

## **Development Control Committee – 19<sup>th</sup> June 2017**

---

**Application Number:** CM/17/17

**Title:** Change of use from parking of empty skips to waste storage and sorting.

**Site Location:** Unit 25B  
Marsworth Airfield North Site  
Cheddington Lane  
Marsworth  
Buckinghamshire  
HP23 4QR

**Applicant:** Mr Calligan

**Contact Officer:** Anna Herriman [aherriman@buckscc.gov.uk](mailto:aherriman@buckscc.gov.uk)

**Contact Number:** 01296 382819

**Electoral divisions affected:** Ivinghoe

**Local Member:** Anne Wight

**Valid Date:** 16<sup>th</sup> March 2017

**Statutory Determination Date:** 16<sup>th</sup> June 2017

**Extension of Time Agreement:** 30<sup>th</sup> June 2017

**Summary Recommendation(s):**

The Development Control Committee is invited to APPROVE planning application CM/17/17 subject to the following:

- A S106 Agreement to secure the routeing of vehicles to ensure that HGVs do not travel through the villages of Long Marston and Cheddington (Appendix B) as well as a HGV routeing management plan to include GPS tracking of vehicles (or equivalent);



INVESTOR IN PEOPLE



- **The conditions as set out in Appendix A of this report.**

## **Appendix A: Conditions**

### **Appendices:**

## **Appendix B: Proposed Routeing Plan**

### **1. Introduction**

- 1.1. The application is a retrospective planning application and is submitted by Integrated Solutions acting on behalf of Mr Calligan. It was validated on 16<sup>th</sup> March 2017 and sent out for consultation on 17<sup>th</sup> March 2017. The application was advertised by a site notice, neighbour notification and newspaper advertisement as a major development.
- 1.2. Following the initial round of consultation, the applicant was invited to respond to the comments of statutory consultees, including requests for additional information and consequently submitted a number of further documents with additional consultation undertaken in response to those additional submissions.
- 1.3. The target for determination of this application was initially 16th June 2017. A request for an extension of time was made to the planning application which has been agreed for the 30th June 2017, to allow this applicant to be determined at the Planning Development Control Committee on 19th June 2017.

### **2. Site Description**

- 2.1. The Airfield Industrial Estate is situated approximately 1.3km to the southwest of Cheddington and approximately 1.3km northwest of Long Marston. It is accessed via Cheddington Lane which runs between and connects the two villages. The industrial estate is located within the Parish of Marsworth but is bordered along its northern boundary by the Parish of Cheddington.
- 2.2. The land to the north lies within a Local Landscape Area and contains a Scheduled Ancient Monument, approximately 440 metres from the application site.
- 2.3. Unit 25B is located to the eastern end of the industrial estate. It is bounded to the north, west and east by other industrial units. There are agricultural fields to the south of the site.
- 2.4. The site is approximately 0.3ha and is roughly rectangular in shape. The nearest residential properties are:
  - 890m north in Cheddington
  - 1.2km east off Wellington Place
  - 1.6km south west in Long Marston
- 2.5. The location of the site can be seen below in Figure 1.

