

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **25 JULY 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **CONSTRUCTION OF WASTE TRANSFER BUILDING AND CONTINUATION OF NON-HAZARDOUS WASTE MANAGEMENT OPERATION AT "OLD BRIDGE INN", STATION LANE, PADESWOOD, MOLD**

APPLICATION NUMBER: **049617**

APPLICANT: **MR M SCARFO**

SITE: **OLD BRIDGE INN, STATION ROAD, PADESWOOD**

APPLICATION VALID DATE: **02/04/2012**

LOCAL MEMBERS: **CLLR ARNOLD WOOLLEY, CLLR RICHARD JONES**
CLLR RAYMOND HUGHES

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**
LEESWOOD COMMUNITY COUNCIL

REASON FOR COMMITTEE: **THE DEVELOPMENT SITE EXCEEDS 2 HECTARES**

SITE VISIT: **NOT REQUIRED**

1.00 SUMMARY

- 1.01 The application seeks to consolidate existing waste recycling operations and the construction of a waste transfer station (WTS) building to transfer household, commercial and industrial waste. The applicant also seeks to relocate an existing screening bund on the eastern boundary to facilitate a larger working area which would assist with improving site management, and as a result, lower stockpile height on the site.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 The applicant entering into a legal agreement under the terms of the Town & Country Planning Act 1990 (as amended) Section 106 to effectively revoke planning permission 4/0/16514.

2.02 Conditions including:

1. Implementation time as of date of the decision notice
2. Approved plans – within notes to applicant
3. Retention of approved plans on site at all times
4. Written notification prior to the construction of the screen bund
5. Written notification prior to the construction of the WTS
6. Limit of 80,000 tonnes of waste per annum for the whole site
7. Waste types restricted to the details within the application
8. Screen bund on the east boundary would not exceed 97m AOD
9. Method statement for stripping and storage of soils including stockpile locations
10. Time restrictions on moving soil
11. Method statement for relocation of bund on eastern boundary
12. Samples taken and tested for material contained within the bund prior to its removal
13. Hours of operation;
 - Monday to Saturday 08:00 to 18:00
 - Sunday and public holidays essential maintenance only
 - Operations associated with the compound in the north of the site are permitted to work Monday – Sunday including public Holidays 08:00 to 18:00
14. Restrictions of vehicle movements;
 - 120 movements (60 in and 60 out) Monday to Saturday
 - 20 movements (10 in and 10 out) associated with the northern compound Sunday and public holidays
15. Provision and retention of facilities for parking, loading/unloading and turning
16. Only inert waste will be stored, processed and handled outside
17. Restriction of stockpile heights of waste materials and product no higher than 97m AOD
18. Revised restoration and aftercare scheme
19. Planting carried out in the next available planting season
20. Aftercare of trees/hedges planted
21. Arboricultural method statement and root protection measures
22. Details of weighbridge
23. Details of building drainage to ensure no pollution
24. Details of building materials
25. Details of machinery to be submitted for approval prior to its installation and use on site
26. A 10 metre buffer maintained at the east of the site
27. Removal of waste and building
28. Details of lighting to be submitted for written approval
29. Reasonable avoidance measures
30. Foul and surface water discharges

- 31. Surface water connections
- 32. Land drainage run-off

Informatives “Notes to Applicant”

- Approved Plans
- Public rights of way
- Highways supplementary note
- Wildlife/nature conservation
- Bird breeding season
- Environment Agency Permit
- Dwr Cymru – mandatory build standards and water supply

3.00 CONSULTATIONS

3.01 Local Members

- Councillor R Hughes, local Ward Member for Leeswood raises no objections to the proposal
- Councillor A Woolley of Buckley Bistre East raises no objections to the proposal
- Councillor R Jones of Buckley Bistre East acknowledges that the application would regularise existing waste management activities on site and present the LPA with overall control
- Councillor H McGuill from adjoining ward Argoed raises no objections

Leeswood Community Council – requested a site visit which took place on 21 June 2012. The Council is concerned that the run-off from any contaminated water would find its way into water courses.

