

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20th June 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **CONSTRUCTION OF AN EDUCATION CENTRE, WITH CONTINUATION OF ACTIVITIES AT ADJOINING MATERIALS RECYCLING FACILITY. IMPROVEMENTS TO EXISTING OFFICE/STAFF FACILITIES BUILDING AND RETENTION OF CAR PARK COMPOUND AT SPENCER INDUSTRIAL ESTATE, BUCKLEY**

APPLICATION NUMBER: **049740**

APPLICANT: **Flintshire County Council**

SITE: **Materials Recycling Unit, Spencer Industrial Estate, Buckley, CH7 3LY**

APPLICATION VALID DATE: **09/05/2012**

LOCAL MEMBERS: **Cllr D. Hutchinson, Cllr M. Peers**

TOWN/COMMUNITY COUNCIL: **Buckley Town Council**

REASON FOR COMMITTEE: **Previous application was referred to committee**

SITE VISIT: **Not required**

1.00 SUMMARY

1.01 This full planning application seeks to retain the primary use of the site as a materials recycling facility (MRF) whilst providing a new education centre, refurbished staff offices and facilities and to regularise the use of the existing car park compound. The site, located on the Spencer Industrial Estate, Buckley is owned and operated by Flintshire County Council and processes recyclates that arise from the kerb side collection service offered by the Authority.

There are no structural changes proposed to the MRF, but to the east of this building a two storey education centre is proposed. To facilitate

this development the existing scrubland will be cleared to allow construction of the building and so that a new access can be provided along with coach and car parking areas with sufficient space for manoeuvre. The existing offices opposite the entrance to the MRF will be refurbished to provide improved office and welfare facilities. The staff/visitor car park alongside the offices has already been constructed and this application seeks to regularise its current use.

One of the primary purposes of this application is to provide a single suite of planning conditions for the site, thus allowing the authority the ability to control and regulate activities that occur, and which would be enforceable by the authority in order to protect amenity.

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

- 2.01
1. Commencement
 2. In accordance with submitted details
 3. Waste types and definition of permitted uses
 4. Hours of working
 5. Condition to ensure site investigations are undertaken to ascertain extent and nature of contamination.
 6. Condition to ensure a Coal Mining Risk Assessment is undertaken and any remediation measures that are required are taken.
 7. Conditions to be applied in relation to drainage
 8. Condition to be applied in respect of development near water mains
 9. Porta Cabins to be removed upon occupation of improved welfare facilities
 10. Clearance to the site from waste and scrap upon cessation of use
 11. Implementation of Ecological Method Statement
 12. Lighting
 13. Maintenance of hard-standing, access splay, palisade fencing and security gates.
 14. Landscaping
 15. Copy of permission and schemes approved to be kept on site.
 16. No mud, debris or litter to be carried off site.
 17. All goods vehicles entering and leaving the site are to be sheeted.
 18. Restriction on noise levels arising from development.
 19. All plant and machinery on site shall be maintained and silenced.
 20. Should vibration from the sites plant and equipment be deemed to cause a loss of amenity off site a scheme to control it will be required.
 21. No crushing on construction and demolition waste to be carried out on site.
 22. No operations for the screening of construction and demolition waste shall be permitted on site.
 23. Condition to control dust generation on site.
 24. No sufficiently odiferous waste to be imported to the site.
 25. Inspection manholes to be provided on site for foul and surface

water drainage systems.

26. Any facilities for the storage of oils, fuels or chemicals on site shall be bunded.

3.00 CONSULTATIONS

3.01 Local Members

Cllr. D. Hutchinson – no response at time of writing

Cllr. M. Peers – Welcomes the education facility, but raised the issue of parking on Globe Way where the access is to be created.

Buckley Town Council – Queries raised and clarified by officer

Chief Highways and Transportation Engineer – No objection

Chief Environment and Resources Officer – Advise condition to undertaken contaminated land survey and complete remediation works if required.

Valuation & Estates – Support the application

Ecology – No objection, advise scheme of reasonable avoidance measures and mitigation be submitted and agreed with the LPA prior to commencement of works to safeguard the newt population.

Coal Authority – Advise that a Coal Mining Risk Assessment be undertaken prior to any works and that any required remediation be undertaken.

CPAT – No archaeological implications for this development.

CCW – Raise no objections provided a condition is included on any permission to ensure the implementation of the Ecological Method Statement prior to the commencement of works.

Welsh Water – Advise conditions in relation to drainage and development near water mains.

Environment Agency – No objection in principle, advise developer be made aware of Environmental Permits that apply to the site.

Airbus – No objection.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

No objections received through public consultation process.