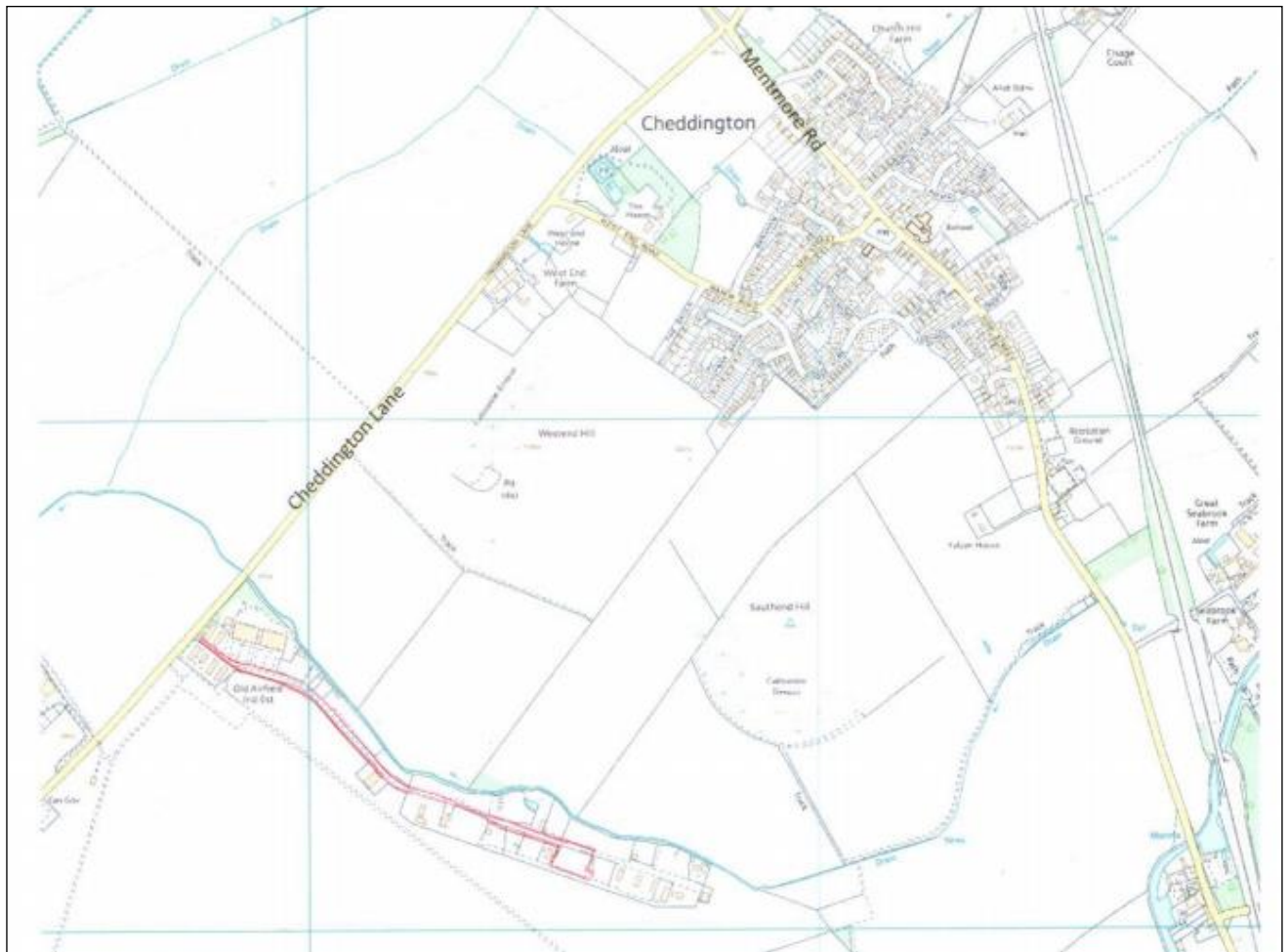


Figure 1 – Location of the site ↑N

2.6. There are no ecological designations within 2km of the site. This includes Special Areas of Conservation, Special Protection Areas, Sites of Special Scientific Interest and Ramsar sites.

### **3. Relevant Planning History for Unit 25B (The Application Site)**

3.1. The only planning history relating specifically to Unit 25B is a Certificate of Lawful Use reference no: 85/0040/AV which was granted by Aylesbury Vale District Council on 23rd August 1985 for the continued use of the airfield for light industry and storage purposes. This planning permission does not include any restrictions on the number of vehicle movements associated with the use of the Industrial Estate and it is under this planning permission that the majority of the units on the estate operate. This includes Unit 25B therefore the site can lawfully be used for light industry and storage purposes with no limitation on HGV movements.

3.2. The last known use of Unit 25B was for the parking and storage of empty skips. However the applicant states that the unit was vacant when it first occupied the site in October 2014.

### **4. Other relevant Bucks County Council planning history on the industrial estate**

4.1. Changes of use from light industrial and storage to waste-related uses have been permitted on some other units within the airfield, and therefore planning permissions with up-to-date conditions/obligations including vehicle movement limitations and obligations are in force on those sites. Specifically, planning permissions for waste uses exist on the following units:

### *Units 32, 32A and 33*

- 4.2. Planning permission (reference 11/20007/AWD) was granted in 2012 for the use of Units 32, 32A and 33 for the retention of the existing waste transfer station and associated plant and equipment (unit 32), soil screening, concrete crushing, storage of green waste for composting and temporary timber storage (unit 33) and change of use of unit 32A from storage to waste storage in association with waste transfer station including one new building for storing recycled materials. This planning permission limits vehicle numbers to 82 vehicle movements per day (41 in, 41 out).
- 4.3. Planning permission 11/20007/AWD superceded previous planning permissions on units 32, 32A and 33. In addition, in 2007, the applicant for Unit 32 applied for planning permission (reference 07/20009/AWD) to increase the number of vehicle movements from 82 to 124 movements a day. This was refused by Buckinghamshire County Council on 25th August 2007. The applicant appealed and the appeal was dismissed by the Planning Inspector on 13th May 2008. In the appeal decision, the Inspector stated:

