

FLINTSHIRE COUNTY COUNCIL

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

DATE: **24/02/2016**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **ERECTION OF WASTE TRANSFER BUILDING, WEIGHBRIDGE, WEIGHBRIDGE OFFICE, ACCESS ROAD AND ANCILLARY DEVELOPMENT AT PARRY'S QUARRY, PINFOLD LANE, ALLTAMI**

APPLICATION NUMBER: **054201**

APPLICANT: **MOLD INVESTMENTS LTD**

SITE: **PARRY'S QUARRY, PINFOLD LANE, ALLTAMI**

APPLICATION VALID DATE: **25/08/2015**

LOCAL MEMBERS: **COUNCILLOR ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY**

REASON FOR COMMITTEE: **THE SCALE OF THE PROPOSALS EXCEED THAT FOR WHICH POWER TO DETERMINE IS DELEGATED TO THE CHIEF OFFICER (PLANNING AND ENVIRONMENT) AND MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This a full application for the erection of a waste transfer building, weighbridge, weighbridge office, access road and ancillary infrastructure. The application site forms part of a wider site which secured planning permission on appeal for a solid waste landfill. This application is partly retrospective since the internal haul roads and the weighbridges and weighbridge office have now been erected.
- 1.02 The proposal is intended to improve operational efficiency within the site and would reduce impacts on amenity by (i) Removing the need

for delivery vehicles to access the tipping area, thereby reducing the risk that mud and debris would be transported onto the highway; (ii) Allowing wastes to be tipped and bulked within the building, reducing the number of times that vehicles tip and therefore reducing the risk of wind-blown litter and dusts being released. The waste transfer building would have a visual impact within the locality, but is not considered out of keeping with other uses in the area nor is it considered likely to be overbearing for nearby sensitive receptors.

- 1.03 There are two other applications which have been submitted alongside this application, and which have a bearing on the acceptability of this application. All three applications are therefore being reported to Planning Committee at the same time.

054050: Proposed new vehicular access to Parry's Quarry

054135: Application for variation of conditions number 2, 14 and 18 following grant of planning permission 042468.

- 1.04 Applications 054050 and 054135 both seek to enable the use of an alternative access point to that approved under planning permission 042468. The application under consideration has been designed and submitted on the basis that the new access is approved. In the event that the new access is not approved, the application would need to be amended to revise the location of certain elements of the proposal, so as to provide an appropriate area for handling incoming deliveries, in the interest of highway safety. It is considered that this is not a matter which can be dealt with under condition and in the event that applications 054050 and 054135 are deferred or refused it is recommended that this application is deferred.

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

2.01 Conditions:

- 1) Stating that commencement shall be from the date of the permission.
- 2) The inclusion of a time limit, linked to the end date of the landfill.
- 3) Development shall be carried out in accordance with the approved plans and documents.
- 4) Confirmation that the conditions attached to this permission shall in no way invalidate conditions attached to the landfill permission.
- 5) Restriction of the use of the transfer building for the storage and management of waste prior to deposition in the landfill.
- 6) Restriction of vehicular access and egress via the access approved under planning permission 054050
- 7) Scheme detailing highway improvement works on Pinfold Lane.
- 8) Secure highway improvements prior to the receipt of waste.

- 9) Scheme for the turning of vehicles.
- 10) Scheme for the prevention of run-off of surface water onto the highway.
- 11) Condition to secure implementation of the surface water scheme.
- 12) Condition preventing drainage from the site connecting to the highway.
- 13) Scheme for the provision of wheel wash facilities.
- 14) Requiring the submission of a scheme to control noise.
- 15) Requiring the submission of a landscaping scheme.
- 16) Restricting the hours of operation, in line with the authorised hours of operation for the landfill.
- 17) The submission of a scheme to secure mitigation for protected species.
- 18) Restricting the colour of the waste transfer building to holly green.
- 19) The submission of scheme to secure details regarding external lighting.
- 20) The submission of a drainage scheme for the site.

3.00 CONSULTATIONS

- 3.01 Local Member: Request that the application be referred to Planning Committee and a site visit due to the changes to the current permission and impact on highway and environmental impact issues it may cause.
- 3.02 Neighbouring Ward Member Councillor Mackie: Question why such a tall building is required. Request a diagram showing the proposed building in relation to the bund and any other significant nearby structure. Since Councillor Mackie's comments were received the Applicant has revised the transfer building to reduce its overall height to 15m above ground level.
- 3.03 Buckley Town Council: This is the fourth application in relation to the site and this is moving significantly away from the original approval granted by the Welsh Assembly Inspector. The original approved application did not have a waste transfer building and also had a smaller weighbridge. The Waste Transfer Building will have an adverse visual impact on the surrounding area. The highway issue has already been highlighted by the Town Council, particularly in respect of the fact that Flintshire County Council has high traffic movements from their Depot in the immediate locality. The Town Council therefore recommends refusal of this application.
- 3.04 Head of Assets and Transportation: Advise that this application is dependent upon the outcome of planning applications 054050 and 054135 which are still under consideration by the Local Planning Authority. If planning consent for a revised vehicular access is granted, would support the provision of a lengthy access road and

