



DEVELOPMENT CONTROL AND REGULATORY BOARD

23rd MAY 2019

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

- APP.NO. & DATE:** 2019/CM/0048/LCC – 25th February 2019
- PROPOSAL:** Construction of paper and plastic waste storage facility
- LOCATION:** Unit 11, Wymeswold Industrial Estate, Wymeswold Lane, Burton on the Wolds (Charnwood Borough)
- APPLICANT:** Acorn Recyclers
- MAIN ISSUES:** Impact of the proposal upon landscape, the highway, amenity, and the appropriateness of this location for an extension to an existing waste management operation within the countryside when assessed against the waste spatial strategy policies.
- RECOMMENDATION:** PERMIT subject to the conditions as set out in the appendix to the main report.

Circulation Under the Local Issues Alert Procedure

Mr. R. J. Shepherd CC.

Officer to Contact

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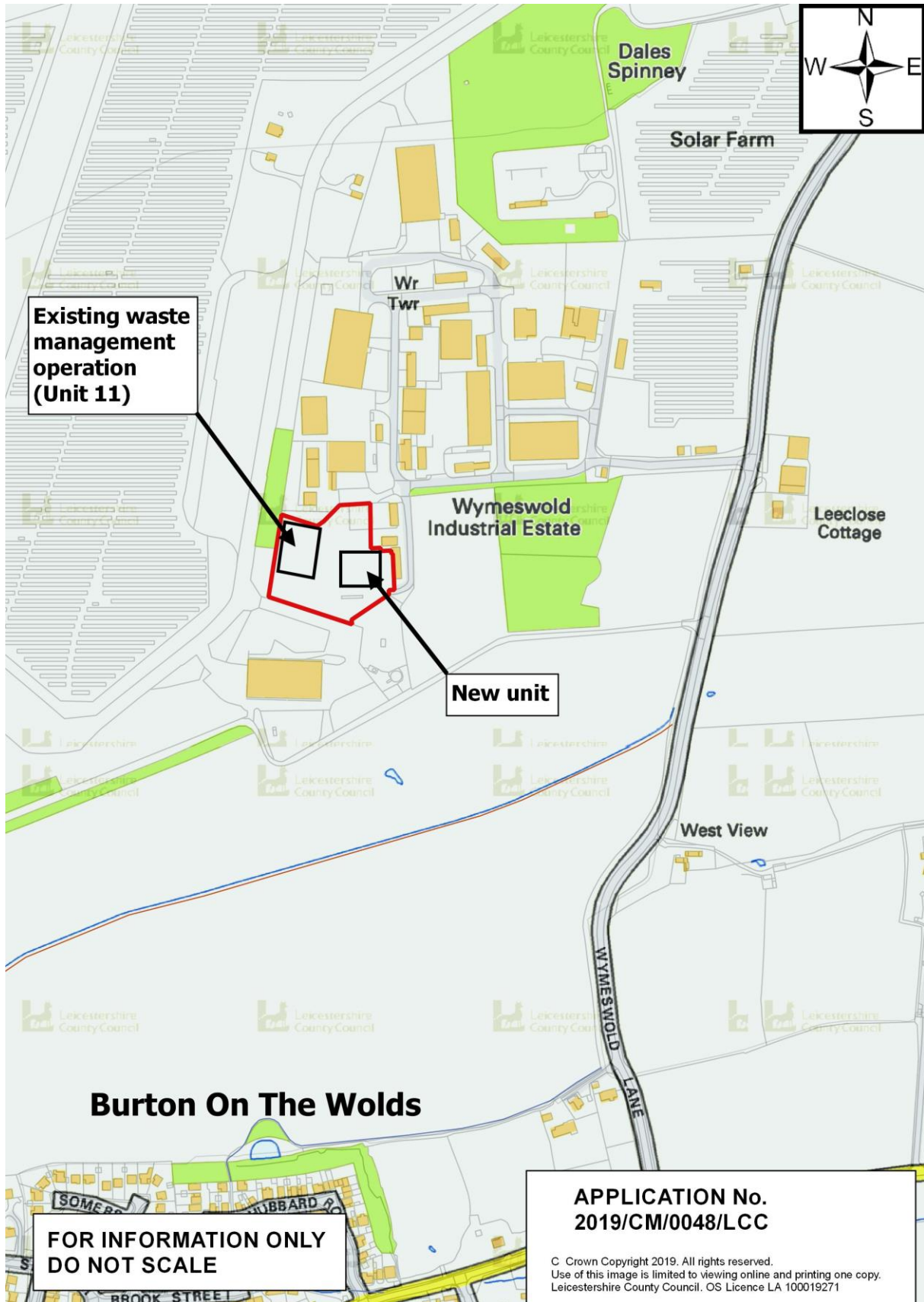
PART B – MAIN REPORT

