilities, such as this proposal, to existing or allocated industrial land; contaminated or derelict employment land; redundant agricultural or forestry buildings or their curtilage; and sites with current use rights for waste management purposes, where strongly justified.

211. 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"*.

212. As the proposed development would be located on existing industrial land with current use rights for waste management purposes, and would be ancillary to the existing and permitted waste management facility, it is considered the proposal complies with Policy WCS 6 of the Waste Core Strategy.

213. In view of the above, the Head of Planning and Transport Planning considers that the proposal would be sited in an appropriate location, in accordance with Policies WCS 3 and WCS 6 of the Waste Core Strategy.

214. Policy SWDP 2: 'Development Strategy and Settlement Hierarchy' of the adopted 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 application site is 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 adopted South Worcestershire Development Plan.

215. Policy SWDP 12: 'Employment in Rural Areas', part 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"*.

216. 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 that the proposal would generate further employment opportunities.

217. MRW Ltd would employ 9 additional staff should planning permission be granted, increasing the workforce to 33 members of staff. In addition to sites allocated in the South Worcestershire Development Plan for employment uses, Policy SWDP 8 e) supports the provision of employment land to support existing businesses of a scale appropriate to the location

218. Whilst a waste management facility is not explicitly referred to within Policies SWDP 2 and SWDP 12 of the South Worcestershire Development Plan, the proposal is considered broadly to be an employment site and would constitute the retention of an existing employment site and would re-use previously developed land.

219. The Head of Planning and Transport Planning is satisfied that the proposed development would support the growth of an existing waste management facility in an appropriate location and would generate further employment opportunities in a rural location and co-locate waste management facilities together with complementary activities. Furthermore, the Head of Planning and Transport Planning concludes that, as considered in more detail below, the potential for adverse effects has been duly considered and appropriately mitigated.

### **Landscape Character, Visual Impacts and Historic Environment**

220. A Scheduled Monument (multivallate hill fort) is located approximately 1.8km to the south-east of the application site on Meon Hill, which also forms part of the Cotswold National Landscape which is located at its closest point approximately 1.1km to the east of the application site.

221. Policy WCS 9: 'Environmental assets' within the adopted Worcestershire Waste Core Strategy refers to considering the effect of the proposal on designated and non-designated heritage assets and their setting. Policy WCS 12: 'Local characteristics' of the adopted Worcestershire Waste Core Strategy refers to

permitting waste management facilities where it is demonstrated that they contribute positively to character and quality of the local area. Policy WCS 14: 'Amenity' in the adopted Worcestershire Waste Core Strategy refers to considering visual intrusion.

222. Policy SWDP 6: 'Historic Environment' of the adopted South Worcestershire Development Plan relating to the historic environment states that *"development proposals should conserve and enhance heritage assets, including assets of potential archaeological interest, subject to the provisions of Policy SWDP 24. Their contribution to the character of the landscape or townscape should be protected in order to sustain the historic quality, sense of place, environmental quality and economic vibrancy of south Worcestershire. Development proposals will be supported where they conserve and enhance the significance of heritage assets, including their setting"*. Policy SWDP 24: 'Management of the Historic Environment' of the adopted South Worcestershire Development Plan in relation to management of the historic environment confirms that *"development proposals affecting heritage assets will be considered in accordance with the Framework, relevant legislation and published national and local guidance"*.

223. Policy SWDP 21: 'Design' of the adopted South Worcestershire Development Plan sets out, amongst other elements, that *"Development proposals must complement the character of the area"*. Policy SWDP 23: 'The Cotswolds and Malvern Hills Areas of Outstanding Natural Beauty (AONB)' of the adopted South Worcestershire Development Plan sets out, that *"Development that would have a detrimental impact on the natural beauty of an AONB...will not be permitted"*. Policy SWDP 25: 'Landscape Character' of the adopted South Worcestershire Development Plan sets out, amongst other factors, that development proposals and their associated landscaping schemes must demonstrate that they are appropriate to, and integrate with, the character of the landscape setting and that a Landscape and Visual Impact Assessment (LVIA) is required.

224. Paragraph 176 of the NPPF states that *"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas..."*.

225. With regard to heritage assets, paragraph 195 of the NPPF states that *"local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal"*.

226. Paragraphs 199 and 200 of the NPPF states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm*

*to or loss of: ...b) assets of highest significance, notably schedule monuments...should be wholly exceptional".*

227. Paragraphs 201 of the NPPF states that *"where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss..."*.

228. The Government's Planning Practice Guidance (PPG) at Paragraph Reference ID: 18a-018-20190723 states *"whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the NPPF. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting..."*.

229. The application is accompanied by a Heritage Statement which states that the Heritage Statement submitted as part of the approved planning application CPA Ref: 18/000048/CM includes the site area that now forms part of the current planning application and that the only additional structures to be considered as part of the current application in terms of heritage impact would be the wash plant.

230. The Heritage Statement specifies that the site is brownfield land utilised since the Ministry of Defence (MOD) turned the area into a railway yard in the 1930's, therefore, no archaeological remains are now present and that no earthworks are proposed as part of the planning application. The County Archaeologist has been consulted and has raised no archaeological concerns.

231. The Heritage Statement states that views from Meon Hill would be limited and interrupted due to the existing vegetation, distance and surrounding built context such as the Meon Vale housing development. The proposed buildings would be visible from the adjacent fields, but not necessarily visible from the ANOB or the low to mid-levels of Meon Hill but would be visible from the highest part of Meon Hill. The proposed buildings would be subservient to when viewed in context to those on the adjacent Sims Metals site and become even less significant when the permitted industrial units are erected to the east, as well as the substantial housing development at Meon Vale.

232. Historic England have been consulted and raise no objections to the proposal in principle and note that the amended landscape scheme now includes additional hedgerow planting along the eastern and southern boundary of the site which they consider would help to soften the edges of this industrial site and assist in reducing potential impacts on the wider setting of the Scheduled Monument at Meon Hill which is located approximately 1.8km south-east of the application site.

233. Prior to the submission of the amended plans Historic England considered that the proposal would result in the cumulative erosion of the landscape when seen in the context/backdrop of existing developments in proximity to the site. However,

they also considered that the level of impact would be curtailed by the distance to the Scheduled Monument and the character of the wider surrounding landscape. They also take into consideration that the application buildings would be viewed in the context of existing development in the area which would soften their overall visual intrusion. In view of this, Historic England does not consider the adverse impact or resulting harm to significance to be high, more that there would still be a noticeable visual intrusion. Historic England therefore recommend that importance should be given to the colour and dimensions of the proposed buildings and the provision of additional or improved screening.

234. In view of this, and having regard to Historic England's comments, the Head of Planning and Transport Planning considers that the proposal would lead to 'less than substantial' harm to the significance of the designated heritage asset of the Scheduled Monument.

235. Notwithstanding this harm is less than substantial, the harm must still be given considerable importance and weight, and considerable weight must be given to the desirability of preserving the setting of the designated heritage asset. Consequently, the fact of harm to a designated heritage asset is still to be given more weight than if simply a factor to be taken into account along with all other material considerations.

236. Paragraph 202 of the NPPF states that *"where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*.

237. The PPG at Paragraph Reference ID: 18a-020-20190723 confirms that *"public benefit may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit"*.

238. The Head of Planning and Transport Planning considers that the proposal would provide more space and designated buildings for the specialist management of waste, thereby enabling greater working efficiency, and would provide new and increased capacity for the processing of inert materials and subsequently moving waste up the waste hierarchy.

