

Development Control Committee – 27th November 2017

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| Application Number: | CM/17/16 |
| Title: | A revised restoration landform to allow the development of a waste recovery and anaerobic digestion facility with associated vehicle parking, fuelling and washing, bin storage and staff welfare facilities together with the retention of the existing construction waste recycling facility and existing offices, parking, weighbridge and site access |
| Site Location: | Wapseys Wood Oxford Road Gerrards Cross Slough |
| Applicant: | Veolia ES Landfill Limited The Old Paddocks New Works Telford Shropshire |
| Case Officer: | Anna Herriman |
| Electoral divisions affected & Local Member: | Gerrards Cross, Barbara Gibbs |
| Valid Date: | 6 May 2016 |
| Statutory Determination Date: | 26 August 2016 |
| Extension of Time Agreement: | 31st December 2017 |
| Summary Recommendation(s): | |

The Planning Development Control Committee is invited to **REFUSE** application no. CM/17/16 for the reasons as set out in Appendix A and to **DELEGATE AUTHORITY** to the Head of Planning & Environment to issue the decision notice following the adoption of a Habitats Regulation Screening Assessment.



INVESTOR IN PEOPLE



Appendices:

Appendix A: Reasons for Refusal

Introduction

1. The application is submitted by SLR consulting Limited as the agent on behalf of Veolia ES Landfill Ltd. It was received on 6th May 2016 but it was not valid until 20th May 2016. It was sent out for consultation on 20th May 2016. The application was advertised by a site notice, neighbour notification and a newspaper advert due to it being a major site and a departure from Green Belt policy. The application was submitted with an Environmental Statement and the 16-week target for the determination of the application originally expired on 26th August 2016. Due to the need for further re-consultations, several extensions of time were requested and agreed in writing with the latest extension of time agreed between Buckinghamshire County Council and the applicants expiring on 31st December 2017.

Site Description & Context

2. The existing site, known as “Wapseys Wood” is located approximately 3.5 kilometres to the south east of Beaconsfield and 3 kilometres from Gerrards Cross and is bounded to the north and south by the A40 and M40 respectively. It covers an area of approximately 156 hectares (ha) and currently comprises an operational landfill with a throughput of 450,000 tonnes per year and a temporary construction waste recycling facility with an annual throughput of 150,000 tonnes per year. The site also contains associated development, including vehicle parking facilities, staff welfare facilities, a weighbridge, and landfill gas and leachate management facilities.
3. The landfill operation forms the mechanism for the restoration of a former mineral working at the site, to allow it to be returned to open space with recreational access via rights of way by the current permitted end date of 31st December 2017. The majority of the mineral working has now been largely restored and the landfill operation has recently closed. However, there remains a void of approximately 28.1ha which has not been restored in accordance with the permitted contours – and it is this portion of the landfill site that forms the application area for the proposal hereby considered.
4. The application site is not covered by any statutory landscape, ecological or historical designations but it is located within the Metropolitan Green Belt. Footpath no. 11 runs alongside the motorway boundary fence, however this is a diverted footpath and it is intended to be relocated to a different line when the restoration operations are completed. Access to the site would be via an existing entrance from the A40.
5. Figure 1 shows the location of the site:



Figure 1: Location of the site

The site

A40

Surrounding area

6. The application site is well separated from residential properties, of which the nearest are Moat Farm House and associated barn conversions which lie approximately 80m towards the south eastern corner of the Wapseys Wood site but 512m from the proposed WRF building and AD plant.
7. Jerretts Hill and Mander Lara Farm lie approximately 90m and Pig and Whistle Lodge lies approximately 120m to the northeast of the Wapseys Wood site.
8. Hyde Farm lies approximately 700 metres to the west and the Bell House hotel 950 metres to the north. Slade Farm, which lies to the south of the M40 motorway, is around 500 metres away.
9. A residential travellers' site lies adjacent to the site access onto the A40. Beaconsfield Household Waste Recycling Centre adjoins the north-western boundary of the site, both of which are within the Green Belt. Agricultural land extends to the west of Hyde Farm, whilst to the east the site is bounded by park and woodland.
10. The site is in the Environment Agency's Flood Zone 1.
11. Five statutory designated sites occur within 5km of the application site (Littleworth Common SSSI, Hodgemoor Wood SSSI, Stoke Common SSSI, Froghall Brickworks SSSI and Burnham Beeches SSSI/SAC), all are in excess of 2km from the application site and no potential impact pathways have been identified.
12. There are fourteen Local Wildlife Sites within 3km of the application site. A further six "Biological Notification Sites" (BNS) are also noted to occur; this designation