Buckley Town Council – No observations to make

Adjoining Community Council for Argoed – No objections

Chief Highways and Transportation Engineer – A limit of 120 vehicle movements per day is reasonable and recommends a condition is provided for facilities to be provided and retained for loading, unloading, parking and turning of vehicles.

Chief Environment and Resources Officer

Environmental Protection - No adverse comments to make with regards to noise and dust as controls would be covered by the Environmental Permit. The premises have been permitted by the Environment Agency for a number of years. Therefore, via this regulatory system, strict conditions would control emissions.

Contaminated Land Officer - With regards to contaminated land, prior to the removal of any material within the eastern bund samples shall be tested and results submitted to the Local Planning Authority.

Public Rights of Way Officer – Public Footpaths 76 and 52 cross the site but the rights of way appear unaffected by the development. The path must be protected and free from interference from the construction.

Environment Agency – have no objection in principle to the proposed development and offered comments with regards to pollution prevention. The site is regulated by the Environmental Permitting Regulations.

Countryside Council for Wales – No objection to the proposal

Ramblers Association – No comments have been received

Flintshire Local Access Forum – No comments have been received

Dwr Cymru – No objections to the application. Should the Council be minded to grant planning permission conditions should be included to ensure that no detriment to the existing residents, or the environment, and to Dwr Cymru Welsh Water's assets.

4.00 PUBLICITY

4.01 This application was advertised by way of a press notice, site notices, and neighbour notification letters were dispatched to nearest residential receptors. The application was advertised as affecting a public right of way.

4.0.2 A total of 3 letters of representation have been received from local residents objecting to the proposed development. The main planning issues raised include:

- Intensification of the use of the site giving rise to an increase in traffic, noise and dust (from the site and the road)
- Lack of dust suppression and wheel washing facilities on site
- Location – inappropriate development in a rural location, greenbelt and open countryside
- Proximity to residential properties
- Visual impact
- Impact on an existing public right of way
- Risk of polluting adjacent water courses
- Potential impact on adjacent fishery
- Issues associated with a planning permission adjacent to the development site area.

5.00 SITE HISTORY

5.01 The land owned by the applicant has been used for various industrial uses in the past including: quarrying of sands, gravels and clays. The area has a history of heavy industry since the 1880s including oil and chemical works, metal casting and gas manufacture. In recent years, since the late 1960s the site has been used for waste management for an Alyn and Deeside District Council operated landfill site which occupied the northern part of the site. Delyn Borough Council also

acknowledged from the serving of statutory notices, that the site has been used for tipping and as a haulage contractor since 1968. Also, the council acknowledged that the site was used as a road resurfacing contractor since 1970.

5.02 The relevant recent planning history for the site is as follows:

043990 - Importation of soils to restore land to ecological after use on land adjacent to the development site - **Approved 31/03/2008**

4/0/16514 – Waste Transfer Station (for waste transfer operations on the north eastern part of the application site) – **Approved 05/07/1998**

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan (FUDP)

STR1 - New Development Criteria

STR3 - Employment

STR10 - Resources

GEN1 - General Requirements for Development

GEN3 – Development in the Open Countryside

D1 - Design Quality, Location and Layout

TWH2 – Protection of Hedgerows

WB1 – Species Protection

WB5 – Undesignated Wildlife Habitats

L1 – Landscape Character

AC2 – Pedestrian Provision and Public Rights of Way

AC13 – Access and Traffic Impact

EWP6 - Areas of Search for New Waste Management Facilities

EWP7 - Managing Waste Sustainably

EWP8 - Control of Waste Development and Operations

EWP11 - Development On or Adjacent To Landfill Sites

EWP12 - Pollution

EWP13 – Nuisance

EWP16 – Water Resources

6.02 National and Regional Policy and Guidance

Planning Policy Wales (February 2011) Edition 4

Technical Advice Note 11: Noise (1997)

Technical Advice Note 12: Design (2009)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 21: Waste (2001)

Technical Advice Note 22: Planning for Sustainable Buildings (2010)

North Wales Regional Waste Plan First Review (2009)

National Wales Waste Strategy: Towards Zero Waste (2010)

Guidance on Applying the Waste Hierarchy (2012)

The proposed and existing development would generally comply with the policies that are identified above as being relevant and applicable.