239. In response to Historic England's comments and to mitigate visual impact, it is noted that the Planning Statement states that the proposed development has been designed to be completely screened when viewed from the north and east of the site, with potential views being limited by distance and restricted to the upper parts of the structures. Furthermore, the applicant has incorporated additional screening provision along the eastern boundary and an appropriate condition controlling materials is recommended to be imposed should planning permission be granted.

240. The Cotswolds Conservation Board consider that the provision of additional hedgerow planting as part of the revised scheme would assist in breaking up the massing of the structures in long distance views from the Cotswolds National

Landscape. The Board recommend that the imposition of a condition relating to lighting should be imposed to conserve areas of dark skies and reduce potential impacts on long views and panoramas being adversely blighted.

241. The Head of Planning and Transport Planning note that every attempt has been made by the applicant to keep the buildings low in scale and subservient in both colour and materials. The proposed buildings are comparable to those buildings currently on the wider industrial estate. The Head of Planning and Transport Planning notes that the adjacent Sims Metals' Automotive Shredder Residue (ASR) Separation building measures approximately 72m long by 33.5m, by 15m high, which is substantially larger than buildings proposed as part of the current application.

242. The County Landscape Officer has been consulted and raises no objections to the proposal and concurs with the submitted Landscape Assessment which states that established woodland that bounds the greater part of the site to the north and west would continue to provide functional screening of the proposed scheme. The County Landscape Officer welcomes the intention to plant a native hedgerow along the southern boundary of the site (Hedge A), which would help to soften the development and provide east-west green infrastructure connectivity. The County Landscape Officer also welcomes the amended landscape scheme which now includes native hedgerow planting along the extent of the eastern boundary (Hedge B and Hedge C), with Hedge C planted on the outside perimeter of the proposed 4m high acoustic fence with provision made for a designed in sterile maintenance strip. The County Landscape Officer considers that the additional hedgerow planting would deliver additional landscape enhancements and provide functional screening of the acoustic fence for the benefit of the emerging residential development to the east of the site.

243. With regard to the removal of approximately 120m of leylandii along the western perimeter of the site to accommodate a viable visibility splay, the County Landscape Officer considers that the removal of coniferous trees in this setting would be beneficial in terms of measurable landscape and biodiversity enhancement and would not unduly impact on the landscape character of the area.

244. In view of the above and based on the advice of the Cotswolds Conservation Board, Historic England and the County Landscape Officer, the Head of Planning and Transport Planning considers that the proposed development would not have an unacceptable impact upon the landscape character and appearance of the local area, the historic environment or visual amenity subject to the imposition of appropriate conditions and in accordance with Policies WCS 9, WCS 12 and WCS 14 of the Worcestershire Waste Core Strategy and Policies SWDP 6, SWDP 21, SWDP 23, SWDP 24 and SWDP 25 of the South Worcestershire Development Plan.

#### **Residential Amenity (Noise, Dust and Air Quality)**

245. Policy WCS 14: 'Amenity' of the adopted Worcestershire Waste Core Strategy sets out, amongst other factors, that "*Relevant assessments should be undertaken to demonstrate that the proposals will not have unacceptable adverse impacts on amenity or health*".

246. Policy SWDP 31: 'Pollution and Land Instability' of the adopted South Worcestershire Development Plan sets out, amongst other factors, that "A. *Development proposals must be designed in order to avoid any significant adverse impacts from pollution, including cumulative ones, on any of the following:*

- *Human health and wellbeing.*
- *Biodiversity.*
- *The water environment.*
- *The effective operation of neighbouring land uses.*
- *An Air Quality Management Area (AQMA)"*

247. Objections have been received from local residents, objecting on the grounds of dust, and the health impacts from dust particles and 24-hour operational noise. Comments have been received regarding the accuracy of the submitted Noise and Dust Assessments, asbestos removal and visual impact.

248. The nearest residential property to the application site is Marston Grange, and those associated with Jordans Farm, which are sited approximately 300m north and 200m north-east of the proposed development site, respectively. The residential property of Little Grange is situated about 450m south-west of the application site. Further residential properties of Farnold House, Priory Lane, Meon View, and South Dakota of New Buildings Farm are situated approximately 600m north-west of the proposal. Meon View residential development is located approximately 1km broadly north-east of the application site and further residential development

249. The submitted Noise Assessment states that the proposed development would not introduce any new types of noise into the area beyond that which already exist, and that the prevalent noise generating activities would be contained within buildings.

250. An acoustic fence measuring approximately 4m high (constructed from pre-cast concrete panels) would be erected along the north and eastern perimeters of the red line boundary of the site. As per the recommendations of the County Landscape Officer above, a new native hedgerow would be planted adjacent to the acoustic fence along the eastern boundary to provide functional screening of the acoustic fence for the benefit of the emerging residential development to the east of the site.

251. The Noise Assessment states that predicted rating levels are up to +4dB above background sound level and refers to the approved Noise Assessment submitted in support of planning application CPA Ref: 18/000048/CM, which concluded the same worst-case outcome and was granted planning permission, subject to the implementation of mitigation measures. The Noise Assessment states that the proposed development would be unlikely to lead to adverse impact at receptors around the site and concludes that noise would not pose a material constraint to the proposed development. With regard to comments received from local residents stating the sound measurements provided within the submitted Noise Assessment are inaccurate and that assessment points should include the new housing estate. In response Worcestershire Regulatory Services concur with the methodology, position locations and modelling used within the Noise Assessment.



252. Objections have been received from local residents, objecting to the proposal on the grounds of noise, including loud clanging metal and machinery, commenting that the site and the adjacent sites, including Sims Metals, and I.M.C.R, appear to be operational 24 hours a day. The applicant has responded stating that MRW (the application site) and the adjacent I.M.C.R site, lock the gate to both sites and do not operate after 17:00 hours. The applicant advises that the noise could be from the adjacent Sims Metals site and that MRW fully intends that proposed operations would be properly controlled and do not object of the imposition of appropriate conditions.

253. WRS have been consulted and have raised no objections to the proposal in terms of noise subject to the imposition of conditions requiring the implementation of the noise mitigation measures outlined in the submitted Noise Assessment. WRS also state that the conclusions of the Noise Assessment appear acceptable but note that the assessment was based on daytime site operations and recommend that hours of operation are conditioned accordingly, as set out below.

254. Hours of operation as defined by the planning application would be conditioned as set out below:

- Waste Processing Operations' 08:00 to 18:00 hours Mondays to Fridays, inclusive and 08:00 to 13:00 hours on Saturdays.
- Site Maintenance' 08:00 to 18:00 Mondays to Fridays and 08:00 to 17:00 hours on Saturdays.
- Loading / Sales and Deliveries' 07:00 to 18:00 hours Mondays to Fridays, inclusive and 07:00 to 13:00 hours on Saturdays.
- No operations are proposed on Sundays, Bank Holidays or Public Holidays.

255. The applicant states that the additional four hours on Saturdays allocated for site maintenance would rarely be used but would allow maintenance to be carried out when site staff are not present on the yard or when the plant needs to be switched off.

256. A further letter of representation was received which raised concerns regarding the validity and accuracy of the submitted Noise Assessment in terms of the locations and baselines used to inform the survey/assessment and that an assessment should have been provided from points where the proposed new housing would be located as per Appendix D in the national policy. In response, the applicant states that the baselines were chosen as they establish the noise climate closest to the proposed noise source and are most likely to be close to the most sensitive receptors/closest residential properties. Appendix D shows the baseline sound survey measurement locations (where the monitors were located) and Appendix F shows the noise assessment locations (where noise impacts were calculated). The applicant provides further information with regard to the methodology used to inform the survey and justification for the use of locations within the submitted Noise Assessment.

