

SCHEDULE

APPLICATION NUMBER	CB/11/00422/MW
LOCATION	Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH
PROPOSAL	Application for a change of use to a Waste Transfer and recycling station with the erection of a building and associated storage bays, weighbridge and wheelwash.
PARISH	Stanbridge
WARD	South West Bedfordshire
WARD COUNCILLORS	Cllr Ken Janes & Cllr Marion Mustoe
CASE OFFICER	Georgina Toye
DATE REGISTERED	16 February 2011
EXPIRY DATE	18 May 2011
APPLICANT	JGE Commercials Ltd
AGENT	Wilbraham Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor Call-in by Councillor Mustoe
RECOMMENDED DECISION	Waste Application - Refused

Site Location:

The application site is within a small industrial area which comprises three other industrial yards. One of these yards shares the access with the application area and there are two other accesses that serve the other two industrial yards. The industrial area as a whole measures approximately 300 metres in length and approximately 80 metres wide. The application site itself measures approximately 100 metres at the widest part and approximately 80 metres at the smallest and approximately 80 metres in width.

The site and surrounding yards are within the Green Belt land with Mead Open Farm located across the road and approximately 130 metres to the north east. There is also a gypsy site located approximately 10 metres opposite the application area with the nearest residential property located approximately 100 metres to the west of the site. There are no rights of ways within 500 metres of the application area and the village of Billington is approximately 800m to the west. Adjacent to the site to the south is agricultural fields.

The road that feeds the industrial area and other sensitive receptors is Billington Road which feeds off the A505 being approximately 600 metres to the east of the application area.

The Application:

The proposed application is for a change of use from a HGV and skip repair operation to a Waste Transfer Station with a throughput of up to 70,000 tonnes of waste per annum which would take the following range of wastes:

- Construction and Demolition Waste
- Inert Waste
- Excavated Soils
- General Skip Waste
- Dry Waste such as paper, plastic and card
- Ferrous and non-ferrous metals.
- Green Waste, including garden waste.

The vehicle movements associated with the proposals is 150 (two way) HGV movements.

The proposal also includes the erection of a building to house the waste treatment processing; the building will be 40 metres by 25 metres and 12 metres to the eaves. The applicant states that the screener, picking station, shredder and baler would be housed within the building and that they will be powered by electricity to minimize noise. The building will include a lockable storage area for non authorised waste accidentally brought on to site in order that this waste can be quarantined.

Covered storage bays will be provided at the southern boundary of the site adjacent to the agricultural fields to store different waste materials prior removal from the site and would include wood and inert waste. A weighbridge and wheel wash will be installed on site near the main entrance. All vehicles will be required to use the wheel wash to mitigate debris being deposited on the main highway.

The applicant proposes an area for car parking for staff and visitors; this will provide 16 spaces and be located to the north end of the site. There will also be a further 14 parking spaces allocated for skip lorries which will remain on site overnight.

The operation will involve waste being brought onto site in skips and waste vehicles and weighed as they enter. The waste will then be deposited in front of the proposed building where it will be loaded into the waste recycling plant by front loaders. The waste will then be separated into different waste streams and then placed on to a conveyor belt where it will go through the picking station. Any waste that is remaining from the process would be shredded in order to minimise lorry movements that would be required to remove the waste which is not recyclable.

The retained waste would be screened in sizes; re picked and then put through a blower to remove lighter plastics. The waste will then pass through an over head magnet to remove metals. Any remaining waste will be placed in waste bins and sent to landfill. Inert waste will not be crushed on site. The remainder of the sorted and processed waste will be stored in bunkers located on the southern boundary of the site and removed going to local businesses further a field for further processing.

The applicant suggests that any municipal waste found in skips will placed in specified areas and removed on site within 24 hours. If removal cannot take place within 24 hours then the waste will be placed in covered containers and removed within 48 hours.