7.00 PLANNING APPRAISAL

7.01 Proposed Development

The application seeks to consolidate existing waste management and recycling operations on the site and to construct a waste transfer station (WTS) building to transfer household, commercial and industrial waste. The applicant also seeks to relocate an existing screening bund on the eastern boundary to facilitate a larger working area which would assist with improving site management and as a result lower stockpiles on the site. The existing waste management operations covered by planning permission 4/0/16514 would be consolidated within this planning application. Consolidation existing operations would assist with monitoring the site operations and facilitate a greater level of control than exists at present.

7.02 The application seeks permission to store, process and transfer up to 70,000 tonnes construction and demolition/excavation material, up to 2,500 tonnes municipal wastes and up to 2,500 tonnes commercial and industrial wastes per annum. This figure has been stated within the application to tie in with the limitations of the existing Environmental Permit issued by the Environment Agency on 4 April 2012. The permit for the existing WTS operations in the north of the site permitted by planning permission 4/0/16514 has a maximum annual figure of just 5,000 tonnes per annum restricted by the Environmental Permit for the site. Should planning permission be granted, a restriction of 80,000 tonnes per annum on the site would be restricted by condition.

7.03 All non-inert wastes would be stored and handled under the cover of the proposed WTS building which would be constructed with dark green coloured profiled steel sheet cladding. The building is proposed to be 30 metres long, 15 metres wide with a ridge height of 9 metres.

7.04 The existing screen bund on the eastern boundary of the site permitted by previous planning permission 4/0/16514 would be relocated further to the east on the applicant's land, constructed to a maximum height of 97 metres AOD (which does not represent a significant increase) and would result in a more sympathetic landform than currently exists. The construction of the new screen mound would comprise the first phase of the development. It is proposed to store stripped soils to then place on the final completed landform and construct the bund with inert materials that are currently stored on site. Some imported material may be required to complete the final landform, however, at the time of submission of the application there was sufficient material being stored on site to be used in the construction of the screen bund. Once the screen mound is completed, the existing stockpile area would be rationalised to improve the site management processes. The proposed development would result in the creation of an additional 4 full time jobs.

Site Description

- 7.05 The application site comprises an existing inert waste recycling facility on land at Bridge Inn, Padeswood. The application site occupies approximately 3.03 hectares. An existing WTS and skip business named 'A Skip 2 U Ltd' operates from the northern corner of the site within a designated compound area which is authorised to transfer household, commercial and industrial wastes. The application site has a dedicated vehicular access which is located off Station Lane. The A5118 is situated parallel to the northern boundary of the application site and Padeswood Golf Course abuts the site to the west.
- 7.06 The village of Buckley is approximately 1km to the north of the site, the settlement of Mold approximately 4km to the west and Pen-y-Ffordd is located approximately 3km to the east of the site. Hanson's Cement Works, with its visually dominant tower building is situated approximately 1.5km to the east of the site. The River Alyn lies approximately 1km to the south west of the site running in a north-west to south-east alignment.
- 7.07 There are no Sites of Special Scientific Interest or Special Areas of Conservation within or adjacent to the site, and the site is not within a sensitive area as defined by the Regulations.
- 7.08 The site straddles the ward boundaries of Buckley Bistre East and Leeswood, with the ward of Argoed's boundary adjoining the western boundary of the site. These ward boundaries follow the former boundaries of Alyn and Deeside District Council and the Borough of Delyn and it is apparent from researching the site history that prior to the 1996 local government reorganisation there was confusion between the councils in terms of who should be the regulatory body which may account for the irregularities with regards to planning control of the sites activities. The Mold Railway once intersected the central part of the site and the proposed WTS building would be sited on the area of the former railway track.
- 7.09 The site is located within an area of Open Countryside as designated in the adopted FUDP.