*“... it seems to me that the development is dealing with more than local waste and appears to be sourcing material from a wide area. Given the poor quality of the links to the strategic highway network, I consider that encouragement should not be given to increase traffic flows on the local road network to and from the appeal site, particularly when a proportion of the waste arisings being dealt with already originated well outside the local area. To do so would clearly add to the harm presently being caused to the living conditions of local residents and the users of the local highway network. I therefore conclude that the appeal should not succeed and the restrictions imposed on the number of lorry movements by condition 5 should remain”.*

### *Unit F2*

- 4.4. Planning application reference 10/20003/AWD for the change of use from waste transfer to tyre bailing and sorting storage at Unit F2 was approved on 21st October 2010. This planning permission limits HGV movements to 24 vehicle movements a day. Prior to permission 10/20003/AWD being granted Planning application 06/20002/AWD to increase vehicle movements from 24 to 50 a days was withdrawn in July 2006. Planning application 06/20008/AWD to increase vehicle movements to 84 per day was refused by the County Council on 21st December 2007.

## **5. The Proposed Development**

### General

- 5.1. It is proposed to use the land at Unit 25B for the receiving of up to 25,000 tonnes per year of mixed construction and demolition waste including metal, wood and concrete that would be sorted into different materials for recycling at other facilities. The remaining waste would be passed through a trommel and a picking station. When any container or storage bay is nearing 80% full, arrangements would be made for the collection of the container for transfer to an authorised facility for processing.
- 5.2. The trommel is a mechanical machine which acts like a sieve. The waste is loaded into the trommel which is a rotating drum. This removes the finer materials, which drop through the holes and are collected in the bay beneath the trommel. It also breaks the consistency of the waste before entering the picking station. The trommel is approximately 5.8 metres high and is already at the site.

- 5.3. There are no proposed changes to the site area or lighting. The current lighting comprises one lighting column for the operational hours in the winter and there is an LED light on the office. This is sensor activated to help staff to the car park. No further lighting is proposed and the landscaping on the boundary consists of an earth bund approximately 3 metres high covered in some grassed vegetation.
- 5.4. There is no change to the site area which remains at 0.3 hectares.
- 5.5. The site is operating a dust and noise management strategy in place.
- 5.6. Litter is managed by the site manager daily to inspect the cleanliness of the site and implement manual litter clearances for the external areas of the site. This is not proposed to change.
- 5.7. Wheels from vehicles would be checked prior to exiting the site and be hosed down where necessary to prevent mud on the highway. The site manager would inspect these and provide a road sweeper where necessary.

### Vehicle movements

- 5.8. The maximum proposed lorry movements per day is 40 (20 in, 20 out).

### Operational hours

- 5.9. The hours of operation proposed would be restricted to 7.30am – 5.30pm Mondays to Fridays, 7.30am – 12pm Saturdays and no operation on Sundays and Bank Holidays.

## **6. Planning Policy**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area comprises the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) (Adopted 2012), the saved policies of the Buckinghamshire Minerals and Waste Local Plan (BMWLP) (2006) and the saved policies of the Aylesbury Vale District Local Plan (AVDLP) (2004).
- 6.2. The National Planning Policy Framework (NPPF) 2012 and the National Planning Policy for Waste (NPPW) (2014) are also material considerations.
- 6.3. The following policies from the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) would apply to this development:
  - Policy CS9 - Recycling
  - Policy CS15 - Landfill
  - Policy CS18 – Protection of Environmental Assets of National Importance
  - Policy CS19 – Protection of Environmental Assets of Local Importance
  - Policy CS22 – Design and Climate Change; and
- 6.4. The following saved policies from the Buckinghamshire Minerals and Waste Local Plan (BMWLP) would apply to this development:
  - Policy 28 – Amenity; and
  - Policy 29 – Buffer zones;

6.5. The following saved policies from the Aylesbury Vale District Local Plan (AVDLP) would apply to this development:

- Policy GP.8 – Amenity;
- Policy GP.35 – Design;
- Policy RA.8 – Local Landscape Area; and
- Policy RA.36 – Traffic on Rural Roads.