The applicant proposes that the site would operate between the hours of

07:00 hours to 18:00 hours Monday to Fridays

07:00 hours to 16:00 hours Saturdays

No operations will take place on Sundays and Bank Holidays.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPG 2 (Green Belt)

PPS 7 Sustainable Developments in Rural Areas

PPS 10 Planning for sustainable Waste Management.

Regional Spatial Strategy

Local Policies

Bedfordshire and Luton Minerals and Waste Local Plan adopted 2005

W1 Key Policies

W9 Waste Transfer Station

GE1 Matters to be addressed in Planning Applications

GE5 Protection of Green Belt Land.

GE9 Landscape Protection and Landscaping

GE18 Disturbance

GE23 Transport

South Bedfordshire Local Plan Review Policies

Policy NE3 Area of Great Landscape Value.

Representations:

Stanbridge Parish Council – has objected to the application as there are concerns that a high number of vehicles could lead to a hazard for the Mead Open Farm facility whose entrance is on the same road. They are also concerned that this could have an affect on the facility itself and that the access to the site via a country road is unsuitable. They further comment that the road from the site to the A505 is not suitable for the size of vehicles. The road west from the site passes a number of residential properties and the application is a serious overdevelopment of the site and the large building would not be acceptable in a Green Belt area

Billington Parish Council – object to the application as they are concerned about the impact of increasing numbers of HGV's along Stanbridge Road as neither access to the A505 or the A4146 is suitable. They are further concerned that there will be impacts from pollution and traffic for the Mead Open Farm facility and that the proposed development will be in the Green Belt.

Consultations/Publicity responses:

Environment Agency – does not object to the application but state that waste storage or processing must not take place on site until an Environmental Permit has been granted. All oil tanks or containers over 200 litres in capacity should be kept in accordance with the Control of Pollution (oil Storage) (England) Regulations 2001.

The agency also states that the wheel wash water should drain to a sealed tank for subsequent off site disposal or to the foul sewer with Anglian Water's consent.

Environmental Health Officer – does not object to the application; however the EHO is concerned about noise and dust impacts on near by residents and has asked that a condition for a noise monitoring scheme and a condition for a dust scheme if permission is granted.

Cllr K Janes – No comments have been received

Cllr M Mustoe – has called in the application to committee for the following reason,

- Over development of land in the Green Belt
- Excessive number of HGV's travelling along a minor country road.
- Very close to Mead Open Farm and Children's play area
- There is a large number of children living opposite the site.
- Pollution and Noise
- Change of Use.

Central Bedfordshire Highways – do not object to the application, but comment that this site has unrestricted vehicle movements and this proposal would be an opportunity to restrict vehicles leaving the site.

Publicity - The planning application was publicised in accordance with Article 8 of the Town and Country Planning (General Development Procedures) Order 1995, comprising an advertisement in a local newspaper and the display of 1 site notice and 23 Neighbourhood notifications. From this 1 response was received concerned with the impact that the site will have on Mead Open Farm facility as this facility attracts 170,000 visitors per year. There is a concern that this will have a visual impact on visitors as the building is high and that during the winter the road is not gritted and that splays and visibility is not adequate for this number of vehicles. The site may cause pollution with odours dust and noise as visitors often eat within Mead Open Farm and that the Green belt needs to be protected.

Determining Issues

Impact of the development on the surrounding Green Belt

If the proposed application will have a detrimental effect by means of visual impact on the surrounding rural location.

If the proposed development will cause a disturbance by means of dust, noise and odour.

The suitability of the road network leading to the proposed site.

If there is a local need for a Waste Transfer Station

Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that any determination of a planning application shall be made in accordance with the

development plan unless material considerations indicate otherwise. The development plan comprises the saved policies of the Bedfordshire and Luton Minerals and Waste Local Plan (MWLP) and the South Bedfordshire Local Plan Review 2004 (SBLP). National guidance can be found within Planning Policy Guidance 2 (PPG2): Green Belts, Planning Policy statement 7 (PPS7) Sustainable developments in Rural Areas, and Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management amended in March 2011. The regional Spatial Strategy for the East of England (RSS14) adopted in May 2008 and effectively replaces the Bedfordshire Structure Plan.