Principle of the development

- 7.10 The principle of a waste *sui generis* land-use operation on the site has been accepted by virtue of the grant of planning permission 4/0/16514 on 5 July 1988. This proposal involves a consolidation of existing waste recycling and management operations at a site. Effectively the application would consolidate and regularise the waste recycling activities that have been taking place since the late 1980s and assist in the over all control and monitoring of the site.

Location of new waste management facilities

- 7.11 Policy EWP6 states that proposals for new waste management facilities should ideally be developed within the locations listed within the Policy and identified on the proposals plan. Technically this proposal would formalise and consolidated and the existing on-site waste management and aggregate recycling operations on the site, plus introducing an extension of waste management within the proposed WTS building. Therefore, it could be argued that as the proposal is to replace existing waste management infrastructure, Policy EWP6 would not be applicable. Policy EWP6 does not preclude waste management facilities from coming forward in other locations not listed within the area of search and as such the proposal does not conflict with Policy EWP6.

Need

- 7.12 The proposal would divert waste from landfill by collecting and bulking recyclate to be removed off site to be recycled elsewhere, and also reprocessing inert waste materials to produce alternative construction products, which reduce the need for primary aggregate use.
- 7.13 It is considered that the proposal accords with the provisions of the development plan and would contribute towards meeting the objectives of TAN21, the National Waste Strategy, the North Wales Regional Waste Plan (first review) to divert waste from landfill and to increase recycling in accordance with the waste hierarchy. As such, it is considered that this proposal accords with the provisions of Policy EWP7 of the FUDP.

Highways and Access Matters

- 7.14 Access to the site is currently obtained via a dedicated vehicular access from Station Road. Should planning permission be granted, the access provision would remain the same
- 7.15 Consideration was made over the need, or otherwise to widen Station Road, which would require the removal of a mature hedge which would materially affect the rural character of the area and have an adverse impact on the open countryside which would be unacceptable and contrary to policies L1, STR1 and TWH2 of the FUDP. Not only does the hedgerow enhance the landscape value and character of the area and provides a visual buffer for existing waste recycling activities, it also provides habitat for species. The removal of the hedgerow would result in the loss of habitat and contrary to Policy WB5 of the FUDP. The development has been taking place at this site for a number of years and has not, to date, resulted in any complaint about waiting vehicles or inability for vehicles to pass each other on Station Road. On balance, it is considered that there is no case to require the highway to be widened.

- 7.16 Existing and predicted tonnages associated taking into account all the waste operations on site have been used to calculate daily vehicle movements. Consideration has to be made for the nature of construction site clearance contracts and that daily throughputs can have peaks and troughs. Assuming worst case conditions of maximum annual tonnage and no return loads (one set of vehicles arrives to deliver waste and exits the site empty and another set of vehicles enters empty and exits the site full) and assuming a payload of only 10 tonnes, this would equate to 50 daily visits (100 movements) to the site 6 days per week, equivalent to 5 visits (10 movements) per hour over a 10 hour day. In practice this level of sustained activity is seldom achieved. In order to protect the amenity of residents and users of the highway, a conditional limit of 60 visits (120 movements) per day is proposed. As the existing WTS permitted by permission 4/0/16514 allows 7 day working, vehicle movements would be restricted to 20 on Sundays in association with the WTS at the north of the site.
- 7.17 It is considered that the proposed development would not increase the volume of traffic to such an extent that there would be an adverse impact on highway safety. It is considered that the approach roads are of a satisfactory standard to accommodate the traffic generated by the current and proposed development. It is also proposed to require a condition for the provision and maintenance of parking, turning and loading areas, which will assist in reducing both dust and mud generation and consequent impact on the public highway.
- 7.18 As such, it is considered that the proposal accords with the provisions of Policies GEN1 and AC13 of the FUDP.

Public Rights of Way

- 7.19 Public Footpaths 76 and 52 cross the site, however, the proposed development would not affect these rights of way. The point where the rights of way join and cross the site would not involve waste processing or storage of waste materials or products. On-site vehicles would occasionally cross the rights of way but visibility is good on the site and the Council's Public Rights of Way Officer does not raise any objections to the proposed development.
- 7.20 Should planning permission be granted, an informative would be attached to the decision notice to ensure that the land owner was aware of the legal obligations in relation to protecting the paths and ensuring that they are free from interference or obstruction from the operation. As such, it is considered that the proposal accords with the provisions of Policy AC2 of the FUDP.