257. WRS have been consulted with regard to the concerns raised by the letter of representation and concur with the applicant's methodology used to predict noise impacts and comment that *"they (Resound Acoustics on behalf of MRW) have predicted the noise levels at the new build (shown in Table 5.2 of the Noise Assessment) and that they do this by measuring existing noise levels of operational*

*plant and modelling it for the proposed site using software CadnaA [Computer Aided Noise Abatement software]”. WRS state that “they have used position 1 & 2 to measure background noise levels. They have then used the more conservative (36dB at Marston Grange) as a surrogate for New Housing 1, 2 & 3, Broad Marston Road, Marston Grange and Jordans Farm. They then compare the background and modelled levels as part of the assessment (Table 5.3)”.*

258. Based on the above advice, the Head of Planning and Transport Planning considers that the submitted Noise Assessment was undertaken in accordance with British Standard 4142: 2014: A1: 2019 and appears satisfactory in terms of methodology and conclusions.

259. Comments have been received regarding asbestos removal and disposal referred to on the MRW website, in response the applicant states that the EA Permit only allows MRW to treat non-hazardous waste and reiterates that no hazardous waste is treated at the site. The applicant states that the website is misleading, MRW collects asbestos waste as part of its transport business and the waste is then taken directly to a licensed landfill with all the associated paperwork which is monitored by the EA.

260. With regard to air quality, WRS have no objection and conclude that they agree with the methodologies and conclusions of both the Dust Management Plan and the Air Quality Assessment.

261. Objections have been received from local residents, stating that windows and vehicles are covered with particles visible at all times of the year and concerns raised as to the health implications of dust on local residents.

262. The Dust Management Plan concludes that the mitigation measures outlined in section 5.0 of the Dust Management Plan should result in dust dispersal effects that are maintained at a negligible level of risk. The Dust Management Plan states that the significance of effects on the nearest sensitive receptors, as outlined in the site section of this report would be negligible.

263. The mitigation measures are outlined in Section 5.0 of the Dust Management Plan and include some of the following measures:

- The site manager is responsible for the operation of the Dust Management Plan and all site operatives would be trained and required to take necessary mitigation action;
- All vehicles leaving the site would be sheeted to avoid wind-blown dust;
- Any vehicle without appropriate sheeting would not be allowed to leave the site until appropriate sheeting is fixed and a note of the incident made in the site logbook;
- The site manager to take preventative action to avoid dust generation by clearing any spillages of materials, maintaining and repair of dust suppression equipment, ensuring roads are clean and in good condition and by washing machinery to keep all plant clean or mud free;
- Road sweeping would be undertaken twice daily to remove all debris from the road. Further sweeping would be undertaken if monitoring of the road indicated the presence of mud or debris;

- Sufficient water supply to meet any demand for mitigation such as dampening;
- Onsite training providing on dust mitigation covering 'emergency preparedness plans' to react quickly in case of any failure of the planned dust mitigation;
- Any contractors working on site will be made aware of the provisions of Dust Management Plan and be required to comply with relevant provisions as appropriate.

264. The applicant states that the proposed aggregate wash plant is a wet process that results in wetted materials that would not be capable of becoming airborne unless left in stockpiles during dry windy conditions for long periods of time. The applicant states that dust management is an integral part of the site permitting process and controlled by a permit issued by the EA. The Head of Planning and Transport Planning recommends the imposition of a condition limiting the height of stockpiles.

265. WRS state that as part of the construction phase, dust mitigation measures as set out in the submitted Dust Management Plan should be employed to minimise impacts from dusts and fine particles. WRS note that the Dust Management Plan has assessed the risks of earthworks, construction and trackout as negligible for nuisance dust soiling effects, negligible in terms of PM10 health effects and negligible for ecology.

266. Based on the above, WRS have no adverse comments to make in terms of air quality and have raised no objections in terms of dust, subject to the implementation of the dust mitigation measures outlined in the submitted Dust Management Plan.

267. With regard to concerns relating to the health implications, the submitted Health Impact Assessment (HIA) Screening Statement considered various potential health impacts and confirmed that a full HIA is not required. The County Council's Public Health Department have been consulted and have no objections to the proposal.

268. The primary environmental controls over the proposed operation would be contained within the EA's Environmental Permit for the site. It is noted that paragraph 188 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 an acceptable use of the land and the impacts of those is 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*".

269. The EA has been consulted and have no objections, stating that the proposal would require an updated Permit to regulate pollution control and control the general management of the site, permitted activities, waste acceptance including quantity and type, and emissions including odour, noise and vibration. The EA also advise that best practices and appropriate measures be adopted on site to manage any potential operational impact on surrounding receptors.

270. Wychavon District Council have been consulted and have no objections to the proposal commenting that the development would be contained within the existing operational waste management site, recovering materials from local waste streams, and that the proposed increased throughput would provide economic benefits. Warwickshire County Council (Planning) have been consulted and have no objection to the proposal on the grounds of amenity from the intensification of use at the site in terms of impact from lighting, dust, visual intrusion, landscape or increased vehicle movements.

271. Objections have been received from local residents commenting that public engagement would facilitate community cohesion and that due to the small number of local residents living in the vicinity of the site they consider that community liaison would not be difficult to achieve. The Dust Management Plan states that good communication to help alleviate concerns between the operators and the surrounding communities would be maintained and that regular, accessible liaison arrangements would be established to provide information as freely as possible.

272. In view of the above and based on the advice of WRS, the EA and County Public Health Department, the Head of Planning and Transport Planning considers that the proposal would have no adverse noise, dust, odour or air quality impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions and in accordance with Policy WCS 14 of the Waste Core Strategy and Policy SWDP 31 of the South Worcestershire Development Plan.

### **Traffic and Highway Safety**

273. Objections have been received from local residents, objecting to increased vehicle movements to and from the site by high sided HGVs; the proposed intensification of the site and the access; highway safety; HGVs using narrow lanes and bridges; HGVs parked in lay-bys and on grass verges; disrepair of the local road network and the more frequent use of Long Marston Road by speeding vehicles.

274. Policy WCS 8: 'Site infrastructure' of the adopted Worcestershire Waste Core Strategy sets out, amongst other aspects, that "*the impact of development and its associated traffic movements on the safety, integrity and amenity of the transport network must be considered*". Policy SWDP 4: 'Moving Around South Worcestershire' of the adopted South Worcestershire Development Plan sets out, amongst other aspects, that proposals must demonstrate that they address road safety.

275. Paragraph 111 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*".

276. Local County Councillor Alastair Adams does not object to the application but wishes to raise the concerns from local residents regarding the storage of hundreds of railway carriages on land north of and adjacent to the application site (Councillor Adams provided an aerial photograph). Councillor Adams states that up to nine railway carriages weighing approximately 100 tonnes each are being transported along narrow rural roads destroying the road surface. Councillor Adams states that there is local concern that the current planning application would unintentionally give permission to process the railway carriages.

277. The application red line boundary includes the existing access route which would remain unchanged, routed from the site via the I.M.C.R site and leading to the existing priority junction on Long Marston Road (C2266). Long Marston Road is a single lane carriageway which is subject to national speed limit, there are no footpaths in proximity to the site, there are no road markings or street lighting.