waste transfer building. These elements of the current application would provide adequate waiting area for loaded vehicles arriving on site and queing to tip and the transfer facility would remove the need for road going vehicles to access the tip area and hence reduce the risk of mud being brought onto the highway. If applications 054050 and 054135 are refused recommend that the current application should be refused or amended in such a way as to provide an appropriate area for handling incoming deliveries.

- 3.05 Head of Public Protection: No objection subject to the inclusion of a condition to address noise.
- 3.06 Ecology: No objection subject to the inclusion of condition to secure the Reasonable Avoidance Measures and mitigation for protected species, specifically great crested newts.
- 3.07 Landscape/Trees: No objection subject to the inclusion of condition to secure additional landscaping.
- 3.08 Welsh Water/Dwr Cymru: Request the inclusion of conditions to secure a drainage scheme for the site.
- 3.09 Natural Resources Wales: No objection subject to the inclusion of conditions to secure Reasonable Avoidance Measures and mitigation for amphibians.
- 3.10 Airbus: No comment received at time of writing report
- 3.11 Clwyd-Powys Archaeological Trust: There are no archaeological implications for the proposed development at this site.
- 3.12 Welsh Government Transport Division: Initially issued a direction that permission be withheld pending the submission of suitable information/evidence, which concludes that no further improvements to the A494/Pinfold Lane Junction are necessary. Following the submission of additional information, removed the direction and now direct that any planning permission shall include a number of conditions to secure adequate provision for vehicles to turn, wheel washing facilities, full details of the highway improvement works, and measures to prevent drainage from flowing onto the trunk road.
- 3.13 Coal Authority: The part of the site where new development is proposed actually falls outside the defined Development High Risk Area. Therefore do not consider that a Coal Mining Risk Assessment is necessary for this proposal and do not object to this planning application. Nevertheless, recommend the inclusion of an informative note within the decision notice.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

5.00 SITE HISTORY

5.01 038425: Waste transfer station including weighbridge, highway protection, lorry parking and raising of levels to create a hardstanding. Approved by Planning Committee, date of decision 21/04/2005

042468: Construction and operation of a solid waste landfill with associated infrastructure and enhanced site access. Granted on appeal, reference APP/A6835/A/08/2068136.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
GEN 1: General requirements for development
GEN 3: Development outside development boundaries
D3: Landscaping
D4: Outdoor lighting
WB1: Species protection
WB2: Sites of International Importance
WB3: Statutory Sites of National Importance
AC13: Access and Traffic Impact
EM5: Expansion of existing concerns
EM7: Bad Neighbour Industry
EWP6: Areas of Search for Waste Management
EWP7: Managing Waste Sustainably
EWP8: Control of Waste Development
EWP11: Development on or adjacent to landfill sites
EWP16: Water Resources

Planning Policy Wales Edition 8, July 2016
Technical Advice Note 5: Nature Conservation and Planning, 2009
Technical Advice Note 18: Transport, 2007
Technical Advice Note 21: Waste, 2014

7.00 PLANNING APPRAISAL

7.01 This is a full application for a split level waste transfer building, removal of the existing weighbridge and office and provision of a new twin weighbridge with new office, internal access road, external hardstanding / vehicle turning area and retaining walls.

7.02 The site is located within Parry's Quarry, a site which has been used historically for quarrying and which more recently has secured planning permission for landfill on appeal. The proposal is intended to improve the operational efficiency of the landfill site.

7.03 The waste transfer building would measure 60m x 40m and extend up to 15m in height above ground level. A ramp access would lead to a

lower loading area which would extend 6m below ground level. The building would be constructed using a steel frame with holly green vertical steel profile cladding. The transfer building would be used for the bulking of waste prior to landfilling, no processing, sorting or treatment of waste would take place. Loads would be transferred directly to the landfill site where it would be disposed of.

- 7.04 No external lighting is proposed.
- 7.05 The existing weighbridge would be removed and a new twin weighbridge provided on the proposed access road. A weighbridge office, measuring 2.4m x 6m and extend up to 4m in height. The office would be constructed using the same materials as the transfer building.
- 7.06 Hours of operation of the overall site would not change as a result of this application.
- 7.07 The new road would be constructed of concrete.

7.08 **Principle**

The principle of a waste management use in this location is well established through the grant of previous planning permissions. The most significant of which is for the construction and operation of a solid waste landfill which was granted on appeal, reference number 042468, appeal reference APP/A6835/A/08/2068136. This proposal would not significantly change the landfill planning permission but is intended to provide additional infrastructure to improve the operational efficiency of the landfill site.