5.00 SITE HISTORY

5.01 **044960** Retrospective application for a recycling and waste transfer centre – **Deferred 27/05/2009**

042255 Extended waste recycling operations and regularisation of existing waste management operations – **Approved 18/01/2008**

038619 Change of use for waste transfer, recycling and recovery and construction of waste transfer station building, hardstanding and portacabin offices – **Approved 02/06/2005**

037899 Erection of a waste transfer building and enclosed storage area – **Approved 29/07/2005**

032743 Provision of facility for recovery of recyclable materials (partly in retrospect) **Approved 29/07/05**

Before permission was granted for waste transfer and recycling the site was previously a scrap yard within Spencer Industrial Estate. Prior to that, the area was in historic industrial uses such as for brick clay brick works and coal mining.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development Criteria

STR3 Employment

STR10 Resources

GEN1 General Requirements for Development

GEN2 Development Within Settlement Boundaries

D5 Outdoor Lighting

WB1 Species Protection

WB2 Sites of International Importance

WB3 Statutory Sites of National Importance

AC13 Access and Traffic Impact

EM3 Development Zones and Principal Employment Areas

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

National and Regional Policy

Technical Advice Note 21: Waste

National Wales Waste Strategy: Wise About Waste

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 Site Location

The site is located within Spencers Industrial Estate, which is not directly within a residential area, but is located within the settlement boundary. The site is separated from residential development by some considerable distance, including other industrial units, disused land allocated for employment (Mount Pleasant Road), a civic amenity site, Etna Park and Buckley Town Football Club. There is a high quality local access road, Globe Way, leading from Liverpool Road and the local highway network, and access can be gained via Burntwood and Drury Lane, though the local access road is not of a particularly high standard. The majority of vehicles access the site via Liverpool Road and Globe Way.

Development Proposal

The total site area is 0.71 hectares and there are two distinct aspects which form this application, the provision of an education centre and the retention/regularisation of activities associated with the MRF.

The main physical change to the appearance of the site resulting from this proposal is the construction of the education centre which is to be located to the South West of the MRF building. It consists of two storeys and although in close proximity to the MRF its only physical link will be at first floor level by way of a viewing gallery allowing visitors to see recycling activities in practice through triple glazed fire resistant glass. The education centre will have a flat roof and is to be finished in insulated metal cladding panels in keeping with the existing cladding on the MRF building. Internally, at ground floor level the centre comprises a classroom/meeting room, toilets and a reception, above is an exhibition area, the viewing gallery and a small kitchen, a lift is proposed to provide access for all users.

To provide the education centre, the vegetation and scrub that currently occupies the site will be cleared so that a new access, car and coach parking/manoeuvring area can be created. The education centre will operate between the hours of 0900 and 2100 Monday to Friday, with up to 2 school visits per week during school hours, with community and other groups visiting in the evening.

The second aspect of the proposal is to retain the use of the site for the sorting, bulking-up, storage and onward transfer of sorted waste delivered to the site as a result of the Council's kerb side recycling service. The existing planning permission for the MRF building allows the emergency storage of household waste for up to three days and it should be noted that under this proposal no residual 'black-bag' or

'wheelie bin' waste will be brought onto the site.

The MRF currently comprises an industrial green coloured steel clad building with roller shutter doors located at the rear of the site, in front of which is a concrete surfaced storage area. The site has a soil bund adjacent to the highway and is secured by palisade fencing supplemented by 'reed' screening panels, whilst newt fencing also runs along the boundary. A wide entrance splay allows vehicular access and has locking security gates.

It is proposed to change the current five day working pattern to a six day pattern, resulting in a reduction in the number of vehicles needed to operate, this will be achieved by lengthening the working day and working on a Saturday. The MRF would operate between the hours of 0700 and 2000 Monday to Saturday with no working on Sundays or Bank Holidays. The proposed operating hours extended the working day from 1900 hours to 2000 hours, collection vehicles will return at 1700 hours as opposed to 1500 hours under the current permission. The range of waste streams to be processed on site will be restricted to: plastic bottles, glass bottles, metal cans and paper/cardboard.

In addition, opposite to the main entrance of the MRF a car park has been constructed on part of the former West Pennine Recycling Site. A compacted hardcore base has been laid down and a 2 metre high green powder coated palisade fence has been erected around the perimeter, lockable entrance gates provide security. The car park has provided an alternative area for the parking of the staff's private vehicles as opposed to along Standard Road.

The offices themselves will be subject to internal refurbishment to provide improved staff welfare facilities without altering the existing footprint. Upon completion, the portacabins providing staff facilities currently located on the adjacent MRF yard will be removed from site.