278. The application site falls within the Vale of Evesham HGV Control Zone, Policy SWDP 11 of the adopted South Worcestershire Development Plan states that: *"within the Vale of Evesham Heavy Goods Vehicles Control Zone, as identified on the Policies Map, employment development proposals which would generate additional Heavy Goods Vehicle trips will need to submit a Transport Assessment which shows how the supply and distribution routes proposed relate to the Heavy Good Vehicles Route Network, as identified on the Policies Map"*.

279. The application was accompanied by a Transport Statement (TS) which states that the site is served by an existing and well-established site access and that the width of Long Marston Road is wide enough to accommodate two vehicles passing.

280. To the north, Long Marston Road routes into the village of Long Marston and then into Welford-on-Avon before connecting onto the Evesham Road (B439). To the south, Long Marston Road connects to the Stratford Road / Campden Road (B4632) via a priority junction arrangement. Stratford Road / Campden Road (B4632) provides connections into Mickleton to the south of the site and towards Stratford-upon-Avon to the north.

281. The proposal would increase the permitted throughput at the site by approximately 155,000 tonnes per annum taking into consideration 25,000 tonnes per annum as permitted by condition 4 of CPA Ref: 18/000048/CM, of the 25,000 tonnes per annum of material, approximately 15,000 tonnes per annum is currently estimated to be processed by MRW and the remaining estimated 10,000 tonnes per annum is currently processed by the adjacent business I.M.C.R. Condition 4 of CPA Ref: 18/000048/CM does not specify how the total combined tonnage should be split between the two sites.

282. The TS states that the increased throughput to 180,000 tonnes per annum would result in 8 HGV movements per hour resulting in 80 movements per day (about 40 HGVs entering and 40 HGVs existing the site) and equating to an average of 1 vehicle movement every 7 minutes. The proposed additional throughput of 155,000 tonnes per annum would be transported on large 17 to 24 tonne tipper trucks instead of a combination of 1.3 tonne skips and then transported from the site by 7.5 tonne articulated lorries as per the current arrangements. The County Highways Officer has been consulted and accepts the use of the larger tipper trucks and confirms that overall vehicles movements would be reduced due to the

increased loaded capacity available per proposed vehicle movement which based on a robust assessment of the application would not cause severe highway impact.

283. Planning permission was recently granted for the adjacent site I.M.C.R (CPA Ref: 22/000024/CM) for “*proposed amendments to the operation of the existing scrap metal yard approved under planning permission Ref: 18/000048/CM, including amendments to the annual operational throughput of waste proposals*”. The application would increase throughput from approximately 10,000 tonnes per annum to 16,000 tonnes per annum with associated vehicle movements equating to an average of 1 vehicle movement every 12 minutes. The County Highways Officer has reviewed both planning applications in terms of highway matters and conditions for both sites and is satisfied that the proposed conditions would control the safety of the local highway network. Furthermore, the Head of Planning and Transport Planning notes that all vehicle movements associated with the I.M.C.R would route left out of the site and route right into the site from Long Marston Road.

284. The geographical location of the site means that the site access junction is situated within Worcestershire, the local highway network to the north of the site, including Long Marston village is located within Warwickshire and the local highway network positioned to the south of the site, including the village of Mickleton is located within Gloucestershire.

285. Both Warwickshire County Council and Gloucestershire County Council Highway Authorities have no objection based on the further information submitted and the revised TS. The County Highways Officer states that based on how HGV trips have been distributed through the region the majority of trips favour routes south of the site and notes that the applicant’s intention is not to route HGV’s through villages which may include the immediate surrounding villages of Broad Marston, Pebworth, Long Marston, Dorsington and Welford on Avon, except to serve customers in those areas. The applicant confirmed that 95% of HGV traffic turns left out of the site access onto the B4632 to access wider destinations, unless HGVs are travelling to Long Marston or villages in Welford, furthermore there are 10 tonne weight limits on bridges at Bidford and Welford-on-Avon which currently prevents MRW tippers from using those routes.

286. With regard to cumulative impacts on the local highway network, the applicant states that the development is located within an existing waste management site and the adjacent non-agricultural businesses Sims Metals, I.M.C.R and the existing MRW site all have relatively low levels of vehicle movements as they tend to manage higher value / lower volume waste streams than the proposed aggregate recycling facility, which by the nature of inert aggregate waste is heavier. The applicant states that the Transport Assessment (Tetrattech), which accompanied the application provides a cumulative assessment of existing traffic flows with the proposed development and continues further by assuming a level of traffic growth using the wider road network before reaching a conclusion. The Tetrattech Transport Assessment therefore provides an assessment of all traffic flows and considers cumulative impact.

287. Wychavon District Council have no objections to the application provided that it would not result in a severe impact upon the highway network and state that the proposed development is contained within an existing active waste management

site recovering materials from local waste streams and considers that the proposed increased throughput would provide economic benefits.

288. With regard to site access and visibility, the Design Manual for Roads and Bridges (DMRB) requires that visibility splays should enable emerging drivers' adequate visibility in each direction to see oncoming traffic in sufficient time to make the manoeuvre safely without influencing either speed or direction of oncoming traffic. The County Highways Officer has taken into consideration increased vehicle movements and notes that at present visibility north of the site access is inadequate due to an existing fence and a line of predominantly coniferous trees fronting the site along Long Marston Road and as such does not meet the requirements of the DMRB. The County Highways Officer concurs with the applicant's intention to remove part of the fence and trees to accommodate the visibility splays of 120m in each direction which would then meet the requirements of the DMRB and as such recommends the imposition of an appropriate pre commencement condition.

289. HGV parking would be on a first come first served basis dependant on demand with HGVs able to enter the site on arrival and not being required to wait on Long Marston Road. The County Highways Officer concurs with this approach and considers that adequate onsite parking provision would enable a flexible approach that would enable HGVs to enter the site and not have to wait on the road.

290. The applicant has confirmed a total of 24 on-site parking spaces, with 10 parking spaces dedicated for use by HGV drivers and the remaining 14 for use by staff and states that there would be adequate provision for HGVs to be parked on site overnight.

291. County Councillor Alastair Adams has commented regarding the storage of hundreds of railway carriages on land north of and adjacent to the application site red line boundary; with up to 9 railway carriages weighing approximately 100 tonnes transported along narrow rural roads destroying the road surface and concern that the current planning application would unintentionally give permission to process the railway carriages at the site. The Head of Planning and Transport Planning notes that planning permission was granted by Wychavon District Council Ref: 21/00845/FUL on the 3 August 2021 for "*Proposed two railway carriage workshops and ancillary building*" which is shown on the site location plan as the land subject of Councillor Adams' comments regarding the processing of railway carriages. The application has consent to erect two industrial workshops for the dismantling, refurbishment and re-engineering of railway rolling stock to serve the railway carriage storage area and would generate approximately 1 HGV movement per day, which the officers delegated report concludes would not unduly impact on highway safety or residential amenity.

292. It should be noted that the current MRW planning application does not include any reference to railway carriages and the applicant has confirmed that they do not intend to process railway carriages at the site.

293. With regard to a traffic survey (taken from the corner of the B4632 junction with Long Marston Road) submitted by a member of the public as part of a letter of representation commenting that the identity of associated site traffic is difficult to assign to any of the three operators (I.M.C.R, Sims & MRW) and states that a lack of transparency is being demonstrated and that an increase in traffic movements

would impact on the proposed new housing development located within 5 miles of the site. In response, the applicant states that the skip lorries would be likely to belong to MRW but notes that there are other users of skips in the locality.

294. The County Highways Officer has been asked to provide comments on the traffic survey and states that some of the noted trips would likely be trips to and from the existing MRW site, but that some would be background traffic flows, but that these are existing trips and would be associated with development already benefiting from planning permission.