- 7.09 The landfill permission includes conditions which would secure complete restoration of the site following the cessation of landfilling for the purposes of nature conservation and public open space. In order that the proposed development does not compromise the overall restoration of the site it is recommended that a condition is included which links the proposed development to the landfill permission and which requires restoration of the site following the cessation of landfilling. Subject to the inclusion of the condition identified above, the principle of the development in this location is considered acceptable.

7.10 **Highways**

Although this proposal should be considered on its own merits, there are two other planning applications which are of relevance to the consideration of this planning application with respect to highways and which are being reported to Planning Committee at the same time. The site would be accessed via Pinfold Lane which itself is accessed from the trunk road, therefore Welsh Government has been consulted and provided comment in respect of the application.

- 7.11 The proposal includes the construction of an internal road which would link up with a new access to the north of the existing access. The new access is the subject of a separate planning application, reference 054050. The acceptability of the proposed haul road and weighbridge and weighbridge office location is dependent upon securing the new access.
- 7.12 Planning application 054135 has also been submitted to vary conditions to allow the new access to be used for HGVs whilst retaining the existing access for cars and light vans, and to remove the need for improvements to be made to the junction with the A494. Alternative improvement works to Pinfold Lane are proposed which would comprise the widening of the carriageway and a realignment of the centre line to provide minimum carriageway widths south and north of 3.7m and 3.75m respectively.
- 7.13 The application states that the proposal would not result in a change to the overall tonnage of material which would be managed at the landfill site. However, the proposal is intended to i) Improve the efficiency of future waste operations at the site; ii) Avoid waste delivery vehicles having to drive to the tipping area; iii) Improve turnaround times for delivery vehicles; and iv) To mitigate potential impacts in terms of dust, noise and odour. The proposal therefore has the potential to increase the turnaround time of vehicles which in turn may increase the total number of vehicles visiting the site and may have an influencing factor in relation to planning application 054135.
- 7.14 Welsh Government has not objected to the proposal subject to the inclusion of conditions to secure improvement works to Pinfold Lane, the provision of wheel wash facilities, adequate provision for vehicles to turn around and prevention of drainage from the site being discharged to the trunk road.
- 7.15 The highways officer has not objected to the proposal as long as planning consent for the revised access is granted and subject to a condition that all vehicular access and egress shall be via the access constructed under application reference 054050.
- 7.16 Subject to the approval of applications 054050, 054135 and the conditions identified above the proposed development is considered acceptable in highway terms, in accordance with Technical Advice Note 18 and policy AC13 of the adopted Flintshire Unitary Development Plan.
- 7.17 **Landscape**
The proposal site forms part of a wider site which has planning permission for landfill. The weighbridges and weighbridge office are intended to replace a previous weighbridge and office which was located to the south of the proposed transfer building. The element that is considered to have the most significant visual impact is the

waste transfer building which would extend up to 15m in height and would be holly green in colour. No external lighting is proposed as part of the scheme other than for low level road marker lighting. The transfer station would be visible within the locality but is not considered out of keeping with adjacent land uses. There are no landscape designations within close proximity of the site and any sensitive receptors would view the transfer building within the context of the local area which already comprises a number of industrial style buildings.

7.18 There is a landscape scheme for the landfill permission which has been approved under reference 051472. The bund adjacent to the A494 has been re-profiled to accommodate new fencing and as a result is currently bare which itself is having a negative effect on the landscape. Under the existing scheme the bund would be seeded with an appropriate grass mixture, however, in order to provide additional mitigation for the waste transfer building it is recommended that additional tree planting is undertaken on and around the bund as well as grass, to further help assimilate the transfer building into the landscape.

7.18 The proposal includes internal concrete haul roads which run parallel with Pinfold Lane. The planting along the western side of the site provides an important visual screen which has been thinned, reducing the density of the screening. In order to rectify this and to ensure that the visual impact of the proposed development is minimised it is recommended that a condition is included to secure additional landscaping along the western boundary of the site, as well as on and around the bund to the south of the site.

7.19 The forestry officer did not object to the proposal subject to the inclusion of a condition to secure additional landscaping. Subject to the inclusion of a condition to secure additional landscaping, restrict the colour of the building to holly green and to control lighting, the proposal is considered acceptable in landscape terms, in line with policy GEN 1 of the adopted Flintshire Unitary Development Plan.