Description of site

1. Wymeswold Industrial Estate lies south west of the village of Wymeswold, to the immediate east of the former Wymeswold Airfield Runway. The estate is on the site of the original airfield operational buildings. Unit 11 (previously called Unit B) was permitted in 2011 in the south west corner of the estate and consists of one large building (reference 2010/2018/02). Variations to the development have been undertaken twice in 2013, once in 2014 and once in 2017 (references 2013/0696/02, 2013/1351/02, 2014/2091/02 and 2017/1967/02, respectively).
2. The most recent of the variations was sought to increase the throughput and HGV movements of Unit 11 following the conversion of Units E and 10 within the estate from waste operations to B8 and B2 uses (references P/15/0229/2 and P/14/2318/2). The permitted throughput of Unit 11 is currently 12,000tpa and 12 HGV movements a day.

Description of proposal

3. This application is seeking planning permission to erect an additional building to the east of Unit 11. The western part of the proposed building would sit within the current curtilage of Unit 11, an area earmarked for the open storage of baled material, and the remainder of the proposed building would be upon an area of hardstanding used for the storage of HGV trailers. The building would measure 40.5 metres by 34 metres with a maximum height of around 10 metres. The building would be open fronted on the western elevation with two roller shutter doors on the northern elevation. Two floors of office space are proposed in the south western portion of the building. The building would be clad with goosewing grey profiled panels on the lower portions and glass green on the upper profiles. The roof would be goosewing grey and all external doors and windows grey aluminium. Alongside the new building the yard area of the waste operations would also be expanded.
4. The application sets out that the proposal, if permitted, would result in an additional 12 full time employees and it is stated that car parking spaces would increase from five to eleven. The throughput of the new building is proposed to be 10,000tpa of paper and plastic wastes. However, it is explained that this will operate in conjunction with the existing unit (Unit 11) and as such this proposal and the existing will not exceed the 12,000tpa already permitted for Unit 11. No processing of paper or plastic is proposed within this new building, it would be used for storage. The hours of operation are proposed to be 07:00 to 17:30 hours every day.



2019/CM/0048/LCC - continued

Planning Policy

National

5. The revised National Planning Policy Framework (NPPF) was published 19 February 2019 and sets out the Government's planning policies for England. The NPPF does not contain specific policies on waste. At the heart of the NPPF is a presumption in favour of sustainable development, namely the economic, social and environmental roles, and the need to balance economic growth with the protection and enhancement of the environment (including the minimisation of waste and pollution).
6. The National Planning Policy for Waste published in October 2014 and the Waste Management Plan for England published December 2013 set out the Government's ambition to work towards a more sustainable and efficient use of waste and the desire to move the management of waste up the waste hierarchy.

Development Plan Policies

7. The development plan in this instance consists of the Leicestershire, Leicester and Rutland Waste Local Plan (saved policies) (September 2002), the adopted Waste Development Framework Core Strategy and Development Control Policies Document (October 2009), the Charnwood Local Plan 2011 to 2028 Core Strategy (November 2015) and the Borough of Charnwood Local Plan 2004 (saved policies) (January 2004). The relevant policies and proposals are set out below.
 - *Policy WCS3: Non Strategic Waste Sites* of the adopted Leicestershire and Leicester Waste Core Strategy & Development Control Policies Plan.
 - *Policy WCS4: Locating Waste Sites* of the Waste Core Strategy.
 - *Policy WCS5: Reuse, Recycling, Waste Transfer and Composting Facilities* of the Waste Core Strategy.
 - *Policy WCS10: Environmental Protection* of the Waste Core Strategy.
 - *Policy WCS14: Transportation of Waste* of the Waste Core Strategy.
 - *Policy WDC5: Countryside* of the Waste Core Strategy.
 - *Policy WDC8: Health and Amenity* of the Waste Core Strategy.
 - *Policy WDC9: Cumulative Impact* of the Waste Core Strategy.
 - *Policy WDC10: Transportation of Waste* of the Waste Core Strategy.
 - *Policy CS2: High Quality Design* of the Charnwood Core Strategy.

2019/CM/0048/LCC - continued

- *Policy CS11: Landscape and Countryside of the Charnwood Core Strategy.*
 - *Policy EV/1: Design of the Charnwood Local Plan.*
8. Leicestershire County Council is in the later stages of reviewing its Waste Development Framework and has produced its submission version of the replacement Minerals and Waste Local Plan. Main and minor modifications have been consulted on following the hearing and the content of these modifications along with the submission version of the Local Plan should be given moderate weight. In terms of the emerging policies and their relevance to this proposal they are little changed from those set out above and do not materially affect the assessment of those policies from the approved development plan.