The policies contained within the MWLP continue to be saved pursuant to a Government Direction dated 14 September 2007 pending the adoption of the Minerals and Waste Development Framework. Therefore the applicable policies that apply for this proposal are Policy W1 - Key Principles, Policy W9 - Waste Transfer Stations and Material Recovery, GE1 – Matters to be addressed, which sets out the criteria for assessing applications and information requirements, Policy GE5 – protection of Green Belt Land, Policy GE9 Landscape protection and Landscaping, GE18 Disturbance and Policy GE23 – Transport.

Green Belt.

There is a presumption against inappropriate development which is harmful to the Green Belt. Planning Policy Guidance 2 (PPG2): Green Belts lists the five purposes of including land in Green Belts as:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighboring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The main purpose most relevant in this case is the safeguarding of the countryside from encroachment and the impact that the development may have on the openness of the Green Belt.

When assessed against the above criteria contained within PPG2, the proposed Waste Transfer Station is considered as inappropriate development. PPG2 states that the applicant should show why permission for inappropriate development should be granted. Further to this it states that, very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Therefore this means the inappropriate nature of the development needs to be outweighed by other considerations in order to justify development in the Green Belt.

Policy GE5 (Green Belt) of the MWLP states very special circumstances need to be demonstrated that justify the development and should preserve the openness of the Green Belt and minimise conflict with the purposes of its designations. This is supported by South Beds local plan NE3.

Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that Planning Authorities should ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular

regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.

The agent is of the view that the application area is situated on area that has been designated as Industrial use as a whole, the site is self has a certificate of Lawful use for HGV and skip repairs.

The site currently has unrestricted hours and vehicle numbers, and if permission is granted would have the benefit of a planning gain by restricting the hours and vehicles numbers that leave the site. However PPG2 also states that the construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes: agriculture and forestry, essential outdoor sports and recreation, cemeteries, limited extension and alteration or replacement of existing dwellings. The proposed building will be the height of 14 metres to the eaves and does not fit within the criteria set out in PPG2. Further to this there will be additional 30 car parking spaces for cars and skip vehicles and waste will be stored outside the proposed building.

Therefore the proposal could be seen as harming the purpose of the Green Belt and would not keep within the rural setting as stated in PPS 7. Further to this the agent on behalf of the applicant has not demonstrated that special circumstances exist for a waste site with a building of this scale should be located within this area. Therefore it is considered that with the proposal will harm the purpose of the Green Belt , the applicant has not demonstrated special circumstances, therefore the proposal conflicts with PPG2, PPS7 and MWLP policy GE5.

Landscaping

Policy GE9 (Landscape and Landscape Protection) states that development proposals must be sympathetic to local landscape character and developments that are likely have adverse effect on the landscape character will only be granted where any adverse effect is reduced as far as practicable and is outweighed by other planning benefits. The policy further states that where appropriate proposals will be required to include a landscaping scheme and if a landscaping scheme is not submitted , or is inadequate, inappropriate or likely to prove ineffective then planning permission should be refused.

Central Bedfordshire Landscaping Officer comments that the site is located within the relatively flat landscape of the Eaton Bray Clay Vale which is framed by the elevated landforms and prominent backdrops of the Dunstable Downs (AONB), Totternhoe Knolls and Ivinghoe Beacon (AONB). These elevated landforms provide extensive views across the clay vale. The locally elevated landform of Billington Knoll and Billington village offers short, middle and long distance views across the vale with the eastern slopes of Billington Knoll of higher visual sensitivity with potential views from the Billington Conservation Area and Listed Buildings.

The Landscape officer is concerned that although the proposal is in an area industrial in character, the site is poorly mitigated and presents an urban fringe image within the Clay Vale. The inclusion of a building of 12.5 to 13.5 metres high will cause further degradation of the rural landscape character and impacts elevated views visually across the vale. The landscape officer is concerned that the visual impact of the development has not been properly assessed by the applicant. The landscape officer further comments that it has not been demonstrated that there will not be a visual impact or an amenity impact on residential properties or the Mead Open Farm Facility.