## 7. CONSULTATIONS

7.1. **Local Member** – The Local Member for Ivinghoe strongly objects to vehicles turning right onto the B488 and has concerns regarding the impact of HGV traffic on the village of Horton. She also has concerns regarding any increase in HGVs approaching Ivinghoe especially as the Brownlow Bridge is currently under investigation for structural issues whilst the B489 in Ivinghoe suffers from excessive traffic using one lane with cars parked on both sides. There is no evidence that road surfaces have been improved since previous applications from the airfield site. Any increase in traffic from any planned new housing developments as well as increased HGV movements from the airfield site could result in severe congestion and a further deterioration of road surfaces which are already in need of repair. The Local Member feels the application should be refused as the current road network and infrastructure of the surrounding villages offers inadequate support for any additional HGV or very large skip lorry movements particularly on the B488.

7.2. **District Council – Aylesbury Vale District Council** has no objection to the planning application. They are aware of HGV impacts on the villages of Horton and Ivinghoe and they ask that Bucks County Council Highways Development Management team are satisfied that HGV traffic levels, consequent on any permission given, do not materially exceed that which could be expected from the planning permission granted under 85/00401/AV.

### Town\Parish Council

7.3. **Marsworth Parish Council** – Marsworth Parish Council are opposed to the proposed change of use at the site. This is due to the impact on local country roads and that the roads are not suitable for the vehicles from the industrial estate.

### Adjacent & Nearby Town/Parish Councils

7.4. **Ivinghoe Parish Council** – Ivinghoe Parish Council has concerns about the effect the proposed development would have on Ivinghoe, local roads and bridges through considerably increasing heavy traffic.

7.5. **Mentmore Parish Council** - Mentmore Parish Council feels that the planning application should be refused due to their concerns over that there would be no planning control over the proposed development and concerns with vehicle movements in terms of routeing and that the figures proposed are inadequate for the proposed type of development. They also have concerns over the HGVs lack of sheeting and damage they cause in villages.

7.6. **Slapton Parish Council** – Slapton Parish Council has concerns over vehicle movements, damage caused by lorries passing and routeing that the proposed change of use would have on the village of Horton and surrounding roads.

7.7. **Wingrave with Rowsham Parish Council** – Wingrave with Rowsham Parish Council supports the comments made by Mentmore Parish Council.

- 7.8. **Cheddington Parish Council** – Cheddington Parish Council also has concerns over vehicle movements (including impact of weight on roads with restrictions) and that current routing agreements are being ignored.
- 7.9. **Tring Rural Parish Council** – Tring Rural Parish Council has also objected to the proposed development on the basis of HGV traffic coming around the Parish, Long Marston, Gubblecote and Puttenham in particular. They also stated that too many lorries turn left out of the site onto Cheddington Lane into Long Marston Village and that Waste King lorries are frequently spotted there. The Parish Council also has concerns about the operations on site and impact that the processing of construction waste would have on the environment and the health the local residents living nearby.

### **Statutory Consultees**

- 7.10. **Environment Agency** – The EA have no objection but would like to see a planning condition that should contamination be present at the site, then no further development shall take place until the developer has submitted a remediation strategy to be approved by the Local Planning Authority on how this can be dealt with.
- 7.11. **Highways Development Management** –Highways Development Management received confirmation of the vehicle routing: Long Marston Road, Station Road then joining the strategic highway network onto B488 avoiding the centre of Cheddington Village, although this routing is not ideal (as it goes past properties and parked vehicles on Station Road). However, due to the rural isolated nature of the site this is considered to be the most preferable routing option and is acceptable to the Highway Authority. Highways Development Management has stated that they are happy that a routing agreement should be included in as a Condition to this application.
- 7.12. They also stated that Waste King are happy to enter a routing agreement and all Waste King HGVs are GPS tracked and this will be used to ensure that drivers are following the routing agreement.
- 7.13. Highways Development Management stated that it should be noted that the Mentmore Crafton and Ledburn Parish Council provided evidence of vehicles travelling through the villages of Mentmore and Stewkley on specific days. Waste King was able to provide delivery details to addresses in these locations on these specific days. The vehicle routing is for longer distance deliveries and not for local deliveries.
- 7.14. Highways Development Management also note that the site has adequate turning and manoeuvring space allowing all vehicles to enter the site turn/manoeuvre and egress in a forwards gear.
- 7.15. They also state that taking into consideration the above, the highway authority has no objections subject to the following conditions requesting that the operator enter into a routing agreement with details to be submitted to and approved by the County Council.
- 7.16. **Historic England** – They felt that the proposed change of use would have no cumulative visual impact on the Schedule Ancient Monument. Although they believe that there could be extra noise level from the proposed change of use, it is considered that it is still within the acceptable levels from the industrial estate and that there is an existing bund that would absorb a lot of the additional noise levels. They have no objection but mitigation measures need to be in place to ensure that any increased noise levels would have no detrimental impact on the Ancient Schedule Monument.