295. In order to provide further clarity regarding proposed vehicular movements the County Highways Officer provides the following assessment:

- An additional 36 vehicle loads per day (which over the working hours, includes 3.6 vehicle loads per hour). At the site access, this would include an additional 8 two-way vehicle trips per hour on top of the traffic the site currently generates. The site would generally operate Mondays to Fridays from 07:00 to 17:00 hours.
- The additional material will be transported using larger tipper trucks that currently used. Material would be transported in 17 – 24 tonne tipper trucks. At present, material to the MRW site is currently transported in 1.3 tonne skips and transported out of the site by 7.5 tonne articulated lorries.
- In addition to truck movements, the new proposals would employ an additional 4 members of staff, generally working Mondays to Fridays from 07:00 to 17:00 hours. These would be additional staff trips on top of the traffic the site currently generates.

296. The County Highways Officer states that whilst acknowledging that the proposals would generate additional vehicle trips during the most sensitive weekday peak hours, the majority of the roads that these vehicles would travel on are situated outside of the Worcestershire County boundary, predominantly travelling on roads within Warwickshire and Gloucestershire. The site access junction is located within Worcestershire and the Local Highway Authority has included planning conditions to ensure that this junction meets with the relevant design standards for access visibility, ensuring that it remains safe for turning vehicles. The villages and routes surrounding the villages of Pebworth and Broad Marston would not be used for HGVs associated with the development proposals, except in the circumstances where there would be a requirement to serve customers in these areas. The County Highways Officer considers that HGV traffic volumes impacting on these Worcestershire villages would therefore be minimal. Both Gloucestershire and Warwickshire have prepared separate highways responses to the planning application submission in connection with traffic impacts associated with their own highway network, however neither object.

297. In response to issues raised by local residents the applicant states that parking in laybys is not prohibited for any road user, whilst parking on grass verges would not be acceptable by MRW and they would make their drivers aware of that; issues of road safety are for all users and not just HGV traffic; and that any examples of bad driving can be reported to MRW as a matter of course. With regard to the disrepair of local roads, the applicant states that the application only seeks to increase traffic movements to a level well within the capacity of the local highway network and that if there are existing issues with the maintenance of the road this



should be brought to the attention of the County's Highway Maintenance Team for repair. The Head of Planning and Transport Planning notes that the County Highway Maintenance Team were consulted as part of approved planning application CPA Ref: 21/000024/CM (granted on 11 November 2022), who replied that an engineer had recently visited the site and confirmed that no outstanding safety defects were apparent but recommended localised patching repairs.

298. A Review of Personal Injury Collision Data indicates that there have been no recorded collisions involving HGVs on the Long Marston Road within the study area within a 5-year period from 2016 to 2021.

299. In view of the above, the Head of Planning and Transport Planning is satisfied that the proposal would not have an unacceptable impact upon traffic or highway safety, in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy and Policies SWDP 4 and SWDP 11 of the South Worcestershire Development Plan, subject to the imposition of appropriate conditions.

### **Water Environment**

300. Policy WCS 10: 'Flood risk and water resources' of the Worcestershire Waste Core Strategy refers to consideration of flood risk as well as any potential impacts on surface and ground water.

301. Policy SWDP 29: 'Sustainable Drainage Systems' of the adopted South Worcestershire Development Plan seeks to minimise flood risk, improve water requires development proposals and groundwater recharge and enhance biodiversity and amenity interest. Policy SWDP 30: 'Water Resources, Efficiency and Treatment' of the adopted South Worcestershire Development Plan seeks to ensure that water is effectively managed, including reducing the impact of flooding, and maintaining water quality. Policy SWDP 31: 'Pollution and Land Instability' of the adopted South Worcestershire Development Plan seeks to ensure that proposals are designed to avoid any significant adverse impacts from pollution including cumulative ones on, amongst other aspects, the water environment.

302. With regard to flood risk, the proposal is situated within Flood Zone 1 (low probability of flooding), as identified on the EA's Indicative Flood Risk Map. As the application site measures approximately 2 hectares in area (red line boundary), a Flood Risk Assessment is required to accompany the application, in accordance with paragraph 167 and Footnote 55 of the NPPF, as the site exceeds 1 hectare in area.

303. The Government's PPG at Paragraph Reference ID: 7-033-20140306 states that it should not normally be necessary to apply the Sequential Test to development proposals in Flood Zone 1 (land with a low probability of flooding from rivers or the sea). The PPG at 'Table 2: Flood risk vulnerability and flood zone 'incompatibility'' indicates that less vulnerable development, such as this is considered acceptable in Flood Zone 1, and the Exception test is not required.

304. The site is in an Area Susceptible to Surface Water Flooding as defined in the South Worcestershire Development Plan

305. The nearest watercourse to the application site is Gran Brook ordinary watercourse, which is a tributary of Noleham Brook, and runs in a north-westerly direction, approximately 350m east of the proposal.

306. The applicant states that the greenfield run-off to local drains and agricultural ditches would remain largely unchanged as a result of the proposed development and that for economic benefits it is the operator's intention to harvest and recycle/re use as much collected water as possible.

307. The installation of the low-level aggregate wash plant requires water to perform its required process and would be primarily reliant on mains water, supplemented by captured rainfall stored in two 150,000 litre capacity water collection tanks. The collected water would then be fed into the closed water recirculatory system that manages the processed plant water. No objections received or drainage conditions are required by Severn Trent Water or the LLFA who state that the proposal includes intercepting rainfall to be used as part of the aggregate washing process and would result in reduced run-off.

308. The proposal includes a rainwater collection sump consisting of a series of concrete rings to be sunk into the ground surface in the south of the site to a level of approximately 1.8m lower than the surrounding ground level to facilitate the effective collection of run off. Any additional water required for the operation of the wash plant would be sourced from both the sump and seasonal extraction from the nearby agricultural drain. Collected water would then be stored in water collection tanks located adjacent to the wash plant for convenience. Any excess water would drain to the existing agricultural drains. Letters of representation received question how water extracted from field drains would be kept preventing any overspill. The applicant states that it is an integral part of the development to maximise the amount of surface water run-off captured on site to supplement the aggregate washing process and to avoid using the mains water supply, which incurs a cost to the operator.

309. The EA advise that should planning permission be granted the onus would be on the applicant to review whether the proposed type of water extraction would be exempt, falls within a Regulatory Position Statement, or requires an abstraction license from the EA.

310. The collective roof area of the three buildings measures approximately 517.5 square metres and would therefore require approximately 20 cubic metres of attenuation. Rainfall collected from the mixed waste sorting areas would be stored and used to suppress dust in accordance with the Dust Management Plan.

311. A Phase II Geo Environmental Land Assessment accompanied the application. WRS have been consulted and raised no objections in terms of contaminated land, subject to the imposition of appropriate conditions, noting that the site has a commercial/industrial use.

312. In view of the above and based on the advice of the EA, WRS, the LLFA and Severn Trent Water, the Head of Planning and Transport Planning considers that there would be no adverse effects on the water environment, subject to the imposition of appropriate conditions and in accordance with Policy WCS 10 of the

Waste Core Strategy and Policies SWDP 29, SWDP 30 and SWDP 31 of the South Worcestershire Development Plan.

### **Ecology and Biodiversity**

313. Policy WCS 9: 'Environmental assets' of the adopted Waste Core Strategy, includes ensuring that proposals would have no unacceptable adverse impacts on international, national or locally designated or identified habitats, species or nature conservation sites. It also requires that a proposal takes advantage of opportunities to enhance the character, quality and significance of environmental assets.