Consultations

Charnwood Borough Council - Planning

9. No response received.

Charnwood Borough Council – Environmental Health

10. No objection.

Environment Agency

11. This development will require an Environmental Permit unless a waste exemption applies.

Local Highway Authority (LHA) – Leicestershire County Council

12. The proposal would utilise an existing access point on the private road network and the LHA considers this to be acceptable. There have not been any Personal Injury Collisions on the road network near the site access during the last five years plus the current year to date. The LHA is satisfied the proposal would generate a level of trips which would not have a material impact on the highway network. The Applicant has indicated that 12 staff will be employed at the site. Based on the Leicestershire Highways Design Guide the LHA consider that 15 car parking spaces and four HGV spaces will be required within the site. The Applicant has advised that 11 car parking spaces will be provided within the site, however the submitted drawing only shows five spaces and does not detail HGV bays. Nevertheless, the LHA considers that given the red line boundary of the site, there is sufficient space within the site to accommodate off-street parking as well as turning for both cars and HGV's. Given the distance of the site from the public highway, it is also considered unlikely that employees would park on Burton Lane.

2019/CM/0048/LCC – continued**Lead Local Flood Authority (LLFA)**

13. The LLFA refers to its standing advice which sets out parameters to be met by developments.

Landscape Advice

14. No comments to make.

Burton on the Wolds, Cotes and Prestwold Parish Council

15. The Parish Council make no objection if processing of materials is not taking place on this site and that any water run-off is contained so that it does not contaminate the water course via the stream to the River Soar.

Wymeswold Parish Council

16. No objections.

Publicity

17. A press notice in a local newspaper, a site notice and individual neighbour letters have advertised the proposal since 1st March 2019.

Assessment of Proposal

18. The relevant consideration in the determination of this proposal is the acceptability or not of the location for this new development and the effects of it on the landscape, the highway and amenity.

Policy and Location

19. In general terms the proposed development conforms with national and local objectives to reduce waste disposal and move the management of waste up the hierarchy. One of the principal aims of the Waste Core Strategy is to direct new waste developments to specific areas of the County and to suitable priority locations. Given the size of the site and the proposed throughput of the operations it is considered that the site does not meet the criteria of a 'strategic' site and, therefore, Policy WCS3 is the starting point for assessing its suitability in terms of location and Policy WCS4 for the type of land upon which the proposal would be located.

2019/CM/0048/LCC – continued

20. Policies WCS3 and WCS4 both allow for sites within or adjacent to existing waste facilities where transport, operational and environmental benefits arise from co-location. This proposal is immediately adjacent to an existing waste facility on a brownfield location. There would be no increase in the throughput or the traffic levels of the waste operation, instead this expansion with the new building would allow for baled waste currently outside to be stored inside and for better segregation of plastics and paper. It is considered that this would allow for operational, transport and environmental benefits from co-location. Therefore, it is considered that the physical expansion of the waste operations is acceptable and accords with policies WCS3, WSC4 and WCS5.

Landscape

21. The proposed development would be located within an established industrial estate and the building would be constructed in a style and design similar to the surrounding industrial units. The existing Unit 11 covers 1200m² (40 metres x 30 metres) with a maximum height of 11 metres. Unit 11 is clad in merlin grey profiled metal cladding to the roof and goosewing grey metal cladding to the walls. This proposal would differ to this unit through the proposed use of glass green cladding in the upper vertical profiles and goosewing grey on the roof. Many of the other building on the estate, and particularly those on the southern side of the estate, are all clad in goosewing grey. Notwithstanding the difference in appearance that this proposal would introduce to this locality, the use of goosewing grey does not eliminate views of these large industrial buildings and many modern industrial buildings elsewhere use multiple cladding colours to add interest and break up profiles. However, there is no obvious benefit from the use of a green colour on the upper parts of the building in this location and this new large building would be on the south eastern edges of the estate with open views from Wymeswold Lane. Therefore, to ensure that this proposed building would be in keeping with the existing structures at the industrial estate the building should all be clad in goosewing grey.
22. The proposed development, although visible from outside of the industrial estate, would not have an additional visual impact on the surrounding countryside. However, this is subject to the development being constructed in the colours proposed (except for the glass green cladding) and, as such, a condition should be attached to the planning permission (if granted) to require this. Also, the previous and current planning permission for the adjacent unit limited the height of waste stockpiles to 2.5 metres thereby limiting the visual impact of the development. It is considered that for the visual benefit of the area this restriction is replicated on this planning permission (if granted). Subject to this the proposal is considered to have an acceptable impact on the landscape and accords with policies WCS10, WDC5, WDC8, CS2, CS11 and EV/1.