7.20 **Ecology**

The Buckley Claypits and Commons Site of Special Scientific Interest (SSSI) and Deeside and Buckley Newt Sites Special Area of Conservation (SAC) is located in close proximity to the site. A scheme to secure mitigation for the landfill works was secured under reference 051710 and the site as a whole requires a licence under Regulation 53 of the Habitats Regulations. Both NRW and the County Ecologist have recommended that a condition is included to secure Reasonable Avoidance Measures and mitigation for protected species. Subject to the inclusion of a condition to secure the matters referred to above, the proposal is considered acceptable with respect to protected species, in line with policies GEN 1, WB1, WB2 and WB3 of the adopted Flintshire Unitary Development Plan.

7.21 **Amenity**

There are a number of residential properties within 100m of the proposal site, the closest of which are Parry's Cottages which are located adjacent to the south eastern corner of the site. The proposal is intended to improve operational efficiency of the site and is considered to offer opportunities to actually reduce the impact of the landfill on nearby sensitive receptors through a reduction in wind blown litter, dust, reduction of vehicle movements within the site and tracking of mud onto the highway. The transfer station would also enable waste to be accepted on site during adverse weather conditions when deposition in the landfill may not be desirable or possible.

7.22 The waste transfer station would be located at sufficient distance so as not to have an overbearing impact on nearby residential properties and additional landscaping as well as the use of colour would help the transfer building assimilate into the landscape. The hours of operation of the transfer station would be in line with the hours of operation approved under the landfill permission and the level of activity at the site would not change as a result of the proposal.

7.23 The relocation of the internal haul roads, weighbridges and weighbridge office and use of an alternative access 250m to the north of the existing access requires consideration in terms of any changes to impacts on amenity from the relocation of these activities. Some concern has been raised on this in response to consultation on the applications for the new access and the Section 73 application. The new access is located to the north of the existing access, away from the nearest sensitive receptors. The relocation of the access would not cause vehicles to pass any additional sensitive receptors along Pinfold Lane and whilst the access would be nearer to the Box and Ewloe Wood House, the distance is sufficient that any increase in activity would be unlikely to be discernible from either property.

7.24 The Environmental Health Officer has not objected to the proposal subject to the inclusion of a condition to control noise. The landfill permission has a noise condition, Condition 11, which provides noise limits at nearby noise sensitive properties. Condition 11 applies to noise sensitive properties outside of the site and it is therefore considered unnecessary to duplicate this condition in any permission issued in respect of the transfer station. A noise scheme has been approved under condition 10 attached to the landfill permission and does not include consideration of the transfer building and its operations. It is therefore recommended that a condition is included to secure a scheme for the control of noise.

7.25 **Drainage**

It is proposed to utilise the existing quarry surface water management system for discharge into the Alltami Brook, to the north of the building

and that internal wash down water would be collected in sealed containers and pumped into the main sewer.

7.26 There is an approved surface and ground water management scheme which would be implemented prior to the tipping of waste on site. The transfer building and internal haul roads would increase the impermeable area within the site and increase the volumes of surface water which would require management. Welsh Water has advised that further information is necessary regarding drainage to prevent hydraulic overloading of the public sewerage system and to prevent pollution of the environment. Subject to the inclusion of a condition to secure further details regarding drainage the proposal is considered acceptable with respect to drainage, in accordance with policies GEN1 and EWP16 of the adopted Flintshire Unitary Development Plan.

7.27 **Environmental Impact Assessment**

The landfill planning permission, reference 042468, was subject Environmental Impact Assessment as it fell within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 as amended. The proposed development comprises a change to the development and has been considered against category 13(a) of Schedule 2: Changes or extensions to development within Schedule 2.

7.28 The proposed development would not increase the throughput of waste at the site and is intended to enable improved handling of material already consented by planning permission 042468 prior to final disposal in the landfill site. The proposed development could actually reduce the impact of the landfill by allowing wastes to be tipped within an enclosed area, reducing the risk of dust and wind blown litter and removing the need for vehicles delivering waste to the site to access disposal areas.

8.00 CONCLUSION

8.01 The use of the site for waste management is well established through the grant of planning permission 042468. The proposal would not change the use of the site and is intended to improve the operational efficiency of the site, as well as reduce the impact of the operations on local amenity through a reduction in wind-blown litter, dust, a reduction of vehicle movements within the site and the reduction of tracking of mud and debris onto the highway by removing the need for highway going vehicles to access the tipping face.

8.02 The transfer building would have a visual impact in the locality, however, the impact is considered to be relatively limited and could be mitigated through the use of appropriate colour and landscaping. The building would be viewed against the backdrop of existing industrial buildings within the area and is not considered out of keeping.

Furthermore, the use of the proposal would be time limited, in line with the landfill permission with a restoration condition to ensure that the site is restored in line with the overall site. Subject to the inclusion of conditions to address the matters raised in the report above, and subject to the approval of applications 054050 and 054135, the proposal is considered acceptable, in line with the policies of the adopted Flintshire Unitary Development Plan.

- 8.03 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, and has had due regard to its public sector equality duty under the Equality Act 2010.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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