314. Policy WCS 10: 'Flood risk and water resources' of the adopted Waste Core Strategy refers to ensuring that proposals would "*have no likely significant effects on any internally designated sites*".

315. Policy SWDP 5: 'Green Infrastructure' of the adopted South Worcestershire Development Plan shows that the site is allocated as requiring restore and create identified in the Green Infrastructure Environmental Character Area.

316. Policy SWDP 22 of the adopted South Worcestershire Development Plan prohibits development that would have adverse effects on international, national or locally designated wildlife sites, valued trees and woodlands or sites of biodiversity importance. Moreover, development which would result in the loss or deterioration of an Ancient Woodland will not be permitted unless the need for and the benefits of the proposed development in that location clearly outweigh the loss or deterioration. Policy SWDP 31 of the adopted South Worcestershire Development Plan requires developments to be designed to avoid significant impacts on biodiversity.

317. Paragraph 131 of the NPPF states that "*trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that...opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible*".

318. Section 15 of the NPPF, paragraph 174 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*".

319. Paragraph 180 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".*

320. The application was accompanied by a PEA, which concluded that although there are protected species in the wider area (including Great Crested Newts, Common Toads, Grass Snakes, Water Voles, Bats and Badgers), none of these protected species would be impacted by the proposal. Furthermore, the site is almost entirely hardstanding and bare ground with only ruderal vegetation where plants are present, scattered scrub and trees which provides low potential for invertebrates. The PEA recommends mitigation measures including no work to trees during bird nesting season and the provision of a sensitive bat lighting strategy detailed within a CEMP.

321. The County Ecologist has been consulted and is satisfied that risk of impact to flora or fauna arising from the construction or operational phase effects can be controlled through the imposition of a CEMP for biodiversity which includes identification of 'biodiversity protection zones'; use of protective fences, exclusion barriers and warning signs; and an ECoW. The County Ecologist also recommends the imposition of a condition requiring a set of Precautionary Method Statements (PMW) which includes timing of any vegetation clearance; escape measures for wildlife from open trenches; details of any construction phase lighting; and precautionary working methods with regard to badgers.

322. Native hedgerow planting is proposed along the southern boundary of the site and an additional native hedgerow is now proposed along the majority of the eastern boundary to provide screening for the proposed 4m high acoustic fence and enhance the potential for biodiversity at the site.

323. With regard to the loss of approximately 120m of leylandii to accommodate the required visibility splay along the western perimeter of the site and referred to in the traffic and highway section of report above, the County Ecologist recommends like for like compensation in terms of proposed tree numbers removed/replaced and states that the replacement hedge should include native species such as hazel, hawthorn, field maple and silver birch and considers that compensation tree planting would contribute to the Woodland Trusts Charter for Trees, Woods and People which wants to 'strengthen our landscapes with trees'.

324. The County Ecologist required an update to the submitted PEA to confirm that the removal of approximately 120m leylandii had been considered and that the proposed removal of the trees would be undertaken with due diligence and with appropriate mitigation measures secured. Taking into consideration the above, the County Ecologist is satisfied that the proposed mitigation measures are commensurate and can be secured by condition.

325. Based on the advice of the County Ecologist, the Head of Planning and Transport Planning considers that the proposal would not have an unacceptable impact on ecology and biodiversity at the site or the surrounding area, subject to the imposition of appropriate conditions and in accordance with Policies WCS 9 and WCS 10 of the Worcestershire Waste Core Strategy, and Policies SWDP 5, SWDP 22 and SWDP 31 of the South Worcestershire Development Plan.

## Conclusion

326. MRW is seeking planning permission for the proposed retention of existing facilities and access; the installation of an aggregate wash plant and associated infrastructure for the processing of inert materials, to produce recovered aggregate and soils; the relocation of the waste sorting shed, workshop permitted under planning permission 18/000048/CM, and the provision of a new site office at Long Marston Works, Long Marston Road, Long Marston.

327. The applicant is seeking retention of all existing waste operations and structures at the site and planning permission for the proposed installation of an aggregate wash plant and the relocation of permitted waste management structures and an increase in throughput to 180,000 tonnes per annum at an established industrial site.

328. As the proposed development would include the collection, recycling and reuse of soils and inert wastes generated from building projects and would facilitate the bulking up of various sources of waste in preparation for transfer and subsequent recycling by specialist operators it would comply with the objectives of the waste hierarchy and Policy WCS 2 and help to address the capacity gap identified in the Waste Core Strategy, and Policy MLP 13 of the Worcestershire Minerals Local Plan, and Policy SWDP 32 of the South Worcestershire Development Plan in relation to contributing to the supply of recycled aggregate.

329. In terms of location, although the development site is sited within Level 5 'All other areas' of the Geographic Hierarchy, it is considered that the principle of the development in this location has already been established by the granting of planning permission CPA Ref: 18/000048/CM, which was considered to be ancillary to the existing MRW waste management site and that it would improve the working conditions by providing new buildings, secure compounds and more space for the management of waste, thereby improving staff welfare and enabling greater working efficiency. The proposed aggregates recycling facility would refine current operations at the site and enable the recovery of material that would normally be landfilled. The diversification of the product range on an existing and established site would enable MRW to meet current market demand for aggregate materials, the applicant states that MRW would attract new business from the construction sector. In addition, the proposed aggregate recycling facility would be ancillary to the existing waste management operations. In view of this, it is considered that the proposal would comply with Policy WCS 3 of the Worcestershire Waste Core Strategy. As the proposed development would be located on existing industrial land with current use rights for waste management purposes and would be ancillary to the existing and permitted waste management facility, it is considered the proposal complies with Policy WCS 6 of the Waste Core Strategy.

330. The Head of Planning and Transport Planning is satisfied that the proposed development would support the growth of an existing waste management facility in an appropriate location and would generate further employment opportunities in a rural location and co-locate waste management facilities together with complementary activities.

331. Based on the advice of the Cotswolds Conservation Board, Historic England and the County Landscape Officer, the Head of Planning and Transport Planning

considers that the proposed development would not have an unacceptable impact upon the landscape character and appearance of the local area, the historic environment or visual amenity subject to the imposition of appropriate conditions and in accordance with Policies WCS 9, WCS 12 and WCS 14 of the Worcestershire Waste Core Strategy and Policies SWDP 6, SWDP 21, SWDP 23, SWDP 24 and SWDP 25 of the South Worcestershire Development Plan.

332. Based on the advice of WRS, the EA and County Public Health, the Head of Planning and Transport Planning considers the proposal would have no adverse noise, dust, odour or air quality impacts upon residential amenity or that of human health, subject to the imposition of appropriate conditions and in accordance with Policy WCS 14 of the Waste Core Strategy and Policy SWDP 31 of the South Worcestershire Development Plan.

333. Access arrangements for the site have been amended through discussion with the County Highways Officer, Warwickshire County Council Highway Authority and Gloucestershire County Council Highway Authority, such that these are now considered to be appropriate and safe, therefore the Head of Planning and Transport Planning is satisfied that the proposal would not have an unacceptable impact upon traffic or highway safety, in accordance with Policies SWDP 4 and SWDP 11 of the South Worcestershire Development Plan and Policy WCS 8 of the Worcestershire Waste Core Strategy and subject to the imposition of appropriate conditions.

334. Based on the advice of the EA, WRS, the LLFA and Severn Trent Water, the Head of Planning and Transport Planning considers that there would be no adverse effects on the water environment, subject to the imposition of appropriate conditions and in accordance with Policy WCS 10 of the Waste Core Strategy and Policies SWDP 29, SWDP 30 and SWDP 31 of the South Worcestershire Development Plan.