Further to this it has not been demonstrated that there will not be a detrimental impact on visitor amenity and on local tranquility. The Landscape Officer therefore requests a landscaping scheme with additional planting on the site boundaries to the north and south. This planting needs to be at a sufficient scale and height and appropriate character to assist in visually screening the site. The treatment of the buildings elevations, material finish and colour to be considered further to promote mitigating the building form and that a green or brown planted roof to be included on the proposed building. This roof will assist in visually mitigating the built form from potential elevated views.

The agent in behalf of the applicant responds that Billington Knoll is approximately 600 metres to the west and rises 30 metres above the level of the site with intervening vegetation and that the site is seen in context of an extensive urban development, namely the trailer depots on either side of the site, the gypsy site and Mead Open Farm. The applicant further argues that the AONB is located 4.5 km away. However the applicant agrees with the landscaping officer with regards to the Industrial development not having any mitigation by way of planting and does not object to the provision of substantial planting along the northern and southern boundaries as part of the development. These will include heavy standards/semi mature trees and native hedgerows and to provide a contribution towards improvements to the local landscape through a legal agreement (subject to quantum). The applicant also indicates that the building will be finished in Juniper Green cladding but would be happy to amend this if required. Therefore if permission is granted a condition will be added to ensure that the building is an acceptable colour and a condition will be added for a landscaping scheme to ensure that planting is carried out. Therefore the proposal accords with Policy GE9 and Planning policy Statement 7 as landscaping will mitigate views of the site and planting with native species will keep within the local character.

Disturbance

Waste operations can be intrusive activities and can cause disturbance to nearby residents or other operations. MWLP Policy GE18 (Disturbance) allows this to be addressed and states that permission for waste sites which are likely to generate disturbance from noise, vibration, dust, mud on the highway, fumes, gasses, odour, illumination, litter birds and peats where the impact of any anticipated disturbance is reduced as far as practicable and is outweighed by other planning benefits. The applicant has stated that the proposed building will house all equipment such as the shredder, conveyor belt and magnet and that all operations will take place within the building. However the proposed application states that there will be storage bays outside the building and that waste arriving on site will be tipped outside but near to the entrance of the proposed building. Therefore there is the chance that noise from vehicles, dust and litter may pose a problem. Therefore if permission is given a condition requesting a dust and litter scheme will be required before development begins. Central Bedfordshire Environmental Health Officer did not object to the proposal but has concerns regarding the impact of noise from machinery on the near residential properties and therefore requests a condition for a noise scheme. All vehicles will be required to go through a wheel wash to mitigate problems with mud or debris on the road. The Environment Agency has not objected to the application, but has stated that wheel wash water should drain to a sealed tank and development should not begin until the Environmental permit has been granted. Therefore with these mitigation measures in place the proposal accords with MLP policy GE18.

Transport

MWLP policy GE23 (Transport) ensures that where material will be transported to and from the site via the strategic highway network the suitability and capacity of the available access routes will be taken into account and proposals which use a significant length of unsuitable roads to gain access to a strategic highway will not be permitted unless suitable improvements can be made. The applicant proposes that the waste site will generate a maximum of 150 (two way movement) per day. The parish councils have objected to the application as they feel that the additional HGV movements could cause a hazard to traffic generated by the Mead Open Farm Facility, the road is not suitable up to the A505 and that the access on both the A505 and A4146 are not suitable for a large amount of HGV traffic. The site currently has no vehicle restriction on site and Central Bedfordshire Highways do not object to the application but take this proposal as an opportunity to put restrictions on the site. Therefore vehicle numbers will be restricted by a condition to allow 75 HGV's to enter the site per day. Further to this the agent proposes a route strategy for HGV vehicles that will route them away from the village and to the A505 by turning right from the sites access, this routing strategy will form part of a legal agreement that will require agreeing and signing before any decision notice permitting development is released. Therefore the proposals accords with MWLP Policy GE23.