Ecology

A method statement has been prepared and submitted to accompany this application in order to protect the Great Crested Newt (GCN) which could potentially be found on site. The existing scrub land that is to be cleared to provide the education centre and associated access/parking is located between two areas included in the Deeside and Buckley Newt Sites Special Area of Conservation (SAC). However, the site already benefits from enclosure by amphibian exclusion fencing, and an agreed period of trapping to remove any GCN that may be present from the site before works commence is detailed under the mitigation section of the method statement.

After conducting a test of likely significant effects, it is considered that the application will not have a significant impact on the Deeside and Buckley Newt Sites SAC.

A new license will need to be obtained by the applicant due to the potential for a protected species (GCN) to be present on site. It is considered that this proposal meets the derogation tests by way of providing a recycling facility which contributes to the conservation of the environment, and that the development is not detrimental to the maintenance of the species. Furthermore the only physical alteration to the site is the erection of the education centre, which must be located next to the MRF in order to serve its purpose, and as such there is no viable alternative location for the centre.

Compensation for loss of habitat will be within the area of Standard Landfill Site with habitat enhancement and creation. Detailed description of all proposed mitigation within the planning application area, and compensation will be provided in the License Application to the Welsh Government.

The Countryside Council for Wales have requested that any approval be subject to a condition ensuring the implementation of the Ecological Method Statement.

Highways

It is proposed that the 11 collection vehicles will leave the MRF at 0700 hours and return at the end of the day from 1700 hours using the existing access off Standard Road at the Northern boundary of the site. Although all vehicles will leave at approximately the same time their collection routes will differ and they will be quickly dispersed throughout the highway network. Again due to the varied collection routes the vehicles will return on an independent basis rather than all at the same time. During the working day the vehicles will make two or three trips to the site, resulting in an approximately 88 collection vehicle movements per day assuming 3 trips are made to the MRF by each vehicle during the working day.

A small hooklift vehicle will enter the site up to 5 times a day with small skips collects from the County's householder recycling centres. A large hooklift vehicle will also operate up to 8 times a day in order to collect paper/cardboard and glass for final disposal. The baled recyclates will be disposed of via an articulated vehicle that will arrive on a Saturday. Due to the differing volumes of material one articulated vehicle is required weekly and two are required fortnightly.

The designated staff car park will provide adequate parking for all operatives working on site, prior to its construction there was no such provision and staff parked along Standard Road. The main movement of staff traffic will be at the start and end of each day. At present there is an average of 40 staff vehicles using the car parking but this is expected to decrease slightly due to the change in the working pattern. The majority of these vehicles arrive at or before 0700 hours and will leave after 1500 hours.

It is anticipated that there will be up to two visits to the education centre made by schools from across Flintshire each week, by various modes including coaches, cars and mini buses. The proposed access and parking layout for the education centre is acceptable and coaches will be able to enter and leave the site in a forward gear. There is adequate turning space to enable them to manoeuvre on site.

Although currently unadopted, the road that will service the education centre and the adjacent civic amenity site has been constructed to adoptable standard and should the vacant plots further to the South East be developed there is the possibility of its formal adoption as public highway.

Contamination

It has been identified that the application site has the potential to be contaminated due to former uses. Therefore it has been advised that investigative works be conducted prior to the commencement of construction works on site. Remediation measures would be undertaken should they be required. A condition would be placed upon any approval that the Council may see fit to grant to ensure this process takes place. However, it should be noted that the vast majority of the site benefits from being overlaid by an existing concrete slab which reduces the risk of the ingress of contaminants onto the working site. The Contamination Assessment submitted with the application concluded that the given the current use of the site there was no significant risk to human health from underlying contamination.

Visual Impact

There will be limited visual impact as a result of the application proposal, the education centre is the only physical structure that is not already present on site. Its size is subsidiary to the existing MRF it abuts and to that of many of the other units that occupy Spencers Industrial Estate. Its steel cladding finish and flat roof design are in keeping with the surrounding units.

8.00 CONCLUSION

The use of the site as a Materials Recycling Facility is already established in principle and this application seeks only to regularise the activities that will be performed on site as a result of the re-structure of the Street Scene service. The education centre would provide an educational asset for the County's schools which can also double as a meeting or conference room for the Street Scene service. The refurbished offices will provide improved welfare facilities for the operatives working at the MRF and will allow the existing porta cabins to be removed from site, thus improving the visual appearance of the wider site.

It should also be noted that the adjacent West Pennine Recycling centre and the landfill site have now closed. This has resulted in a vast reduction in the number of vehicles using Standard Road, and furthermore has reduced the potential for conflict between vehicles operating from either site. The staff car parking provision has resulted in a reduction in the number of private vehicles being parked along Standard Road, which improves highway safety and makes access to the MRF more convenient for all vehicles.

The proposal complies with national and local planning policy and it is for these reasons that the application is recommended for approval.

8.01

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.

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