- 7.17. **Archaeology** – No objection
- 7.18. **Rights of way** – No objection
- 7.19. **AVDC Environmental Health Officer** – No comments were received
- 7.20. **Bucks Fire Service** – No comments received
- 7.21. **Hertfordshire County Council** – No comments received
- 7.22. The Council's **Flood Management Team** had no objection subject to a condition requesting a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 7.23. Full consultee responses available at:  
<http://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OM3DJBDS04800>

## 8. Representations

- 8.1. Twenty three representations from members of the public were received. This includes comments from a previous Local Member. Five were in favour whilst nineteen objected. These are available on the Buckscc Public Access website.
- 8.2. Reasons for objecting the application include the following:

<b>Pollution</b>	4
<b>Noise</b>	4
<b>Health</b>	2
<b>Traffic</b>	13
<b>Alternative means of transport</b>	1
<b>Environment</b>	3
<b>Enforcement</b>	4
<b>General</b>	8
<b>Impact on amenity and locals</b>	2
<b>Proximity</b>	1

- 8.3. The previous Local Member stated that this application should be refused. She refers back to previous planning history including refusals for an increase of vehicle movements at other units on the industrial estate and increased noise and pollution from the site.
- 8.4. The Local Member mentioned that in fact since that inspectors report traffic conditions have changed for the worse. The A4146 Stoke Hammond bypass has led to increased traffic on the B488, passing through Horton and Ivinghoe. She also mentioned about the impact of traffic on other roads leading to the M1 and weight limits on the roads, currently damaged Brownlow Bridge and to a listed



building in Ivinghoe Conservation Area and roads where HGVs are unable to pass side by side and calls for the revision of any routing agreement.

8.5. Reasons for supporting to the planning application include the following:

<b>Positive impact on amenity and locals</b>	2
<b>Less Pollution</b>	1
<b>Improved Health</b>	1
<b>Positive impact on Environment</b>	1
<b>Need for development – local employment</b>	3

## 9. DISCUSSION

9.1. The key planning issues are:

- Principle of development
- Access and Traffic
- Potential Amenity Impacts.

9.2. Other important planning issue to consider include:

- Landscape and visual impact
- Impact on Scheduled Ancient Monument
- Risk of Contamination

### **Principle of development**

9.3. The NPPW and the BMWCS seek the movement of waste up the waste hierarchy with disposal being the least favoured option and re-use being the most favoured option.

9.4. Page 43 of the Core Strategy states:

*“The strategy for waste is to encourage waste prevention and to safeguarding existing waste management capacity within Buckinghamshire, whilst increasing local provision for recycling and composting so as to increasingly divert waste from landfill”*

9.5. Policy CS15 of the BMWCS resist planning applications for landfill. Policy CS9 supports proposals for facilities that would recycle Construction & Demolition (C&D) wastes. The application primarily seeks retention of the existing waste transfer and recycling facility for up to 25,000 tonnes maximum annual throughput of C&D and excavation waste on an existing waste management site and would divert this from landfill through recycling and reuse and therefore meet the requirements of the NPPW and policy CS9 of the BMWCS.

9.6. The proposed development should also be considered in the context of the NPPF, including the presumption in favour of sustainable development (see paragraph 14 of the NPPF), as well as relevant development plan policies relating to waste recycling rates, landfill as a means of disposal (as proposed by this application), and management of imported wastes.

9.7. Currently, the County’s Mineral and Waste Strategy team has confirmed that the County has achieved 286,000 tonnes, over and above the 280,000 tonnes of the required target as set out in Policy CS9 of the BMWCS for the recycling of

Construction and Demolition waste. However, 150,000 tonnes of this is currently being provided at Wapseys Wood recycling facility which is due to expire this year. Therefore, this would bring the County's achieved targets down to 136,000 capacity available for the recycling of this type of waste. Regardless, the proposed facility at Unit 25B is a diversion away from landfill and therefore would be compliant with Policy CS15 of the BMWCS. It is therefore concluded that the principle of the development is supported by planning policy at the local and national level.