Contamination

- 7.21 As discussed previously in the report, the site area to the north of the former Mold Railway track has been used over the years for various heavy industrial uses dating back to the 1880s. Recent activities include the use of the land by a previous Local Authority as a municipal waste landfill in the late 1960, through to 1980.
- 7.22 The proposed WTS building would be sited outside the former industrial uses and on the location of the former Mold Railway track. Therefore, it is not anticipated that, during the construction of the proposed building, there would be any contaminated material excavated during the construction of the footings, and as such, little risk of disturbing previously contaminated land. As the building would not be sealed, or inhabited, the Contaminated Land Officer has not raised concerns with regards to potential harmful gas emissions associated with former landfilling of waste and therefore monitoring would not be required and would comply with Policy EWP11.
- 7.23 The proposal also involves the relocation of an existing screen bund which is located on the former tipped area. As there are no records providing details of the material used to construct the bund, as a precautionary measure, to ensure compliance with Policy EWP14 of the FUDP, should planning permission be granted, samples of the contents of the bund shall be take and tested, and the results submitted to the Local Planning Authority to ensure that this material is not contaminated or harmful to health or the environment.
- 7.24 Prior to the relocation of the bund, a written method statement, detailing the methodology of moving the bund materials, shall be submitted to the LPA for approval. This would ensure that any contaminated land would not be disturbed to ensure compliance with the provisions of Policy EWP11.

Landscape and Visual Impact

- 7.25 At present, there are no provisions on site with regards to controlling stockpile heights. The application provides the Planning Authority an opportunity to regularise development on site, and ensure appropriate conditions are attached to the use of this land. Should planning permission be granted, a condition would be imposed to ensure that heights of stockpiles of waste and product are restricted to the height of the proposed screening bund (97m AOD) to reduce any visual impact of the existing operations and the proposed WTS building.
- 7.26 The lowest point within the site area has been selected for the location of the proposed WTS building at approximately 90m AOD. The WTS building would be constructed to a height of 9 metres. Existing screening of the site for properties located to the south of the site area is provided by the restored area permitted by planning permission 043990. Furthermore, the building would be screened effectively from

the north and from the east by the relocation of the screen bund on the eastern boundary of the site and a proposed woodland planting scheme which would provide additional screening over and above the, proposed screen bund height of 97m AOD. The planting should be carried out in the next available planting season following the construction of the bund to ensure that the landscaping is carried out in a timely manner.

- 7.27 The proposal bund construction would result in the loss of approximately 150m of mixed hedgerow which includes Hawthorn, Blackthorn, Holly, Sycamore, Bird Cherry and Crack Willow. The majority of this hedgerow has been the result of natural regeneration and is not ancient in origin. However, the existing hedgerow on the eastern boundary of the site is a key landscape feature and would require the submission of an arboricultural method statement including root protection areas to be agreed, implemented and maintained throughout the construction of the bund.
- 7.28 The eastern screening bund itself has been designed to provide a naturalistic landform so that it would minimise any impacts on the landscape and a restoration, planting and aftercare scheme has been submitted which ensures compliance with Policy L1 of the FUDP. The relocation of the existing eastern screening bund would also effectively create a larger site working area which would assist with the management and organisation of the site. More space would be created on site which would assist with keeping stockpile heights at an acceptable level.
- 7.29 The application is accompanied with a restoration and aftercare scheme for eastern screen bund. However, the scheme has been compiled as a 'Master Plan' for the site and includes the area of restoration pursuant to planning permission 043990 which is not within the planning boundary for this application under consideration. Should planning permission be granted, a condition would be included to require the resubmission of this scheme which excludes the area to the south pursuant to planning permission 043990 and subsequent approval of a revised restoration and planting scheme.
- 7.30 Stockpile heights would be conditioned to be a height of 97m AOD to ensure that it would be no higher than the proposed eastern bund and planting would provide enhanced screening. Properties located on Railway Terrace currently have direct views into the site. However, these properties would not have direct views where the WTS is proposed. As such, these properties would not be adversely affected with regards to visual impact from the new development. It is considered that these proposed measures would ensure that the site is effectively screened. The proposed new WTS building and screen bund would not give rise to an unacceptable adverse landscape and visual impact and would comply with Policies GEN1, L1 and EWP8 of the FUDP with regards to the visual impact of the proposal.