2019/CM/0048/LCC – continuedHighway

23. Access to the industrial estate on which this proposal relates is accessed from Wymeswold Lane through a purpose-built access. HGVs access Wymeswold Lane from the B676 which forms a junction with Wymeswold Lane south of the site to the east of Burton on the Wolds. The B676 is a designated HGV route as is the A6006 in Wymeswold from which access to the site can also be made. The Highway Authority considers that the proposal would not have a material impact on the highway and is therefore acceptable. Further comments from the Highway Authority on the parking provision on the site indicate that the expansion of the site would not have an impact on the highway through on-street parking for the development taking place. No layout plan has been provided to indicate where parking and turning space would be provided but it is considered that although, in this instance, such specific detail is not required that it should be ensured that sufficient space is left within the site and, therefore, such a condition should be included on any planning permission. On the basis of this, the proposal is acceptable and accords with policies WCS14, WDC8 and WDC10.

Amenity

24. The nearest residential property to the proposal is that almost opposite the access to the industrial estate (but set back from the road) which is some 385 metres away from the proposal. Given the distances involved and the types of waste being handled there are no concerns that the proposal would generate unacceptable impacts from noise, dust, odour or illumination. Indeed, the existing operation has never been the source of complaint. Burton on the Wolds, Cotes and Prestwold Parish Council raise the issue of contaminated run off which is a matter dealt with by the Environment Agency (EA) and as the EA state "This development will require an Environmental Permit unless a waste exemption applies"; in either case this will address the matter of containing pollution from the site. On the basis of this, the impact of the proposal on amenity is acceptable and accords with policies WCS10, WDC8 and WDC9.

Conclusion

25. The proposed development would be located on designated employment land within an established industrial estate and would provide complementary operations to an existing waste management facility on the site. The building would be large scale, but it would be located within the existing industrial estate, close to other units of a similar size and appearance and it is considered that the impact on the surrounding landscape would be acceptable. No significant adverse impacts would arise from the proposed development.

2019/CM/0048/LCC – continued

Recommendation

- A. Permit subject to the conditions, as set out in the appendix.
- B. To endorse, as requested by The Town & Country Planning (Development Management Procedure) Order 2015 (as amended):
 - (i) How we have worked with the applicant in a positive and proactive manner:
In dealing with the application and reaching a decision account has been taken of paragraph 38 of the National Planning Policy Framework.

Officer to Contact

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Conditions

1. The development shall be begun within 3 years from the date of this permission.

Details of approved development

2. Unless otherwise required by this permission the development shall be carried out in accordance with the following submitted plans and details:
 - Application Form dated 04/02/2019;
 - Drawing No. 218037-PL02 dated 02/10/2017; and
 - Drawing No. 218037-PL03 revision A dated 02/10/2017.

Materials

3. Notwithstanding those details shown on Drawing No. 218037-PL03 revision A dated 02/10/2017 the external wall and roof cladding of the waste transfer building shall be finished and thereafter maintained in a Goosewing Grey (RAL 7038) colour only.

Hours of Operation

4. The development hereby permitted shall only operate between the hours of 0700 to 1730.

Throughput

5. No more than 12,000 tonnes of material per annum shall be imported in to the site as defined by a solid red line on drawing 218037-PL02 dated 02/10/2017.

HGV Movements

6. No more than 12 (twelve) heavy good vehicle (HGV) movements shall be made into or out of the site as defined by a solid red line on drawing 218037-PL02 dated 02/10/2017. in any one day. A record of the daily number, type and registration of vehicle movements into and out of the site shall be maintained at all times and be made known in writing to the Waste Planning Authority within 7 days of a written request for such information.

External Storage

7. No materials shall be stored externally above a height of 2.5 metres within the site as defined by a solid red line on drawing 218037-PL02 dated 02/10/2017.

2019/CM/0048/LCC – continued

Layout

8. Provision shall be made within the site as defined by a solid red line on drawing 218037-PL02 dated 02/10/2017 to allow for the parking of 15 cars and 4 HGVs and for sufficient turning space to allow all vehicles that enter the site to be able to leave the site in a forward gear.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to ensure that the development is carried out in a satisfactory manner.
3. To ensure that the building retains a satisfactory appearance in the interests of visual amenity.
4. To ensure the development remains compatible with other uses in the area.
5. For the avoidance of doubt and to ensure that the site remains compatible with its location.
6. For the avoidance of doubt and to ensure that the site remains compatible with its location.
7. In the interests of visual amenity and to reduce the visual impact of the development on the adjacent open countryside.
8. To ensure that the sufficient parking and turning spaces are provided within the site to protect the amenity of other users of the industrial estate and the public highway.

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