### **Access and Traffic**

- 9.8. Policy CS22 (c) of the BMWCS states that all waste proposals will be expected to demonstrate that due regard has been paid to the need to minimise any adverse transport impacts including residential amenity, and routeing agreements. Policy RA.36 of the AVDLP states that, in considering proposals for development in rural areas, the Council will have regard to the desirability of protecting the characteristics of the countryside from excessive traffic generation, including the need to avoid traffic increase and routing to rural roads.
- 9.9. Concern relating to the impact of the proposed change of use at Unit 25B on the local road network and surrounding villages has been raised during the consultation process. A planning application (ref: 07/20009/AWD) was submitted at Unit 32, Old Airfield Industrial Estate for an increase in vehicle movements from 82 vehicle movements a day to 124 vehicle movements a day. This application was refused by the County Council on 25th August 2007 and this decision was upheld at appeal. A similar outcome occurred when application (10/20003/AWD) for the increase in vehicle movements per day from 24 to 84 was refused for Unit F2.
- 9.10. It is clear that any increase in HGV movements from the Old Ministry Airfield site would not be acceptable. However, at the moment, there is no restriction on vehicle movements arising from Unit 25B. The applicant has stated that, if planning permission is granted, vehicle movements would be limited to 40 per day (20 in, 20 out). Granting permission for the proposed change of use, with a cap on vehicle movements per day and a routeing agreement would control vehicle movements and routeing and thereby prevent any further increases of HGVs from this Unit and bring more HGVs to follow an agreed routing plan. This would bring another Unit from the Industrial estate under restrictive vehicle movements and routeing agreement which is considered to be an improvement to the current situation at the site.
- 9.11. There are no objections raised from the Highways Development Management Officer subject to the applicants entering a S106 agreement to control the routeing and to ensure that Waste King vehicles are GPS tracked. To restrict where HGV vehicle routeing is permitted and to maintain consistency and to avoid new areas / roads being used for HGVs, it is advisable the routeing agreement should follow the same routeing as other Units on the site that have a S106 routeing agreement. Currently for Unit 32, 32A and 33, all HGV vehicles are required to turn left going into the Industrial estate off Cheddington Lane and turn right going out of the industrial unit onto Cheddington Lane on the B488. This would ensure that all HGV movements associated with the application site would be restricted from using the most unsuitable stretches of road through local villages. The applicant has advised that they are willing to enter the same routeing agreement as for the other units on the site. The proposed routeing agreement would take HGV vehicles from the site by turning right only onto roads (entry into the Industrial estate via turning left only) and avoid going through the villages of Cheddington and Long Marston.

- 9.12. There would be no overall increase in vehicle movements with the site, in fact these would be capped and the routeing controlled through a S106 agreement. Therefore, I consider that subject to conditions restricting the number of vehicle movements to and from Unit 25B, subject to the applicant entering into a S106 agreement to control vehicle routeing and ensuring HGVs are GPS tracked, the planning application would meet the requirements of policy CS22 of the BMWCS and policy RA.36 of the AVDLP.

### **Potential Amenity Impacts**

- 9.13. Policy 28 of the BMWLP states that Buckinghamshire County Council will protect the amenity of all those who may be affected by mineral and waste development proposals and will not grant permission for proposals which are likely to generate significant adverse levels of disturbance, both near the site and on routes to and from it, from noise, vibration, dust, fume, gases, odour, illumination, litter, birds or pests. This is also backed up by Policy GP.8 of the AVDLP which states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits of the development. Policy GP.35 of the AVDLP seeks to ensure that new development proposals respect and complement their settings and surroundings. Policy 29 of the BMWLP seeks to ensure that adequate buffer zones exist between the proposed development and sensitive uses. In Note 7 of the Supplementary Planning Guidance, an indicative buffer distance for waste transfer stations is given as 250 metres.
- 9.14. The nearest residential property is located at least 890m away in Cheddington to the north of the Industrial Estate. The proposed development proposes the use of a trommel, which has the potential to generate noise and dust. Given that there is already other machinery in use at the Industrial estate and the distance between the residential property and the advice given in the Supplementary Planning Guidance, it is considered that the noise levels and dust levels would not have a detrimental impact on the local amenity.
- 9.15. There are no proposed changes to the existing lighting on the site and this would be limited to the proposed operational hours in winter of the proposed works on Unit 25B. The column light is one that is only used during operational hours in the winter months.
- 9.16. Subject to conditions requiring the submission of a scheme for the control and mitigation of dust, restrictions on noise, restrictions on height of skips and stockpiles, and restriction of lighting and operational hours to 7.30am – 5.30pm Mondays to Fridays, 7.30am – 12.00pm on Saturdays and no operation on Sundays and Bank Holidays, the proposal would meet the requirements of policies CS22 of the BMWCS, Policies 28 and 29 of the BMWLP and Policies GP.8 and GP.35 of the AVDLP.