335. The Head of Planning and Transport Planning considers that subject to the imposition of appropriate conditions as recommended by the County Ecologist, the proposal would not have an unacceptable impact on ecology and biodiversity at the site or the surrounding area and in accordance with Policies WCS 9 and WCS 10 of the Worcestershire Waste Core Strategy, and Policies SWDP 5, SWDP 22 and SWDP 31 of the South Worcestershire Development Plan.

336. Taking into account the provisions of the Development Plan and in particular Policy MLP 13 of the Adopted Worcestershire Minerals Local Plan, Policies WCS 1, WCS 2, WCS 3, WCS 6, WCS 8, WCS 9, WCS 10, WCS 11, WCS 12, WCS 14 and WCS 15 of the Adopted Worcestershire Waste Core Strategy and Policies SWDP 1, SWDP 2, SWDP 4, SWDP 5, SWDP 6, SWDP 8, SWDP 11, SWDP 12, SWDP 21, SWDP 22, SWDP 23, SWDP 24, SWDP 25, SWDP 27, SWDP 28, SWDP 29, SWDP 30, SWDP 31 and SWDP 32 of the Adopted South Worcestershire Development Plan, and Policies P3, P5, and P9 of the made Pebworth Parish Neighbourhood 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

337. The Head of Planning and Transport Planning recommends that planning permission be granted for the proposed retention of existing facilities, operations and access; the installation of a plant and associated infrastructure for the processing of inert materials, to produce recovered aggregate and soils; the relocation of the waste sorting shed, workshop permitted under planning permission Ref: 18/000048/CM, and the provision of a new site office at Long Marston Works, Long Marston Road, Long Marston, near Stratford-upon-Avon, subject to the following conditions:

### Commencement

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The developer shall notify the County Planning Authority of the start date of commencement of the development in writing within 5 working days following the commencement of the development.

### Approved Plans

- 3) The development hereby permitted shall be carried out in accordance with the details shown on the following approved drawings, except where otherwise stipulated by conditions attached to this permission:

- Drawing number: LD-119-MRW-001, titled: `Location Plan`, dated October 2021;
- Drawing number: LD-119-MRW-002a, titled: `Planning Application, Landholding and Existing Site Layout`, dated October 2021;
- Drawing number: LD-119-MRW-003a, titled: `Proposed Site Layout`, dated March 2022;
- Drawing number: TQ-1004-GA-001, titled: `Proposed Plant`, dated August 2020;
- Drawing number: LD-119-MRW-005, titled: `Sorting Shed Plan and Elevations`, dated September 2021;
- Drawing number: LD-119-MRW-006, titled: `Workshop Plan and Elevations` dated September 2021;
- Drawing number: LD-119-MRW-007, titled: `Proposed Site Office`, dated September 2021;
- Drawing number: LD-119-MRW-008, titled: `Landscape Plan - Proposed Site Layout` dated September 2021;
- Drawing number: LD-119-MRW-009, titled: `Proposed Stock Area and Additional Hedge Planting – South`, dated March 2022;
- Drawing number: LD-119-MRW-010, titled: `Proposed Stock Area and Additional Hedge Planting – North`, dated March 2022;
- Drawing number: LD-119-MRW-011, titled: `Northern Visibility Splay`, dated May 2022.

### Throughput and Waste Acceptance

- 4) The annual throughput of materials handled by the development hereby approved, together with the existing site as outlined in blue on Drawing

Numbered: LD-119-MRW-002a, Titled: 'Planning application, landholding and existing site layout' shall be limited to a combined maximum of 155,000 tonnes of construction, demolition and excavation waste and a combined maximum of 25,000 tonnes of municipal and commercial industrial waste in any one calendar year (January to December) and records shall be kept for the duration of the operations on the site, and made available to the County Planning Authority within 10 working days of a written request being made.

- 5) No wastes other than those defined in the application, namely municipal and commercial industrial and construction, demolition and excavation wastes, shall be brought onto the site.
- 6) No waste materials shall be accepted at the site directly from members of the public, and no retail sales of wastes or processed materials to members of the public shall take place at the site.

#### Working Hours

- 7) Waste Processing Operations shall only be carried out on the site between 07:00 to 17:00 hours on Mondays to Fridays inclusive, and 07:00 to 12:00 hours on Saturdays, with no waste processing operations taking place on Sundays, Bank or Public Holidays.
- 8) Maintenance operations, including any repair and maintenance of vehicles, plant and equipment within the development hereby approved, shall only take place between the hours of 07:00 hours and 17:00 hours Mondays to Fridays inclusive, and between 07:00 to 17:00 hours on Saturdays with no operations on Sundays, Bank or Public Holidays. No machinery or equipment shall operate on the site outside these hours.
- 9) Loading, sales and deliveries shall only be carried out on site between 07:00 and 18:00 hours on Mondays to Fridays inclusive, and between 07:00 to 13:00 hours on Saturdays with no operations on Sundays, Bank or Public Holidays.

#### Construction Hours

- 10) Construction works shall only be carried out on the site between 08:00 to 18:00 hours on Mondays to Fridays inclusive, and 08:00 to 13:00 hours on Saturdays, with no construction work on Sundays, Bank or Public Holidays.

#### External Storage Heights and Locations

- 11) The height of any external stockpiles of material, stored skips and containers shall not exceed 10 metres and a scheme for the setting up of a permanent marker that allows operatives and officers from the County Planning Authority a means of visually checking this height shall be submitted to the County Planning Authority for approval in writing prior to the operation of the development hereby approved. The agreed height marker shall be erected and maintained on site for the duration of the development hereby approved.



### **Ecology**

- 12) **No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority. The CEMP for biodiversity shall include the following:**
- i. Risk assessment of potentially damaging construction activities;**
  - ii. Identification of “biodiversity protection zones”;**
  - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction. These can be submitted in the form of a set of ‘Precautionary Method Statements’ (see below).**
  - iv. The location and timing of sensitive works to avoid harm to biodiversity features;**
  - v. The times during construction when specialist ecologists need to be present on site to oversee works;**
  - vi. Responsible persons and lines of communication;**
  - vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and**
  - viii. Use of protective fences, exclusion barriers and warning signs.**

**The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the County Planning Authority.**

- 13) **A set of Precautionary Method Statements (PMW) to underpin the scheme’s CEMP should be prepared to the satisfaction of the County Planning Authority, these will address the following:**
- i. Methods for habitat manipulation, to remove suitability for reptiles and to provide contingency processes in event of discovery of great crested newt or other protected species;**
  - ii. Precautionary working methods with regards badgers, to include both pre-commencement inspections in and around working areas, and also to confirm measures to be employed so as to protect badgers from becoming trapped in open excavations and/or pipes or culverts;**
  - iii. Construction phase lighting strategy, designed to minimise any impact on light-sensitive flora and fauna during works;**
  - iv. Soft felling measures for trees identified with Potential Bat Roosting Features (low value PRF only).**
  - v. Vegetation clearance with regards nesting birds; confirming that no vegetation clearance will take place between March 1st and August 31st inclusively, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds’ nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation to be submitted to the**

- County Planning Authority; and
- vi. A biosecurity protocol to detail measures to minimize or remove the risk of introducing non-native species into a particular area during the construction, operational or decommissioning phases of a project.

The PMW shall be submitted to and approved in writing by the County Planning Authority prior to commencement and shall be carried out in accordance with the approved details.