Waste Transfer Stations and Need for the development

The need for the development is an important factor underpinning decisions on waste management proposals, as set out through PPS 10 but in particular paragraphs 8 and 22, and in the companion guide. The need for facilities is also set out in the MWLP. Policy GE1 (matters to be addressed in planning applications) (a) which states the need for the development in the national, regional and local context must be assessed. Policy W9 (Waste Transfer and Materials Recovery Facilities) states that recovery operations will be permitted in the following locations provided they intend to serve an identified need that cannot be met by existing facilities, Within Industrial or land allocated B2 use, or land that has a existing waste or mineral permission or within areas of despoiled, contaminated or derelict land.

The proposed site currently holds permission for skip and HGV repair operations but is within an area of existing industrial use surrounded by other industrial yards. The site will be collecting waste from the Leighton Buzzard and Linslade area. However there are 2 other Waste Transfer/Materials Reclamation Facilities within approximately 8 mile radius. These are located in Blackburn Road Houghton Regis, and Harmill Industrial Estate in Leighton Buzzard. The waste operation in Houghton region has the capacity to take 86,000 tonnes of waste per annum and the operation at Harmill currently takes in 2000 tones of non hazardous waste and 22,000 tonnes of inert waste per annum. The operation a Blackburn Road is approximately 7 miles from the proposed site with Harmill approximately 3 miles away and both these sites serve the Luton, Dunstable and Leighton Buzzard areas.

The applicant has demonstrated that the proposal would double employment on the site but has not clearly demonstrated that there is a need for an additional waste capacity within an area already served by two other sites. It is important to take into account the identified requirements for additional dwellings within the Bedfordshire and Luton area, taken together with the construction activity and population increase that will accompany this as well as the increasing requirements for waste diversion. It is also clear that these areas are adequately served by other sites that have the total

capacity of 110,000 tonnes per annum with one site unrestricted on the amount of waste that can be received.

Over all the application has not clearly demonstrated that there is a local need for an additional site and therefore the proposal conflicts with MWLP Policy GE 1 (a) and with MWLP Policy W9.

Economic Impact

The applicant states that the proposed development will create 20 to 25 associated employment opportunities which will be more than the current operations.

Conclusion

It is considered that with the additional planting that will be required by a scheme before development commences the proposal accords with MWLP policy GE9.

It is considered that the road network will be adequate for 150 two way HGV movements. That the proposal has a planning gain by restricting hours and vehicles numbers on a site that currently has no restrictions. Therefore the proposal accords with MWLP policy GE23

The proposal does give the potential for disturbances to near by sensitive receptors by way of dust, noise and litter and therefore conditions will be added for schemes to mitigate any potential issues that may arise from these, therefore the proposals accords with MWLP policy GE18.

It is considered that although the proposal has some planning benefits the proposal will harm the purpose of the Green Belt and will not keep within the rural setting laid out on PPS7. No special circumstances have been demonstrated and therefore the proposal conflicts with PPG2, PP7 and MWLP Policy GE5.

It is considered that there are 2 other waste operations within approximately 7 miles of the proposed site which have a combined permitted reception of 110,000 tonnes of waste per annum. Both these sites serve the Dunstable, Leighton Buzzard/Linslade area and the applicant has not demonstrated that there is a need locally for an additional site. Therefore it is considered that there is not a local need for another waste operation within this area and therefore the proposal conflicts with MWLP policy GE1 (a) and W9.

After considering the above, the overall conclusion is that the proposal is not acceptable and should be refused.

RECOMMENDATION

That planning permission be refused for the following reasons:

PPG2 – The proposal will harm the openness and purpose of the Green Belt.

PPS7 – The proposal will not keep within the rural character of the surrounding area.

GE1 (a) – There is not a need for an additional waste at local level.

GE5 - No very special circumstances demonstrated that justify proposals in the Green Belt.

W9 (a) – Will not serve a local need that is not met by existing facilities.

DECISION

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