Environmental Permitting and Pollution Control

- 7.31 Existing waste operations on site operate under valid Environmental Permits which cover the activities proposed within this planning application to include non-hazardous and inert household, commercial and industrial waste transfer and treatment. Both Standard Rules Permits allows up to a combined amount of 80,000 tonnes of permitted waste material per annum to be processed in accordance with the conditions set out in the permits.
- 7.32 Concerns have been raised by local residents that their amenity would be affected adversely and that the proposal would represent an intensification of use of the site. The conditions within the Environmental Permit would ensure that the proposed operations would not cause any adverse emissions to land, air or water, which includes ensuring that operations are managed in a way which does not give rise to unacceptable levels of odour, noise, vibration and dust which could cause pollution.
- 7.33 The nearest residential property is Railway Terrace, located approximately 150m aware from the proposed WTS building. However, any new waste transfer operations would take place within the confines of the proposed WTS building which would minimise any adverse effects of noise from machinery or dust. Furthermore, an existing stockpile on site is located directly in between Railway Terrace and the proposed location of the WTS building. This stockpile is vegetated and provides visual and acoustic screening. This stockpile would be maintained at a minimum of 3 metres due to operational requirements of the machinery used to process materials which would provide additional visual and acoustic screening.
- 7.34 At present, the proposal does not include details of a screen and baler. However, the noise assessments have been based on typical plant and machinery that would be used in the same type of operation which are considered to be acceptable. Should planning permission be granted, a condition would be imposed to ensure that specification details of any additional plant and/or machinery would be submitted to the Local Planning Authority for consideration and written approval provided to ensure that the machinery would not give rise to unacceptable noise emissions.
- 7.35 With regards to dust, the applicant has provided a particulate matter management plan within the planning application documentation. This provides detail of control strategies which would ensure that dust is controlled on site. Pollution prevention and control is regulated by the Environment Agency Wales and they are satisfied that the applicant can operate without causing pollution and by virtue of the Environmental Permit which is in place it is considered that the proposal accords with the provisions of Policies EWP8, EWP12, and GEN1 of the FUDP.

Hydrology – Protection of adjacent water courses

- 7.36 Concerns have been raised by a local resident in relation to the risk of increased run-off and pollution of adjacent water courses and the potential impact on the adjacent fishery from pollution and leachate from the proposed activities, thus increasing risk of harming the fish.
- 7.37 Part of the proposed site boundary lies alongside the Black Brook to the East. The proposal would maintain a 10 metre buffer strip between the site and the watercourse. This buffer strip should prevent any surface water runoff from the site entering the watercourse.
- 7.38 In addition to this, condition 3.1.1 of the existing Environmental Permits states that any emissions of substances not controlled by emission limits shall not cause pollution. Should any such pollution happen then the site would be required to take action to stop the source of pollution and take measures to prevent it.
- 7.39 The WTS building would be constructed on an impermeable floor with sealed drainage provided. Details of the buildings drainage have not been submitted with the planning application. Should planning permission be granted, a condition would be imposed to ensure that the details of the drainage system and interceptor would be submitted for written approval prior to the construction of the building. Furthermore, Dwr Cymru Welsh Water do not object to the application but have requested that, should planning permission be granted a number of conditions be included relating to foul and surface water discharges, surface water connections and land drainage run-off. They have also requested an advisory note be included with regards to water supply and mandatory building standards.
- 7.40 It is considered with a dual regulatory role from the Local Planning Authority and the Environment Agency Wales, and the submission of drainage details, and other conditions that the proposal should not give rise to pollution of adjacent watercourses. The proposal accords with the provisions of Policies EWP8, EWP12, EWP16 and GEN1.