- 14) No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the County Planning Authority. Thereafter, the LEMP shall be implemented in accordance with the approved details. The LEMP shall include the following:
- i. Description and evaluation of features (both created and retained) to be managed for their biodiversity value. New habitats, as recommended in the Preliminary Ecological Appraisal Report (RSE\_4311\_R2\_V1\_PEA, RammSanderson, November 2020) will include native species rich grassland (such as Naturescape N4 seed mix), hedgerow, tree and shrub planting. The LEMP will illustrate the location, extent, planting specifications and management for establishment of these habitats. Hedgerow and woodland features should be underplanted with an appropriate ground flora mix (such as the proposed Naturescape N9 and N10 seed mixes);
  - ii. Aims and objectives of management;
  - iii. Appropriate management options for achieving aims and objectives;
  - iv. Prescriptions for management actions;
  - v. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - vi. Details of the body or organization responsible for implementation of the plan;
  - vii. Ongoing monitoring and remedial measures, including clearly defined and appropriate criteria and measures of 'success' against which the performance and effectiveness of the LEMP can be judged.

Where it is intended to create semi-natural habitats, all species used in the planting proposals shall be locally native species of local provenance, unless otherwise agreed in writing with the County Planning Authority. No peat, insecticides or fungicides to be used. No fertilisers to be used in areas of wildflowers, any topsoil used in these locations to be of low fertility. Tree guards deployed should be biodegradable or, the LEMP will identify a date on termination of aftercare period when all plastic tree guards are to be collected and removed from site. The approved plan will be implemented in accordance with the approved details. A brief Statement of Conformity is to be submitted to the County Planning Authority which reviews measures implemented and their effectiveness against stated success criteria at the end of the LEMP's aftercare period.

### **Boundary Treatment**

- 15) **Within 6 months of this permission, a scheme setting out an appropriate boundary treatment for the northern visibility splay shall be submitted to and approved in writing by the County Planning Authority. The boundary treatment shall not impede the visibility splay. The boundary treatment should consist of native species referred to within the Worcestershire Woodland Guidelines, and specifically, advice for the relevant area: E2, Ecological Zone: Avon Vale Claylands, which includes details of species that (with the notable exception of Ash) would be appropriate for inclusion. Once approved, the boundary treatment scheme shall be implemented within 12 months of such approval.**

**In the event that the boundary treatment scheme includes any hedge planting, the scheme shall also provide for its long-term maintenance and cutting back to prevent vegetation encroaching into the visibility splay.**

- 16) **Notwithstanding the submitted details, details of all new boundary fences, walls and other means of enclosure shall be submitted to the County Planning Authority for approval in writing within 3 months of the commencement of the development hereby approved. Thereafter the development shall be carried out in accordance with the approved details.**

### **Materials**

- 17) **Notwithstanding any indication of the materials, which may have been given in the application, within 1 month of commencement of the development hereby approved, a schedule and/or samples of the materials and finishes for the new buildings shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.**

### **Renewable Energy**

- 18) **Prior to the use of the development hereby approved, details of renewable or low carbon energy generating facilities to be incorporated as part of the approved development shall be submitted to and approved in writing by the County Planning Authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities. The approved facilities shall be provided prior to the use of the development hereby approved.**

### **Noise**

- 19) **The development hereby approved shall be carried out in accordance with Section 2.0 `Site Description`, Paragraph 2.9 in the submitted document titled `A Noise Assessment for Proposed Wash Plant, MRW, Long Marston on behalf of MRW Waste Recycling Limited` (Report Reference: RA00689 – Rep 1) dated October 2021.**

- 20) **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.**

### Dust

- 21) The development hereby approved shall be carried out in accordance with Section 5.0 'Dust Management Plan', Paragraphs 5.1 to 5.10 in 'Dust Management Plan for a Proposed Wash Plant, MRW, Long Marston (Report Reference: RE00075 – Rep 2)', dated October 2021.

### Lighting

- 22) Prior to commencement of the development hereby approved, a lighting design strategy shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include:
- i. Height of lights;
  - ii. Intensity of the lights;
  - iii. Spread of light in metres (Lux plan);
  - iv. Any measure proposed to minimise the impact of the lighting or disturbance through glare;
  - v. Times when the lighting would be illuminated; and
  - vi. Measures to minimise the impact of lighting upon protected species and habitats, including:
    - identifying those areas / features on site that are particularly sensitive for bats and invertebrates and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, such as for foraging; and
    - show how and where external lighting will be installed, through provision of appropriate technical specifications including optic photometric data and contour plans (in both horizontal and vertical planes), and glare rating, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Thereafter, the development shall be carried out and maintained in accordance with the approved details. Under no circumstances shall any other external lighting be installed without prior consent from the County Planning Authority.

### Highways

- 23) All loads of waste materials carried on HGV into and out of the development hereby approved shall be enclosed or covered so as to prevent spillage or loss of material at the site or on to the public highway.
- 24) No mud, dust, dirt, or debris shall be deposited on the public highway.
- 25) Prior to the commencement of development hereby approved, details of how clear visibility splays can be achieved from a point of 1.05 metre above carriageway level at the centre of the access to the application site and measured 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 120 metres in each direction, measured along the nearside edge of the adjoining carriageway and offset a vertical distance of 0.6m from the carriageway shall be submitted to and approved in writing by the County Planning Authority. Nothing shall be planted, erected and/or allowed to grow in the triangular area of land so formed, which would obstruct the visibility

described above. The approved scheme shall be fully implemented prior to development first commencing.

**Parking and Travel**

- 26) Notwithstanding the submitted details, the development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with Worcestershire County Council's Streetscape Design Guide has been provided in accordance with details which shall first be submitted to and approved in writing by the County Planning Authority. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.
- 27) Notwithstanding the submitted details, the development hereby approved shall not be brought into use, until at least 2 electric vehicle charging spaces to comply with Worcestershire County Council's Streetscape Design Guide, have been provided in accordance with details which shall first be submitted to and approved in writing by the County Planning Authority. Thereafter, such spaces and power points shall be kept available and maintained for the use of electric vehicles only.
- 28) Notwithstanding the submitted details, the development hereby approved shall not be brought into use until at least 3 accessible car parking spaces to comply with Worcestershire County Council's Streetscape Design Guide have been provided in a location which shall first be submitted to and approved in writing by the County Planning Authority, and thereafter shall be kept available for disabled users as approved.

**Pollution**

- 29) 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.

**Contamination**

- 30) No development shall commence, other than that required to be carried out as part of an approved scheme of remediation, until Parts i) to iii) below have been complied with:
- i. The approved remediation strategy (as detailed in the reports entitled "Remediation Method Statement: Long Marston Works, Long Marston Road, CV37 8AQ", ref V.268.19, dated 14/02/2020 and "Phase II Geo-environmental Investigation Report - Long Marston works,

Long Marston road, CV37 8AQ - Midlands Reclamation & Waste Ltd” ref IV.268.19, dated 30/08/2020, produced by Ivy House Environmental) must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the County Planning Authority;

- ii. Following the completion of the measures identified in the approved remediation scheme a validation 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 occupation of any buildings;
  - iii. 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 in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the County Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the County Planning Authority prior to the occupation of any buildings.
- 31) 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 in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the County Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the County Planning Authority prior to the use of any buildings.

**Planning Permission**

- 32) 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**

Specific Contact Points for this report

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## **Background Papers**

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

The application, plans and consultation replies in file reference 21/000035/CM, which can be viewed online at: [www.worcestershire.gov.uk/eplanning](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.