### **Landscape and visual impact**

- 9.17. Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment with paragraph 118 seeking to ensure Local Planning Authorities conserve and enhance biodiversity interests.
- 9.18. Policy CS19 of the BMWCS states that planning consent would not normally be granted for a mineral and waste development that would have a detrimental impact on character, appearance or the value of locally importance landscapes which include Areas of Attractive Landscape.
- 9.19. The existing boundary on the site consists of a raised earth bund approximately 10 feet high with some grass over the top. The height of the trommel is approximately 5.8m at the highest height. As there are no neighbouring properties in close proximity to that boundary of the site and due to the nature of

the site and other units having similar works / machinery, it is therefore not considered that it would cause a detrimental impact on the local visual amenity and views.

- 9.20. As there is no proposed new building on the Unit site and it is for a change of use, it is considered that there would be minimal impact on the view of the site from the surrounding area. Visual intrusion from stockpiles can be limited through conditions restricting their heights. Subject to this condition it is considered that the proposed development would be in compliance with Policy CS19 of the BMWCS and the NPPF

### **Heritage**

- 9.21. Paragraph 128 of the NPPF states that Local Planning Authorities should require the applicant to describe the significance of any heritage assets that could be affected by the development. Policy CS18 of the BMWCS state that planning permission would not be granted for new mineral and waste development that would lead to a significant adverse effect on the character, appearance, intrinsic environmental value or where appropriate the setting including a Scheduled Ancient Monument.
- 9.22. It is noted that there is a Scheduled Ancient Monument approximately 440 metres from the application site. Historic England was consulted and they had no objection provided that the Local Planning Authority is satisfied that the Scheduled Ancient Monument would not be impacted in any way from the development including noise. The proposed change of use is in an existing industrial estate where there are already other machinery in operation contributing to noise levels. In order to mitigate any adverse impacts from noise levels, a condition would be required to ask for the limitation of noise levels.
- 9.23. It is therefore that the proposed change of use is in compliance with policies CS18 of the BMWCS and the NPPF.

### **Drainage**

- 9.24. Policy CS22 of the BMWCS seeks to prevent adverse flooding impacts from minerals and waste development.
- 9.25. The Planning Statement does not identify that an ordinary watercourse runs adjacent to the Industrial Estate. The Updated Map for Surface Water Flood Risk shows the site at risk for events up to the 1 in 100 year event, however for events up to the 1 in 1000 year event the site is shown to be at risk of surface water flooding. Having consulted with the internal Flood Management Team, they advise us that they have no objection subject to the applicant submitting a detailed drainage strategy including drainage layout and discharge point through a condition attached to any planning permission issued.
- 9.26. Subject to a condition requiring the detailed drainage strategy and measures for the mitigation to reduce flooding within the surface water drainage strategy to be submitted and approved in writing then it is considered that the proposed development would be in compliant with policy CS22 of the BMWCS.

### **Contamination**

- 9.27. Policy CS22 of the BMWCS and Policy 28 of the BMWLP seek, in part, to protect the environment from pollution effects. It is noted that, although the Environment Agency has no objections to the development and has not identified a current contamination risk, it has requested a condition to secure remedial action should any unexpected contamination be found at the site. It is the view of the officer that such a condition would be imprecise (in that it is not clear what would be

required by the developer and at what point the condition would be triggered) and unreasonable (because contamination is not expected to occur), therefore the recommendation does not include such a condition. The development would require an environmental permit in addition to planning permission and it is the officer's view that the permitting regime should be the principle control through which ongoing monitoring of contamination is undertaken.

- 9.28. The Environment Agency has not identified any existing contamination risk at the site, therefore it is concluded that the use of the land for the development proposed is acceptable. The development would therefore be in accordance with policies CS22 of the BMWCS and Policy 28 of the BMWLP.