Impact of operations in the Open Countryside

- 7.41 Local residents have objected to this development due to its rural location and its impact on the Open Countryside, and have stated that this type of waste development should be located on an industrial estate due to the industrial nature of the proposal. Policy STR1 of the adopted FUPD states that new development will be generally located in areas that include brownfield sites. The site is a brownfield site and has, been used for heavy industry since the 1880's.
- 7.42 Policy GEN3 of the adopted FUDP states in relation to development in the Open Countryside that new development will in general not be permitted. As stated previously, this site has been used for waste

management operations since the late 1980s with the permitted operations under planning permission 4/0/16514 so the principle of the development in the Open Countryside has been approved.

- 7.43 The additional development proposed would be considered an extension of the existing use but it would not present an intensification of use of the site. As stated above, the new building and recycling operations would be screened by the existing bund to the south and the proposed relocation of the screen bund to the east thus it would not present an adverse impact on the openness of the surrounding landscape. Furthermore, the existing Environmental Permit would ensure that there would be no emissions to land, air or water.
- 7.44 Evidence suggests that that the site has been used for heavy industry since the 1880s and site is an existing brownfield site which is considered appropriate for this proposed use. As such it is considered that the proposal does not conflict with the provisions of Policies STR1 or GEN3 of the FUDP.

Nature Conservation

- 7.45 The area where the WTS building is proposed to be constructed is subject to regular disturbance by onsite vehicles and would be as part of operations on the site. It is considered therefore that it is very unlikely that there would be any impact upon any great crested newt habitat. However, as a precautionary measure it is considered necessary to ensure reasonable avoidance measures are undertaken and a condition included to ensure that prior to the construction of the WTS building, a scheme of reasonable avoidance measures and mitigation is submitted to ensure that protected species are protected.

Sustainable Buildings

- 7.46 The development site area would exceed the minimum threshold within Planning Policy Wales for achieving the minimum BREEAM standard for sustainable buildings as the site area is 3.03 hectares. However, as stated in TAN 22: Planning for Sustainable Buildings, it is accepted that there are exceptions to the policy requirement. It is considered that the proposed development would inherently have a very low energy and heat demand such as the example provided in TAN 22 which comprises a barn. The main WTS building is below the threshold set out in PPW (450m²), and the site area has been designed generously to incorporate storage areas for inert waste and product. Due to the nature of the operations, the doors of the WTS building would not be closed at all times, it would not be occupied constantly and would not be required to be heated and as such, it is considered that the proposed WTS building would not be required to achieve the minimum BREEAM standards. As such, it would be considered unreasonable to impose the minimum BREEAM standards.

Environmental Impact Assessment

- 7.47 The development is for the continuation of existing operations and provision of a new WTS building. The site is not located within any sensitive designations and the nature and scale of the development, and likely impacts are unlikely to be more than local significance. It is concluded that the proposal is not Environmental Impact Assessment development.

8.00 CONCLUSION

- 8.01 The proposed development would effectively consolidate existing waste management operations on site and assist with monitoring the site operations and facilitate a greater level of control than exists at present. The proposal would contribute to national and regional waste targets by diverting waste from landfill and is supported by national and regional minerals policy for increasing recycled aggregate products. The proposal would contribute towards diverting waste from landfill by creating an alternative product thus reducing pressures on primary aggregate. The site is an existing Brownfield site with an existing industrial use and the proposed change of use would not alter or affect the nature of the site
- 8.02 The existing Environmental Permits on site which are issued and regulated by the Environment Agency Wales would control matters relating to dust, litter, noise, odour and pests. Conditions would be imposed to ensure vehicles numbers, hours of operation, stockpile heights, types of wastes handled are controlled effectively and would ensure that the proposal would accord with the provisions of the policies within the adopted FUDP as detailed above.
- 8.03 The development is considered acceptable in principle subject to the applicant entering into a section 106 agreement to effectively revoke the existing planning permission for waste management on site and conditions as detailed above. As such, it is considered that there are no material planning reasons for this application to be refused and planning permission should be granted.
- 8.04 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: Hannah Parish
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