## **10. CONCLUSION {including recommendation}**

- 10.1. It is acknowledged that members of the public living in close proximity to the site and along routes of HGVs have great concern about increased HGV movements travelling to and from the site and the impact it may have on the network infrastructure. These have been considered during the application process and in consultation with Highways Development Management Officers, it is considered that this planning application would bring more benefit than harm with regards to vehicle movements on surrounding roads. The application if approved would limit vehicle movements coming from that site and a greater control would be had on its routing. Subject to the S106 agreement and relevant conditions, it is considered that the proposed development would not have a significant adverse impact on the local amenity or highway safety. It would put further restrictions on vehicle movements from the industrial estate by having another unit with limits on vehicle movements and routing. It would also assist in driving waste up the waste hierarchy. The proposed development meets the requirements of policies CS15, CS18, CS19, CS22 of the BMWCS and policies 28 and 29 of the BMWLP and policies GP.8, GP.35, RA.36 of the AVDLP. Subject to the conditions below and to the applicant entering a Section 106 agreement to control vehicle routing, I therefore recommend that planning permission be granted.

## **BACKGROUND PAPERS**

Application CM/17/17

Consultation responses, representations and communications dated March, April and May 2017.

Buckinghamshire Minerals and Waste Core Strategy;

Buckinghamshire Minerals and Waste Local Plan;

Aylesbury Vale District Local Plan;

National Planning Policy Framework;

National Planning Policy for Waste.

## APPENDIX A

<b>Recommendation:</b>	
------------------------	--

2. The development hereby permitted shall not be carried out other than in accordance with the following drawings:

- WKL-CL-LOC-02 – Site Location Plan (1:10,000 @A4)
- WKL/CL/APP/01 Rev B – Site Layout (1:2500@A3)
- WKL/CL/LAY/01 Rev A – Site Layout (1:500@A4)

Reason:

To define the development that has been permitted and so to control the operations (Buckinghamshire Minerals and Waste Local Plan Policies 28 and 36).

3. No vehicle associated with the development hereby permitted shall enter or leave the site and no operations authorised by this planning permission shall be carried out other than between 7.30 am and 5.30 pm Mondays to Fridays and 7.30 am to 12.00 pm Saturdays. No vehicles shall enter or leave the site and no operations shall be carried out on Sundays or Bank Holidays.

Reason:

In the interests of the local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

4. The total maximum number of heavy goods vehicle movements (vehicles over 3.5 tonnes unladen weight) associated with the development hereby approved shall not exceed 40 per day (20 in and 20 out).

Reason:

To reduce the level of disturbance caused to local residents and to minimise any adverse traffic impact (Buckinghamshire Minerals and Waste Local Plan Policy 28).

6. No illumination shall be in operation outside the operational hours of 7.30am – 5.30pm Mondays to Fridays and 7.30am – 12.00pm Saturdays. No lighting shall be operational on Sundays and Bank Holidays.

Reason:

In the interests of the local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

7. No later than one month from the date of this planning permission, a detailed scheme for the monitoring and mitigation of dust shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented thereafter for the duration of the development.

Reason:

In the interests of the local amenity (Buckinghamshire Minerals and Waste Local Plan Policy 28).

8. No later than one month from the date of this planning permission, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Existing and proposed discharge rates and volumes
  - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
  - Full construction details of all SuDS and drainage components
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
  - A “whole-life” maintenance plan for the site drainage. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component) following construction, with details of who is to be responsible for carrying out the maintenance.

Reason:

The reason for this condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 103 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

9. Stockpiles of materials within the site shall not exceed four metres in height.

Reason:

In the interests of the visual amenity of users of the Rights of Way network (Buckinghamshire Minerals and Waste Local Plan Policy 28 and Aylesbury Vale District Local Plan policy GP.8).

10. Noise from the operations shall not exceed 55 dB LAeq, 1 h (free field) as measured at the facades of the nearest residential properties at points to be shown on a plan to be submitted to and approved in writing by the County Planning Authority no later than one calendar month from the date of this planning permission.

Reason :

To protect the occupants of nearby residential premises from loss of amenity from noise disturbance (Buckinghamshire Minerals and Waste Local Plan Policy 28).

11. No waste shall be deposited outside Unit 25B.

Reason:

In the interests of the amenity of local residents(Buckinghamshire Minerals and Waste Local Plan Policy 28).