implemented in the 1980s preceded LWS and all such sites are being re-assessed under LWS criteria. Two BNS occur within and directly adjacent to the east of the application site.

Cultural Heritage

13. Moat Farm as mentioned above is a Grade II listed building farmhouse. Manor House approximately 1km to the north of the site is a Grade II listed barn and farmhouse. Bulstrode Manor was an ancient estate split in two in the medieval period and is Grade II listed. The western part is recorded as the site of Temple Bulstrode Manor, a 13th/14th century Knights Templar's Preceptory that is thought to be located at Moat Farm directly to the south east of the application site. It is now preserved as a Scheduled Monument (N1006922). The centre of the eastern part of the estate is thought to have been within the grade II* listed Bulstrode Park which stands approximately 450m from the eastern boundary of the application site.
14. In addition, there is the "Moated site in Bower Wood, 560m south west of Bower Wood Cottages" and 1.5km south west of the application site. The site comprises a small medieval moated site and adjoining fishpond situated on the floor of a shallow valley. The moat encloses an area 20m by 11m and the pond measures 18m by 12m. These sites most commonly date to the 13th or 14th centuries.
15. Other listed buildings within 2km of the application site. The nearest listed building to the site is a 16th century grade II listed house in two parts (Herdsman's Cottage and Mumford's Farmhouse) located approximately 500m to the north-east of the site boundary. Other listed buildings from this period within the study area include the 16th century 'Old Quaker House and Garden Wall', a grade II* listed building, now 3 houses, located approximately 900m to the south of the site. The grade II listed Deans Farmhouse and an associated grade II listed barn are recorded 1.8km north of the proposed development site while Leith Grove, a grade II listed house, is recorded at Hedgerley Green, 400m to the south west of the site.

Site History

16. Since the 1940's the Wapseys Wood complex and adjacent Biffa site have been subject to a large number of planning consents for both mineral extraction and landfill.

Background

17. The site was acquired by Veolia in 1991 and following acquisition of part of Hyde Farm, consent (SBD/8205/96) was granted to allow the working of Hyde farm in conjunction with Wapseys Wood and brought the entire site under a single planning permission. In September 2000 planning consent (SBD/8201/99) was granted for revisions to the final restoration contours, the mineral extraction boundary and the restoration scheme for the combined site enabling schemes previously approved for different parts of the complex to be dovetailed together within a comprehensive scheme and controlled within one set of planning conditions.
18. In January 2012 an application (11/00223/CC) to extend the timescale for the completion of the site to December 2017 was approved. This was followed by various applications to bring other ancillary landfill activities into the same time frame. Additionally, planning permission was granted in January 2014 (CM/07/13) for the installation of a leachate treatment plant with associated plant and machinery.

19. The current permission that governs the site requires the site to be fully restored, and all associated plant and machinery to be removed from the site, by 31st December 2017. This is with the exception of the landfill gas and leachate management infrastructure which would be maintained on site for many years following the completion of landfilling and are subject to separate consents.

Description of the Proposed Development

20. The proposed development consists of the following:

- The development and use of a Waste Recovery Facility (WRF) within the unrestored void, for waste recycling, transfer and RDF production from commercial and industrial (C&I) waste (capacity of 100,000 tonnes per annum) and associated plant and machinery;
- The development of an Anaerobic Digestion (AD) facility within the unrestored void, with a capacity of 50,000 tonnes per annum of food waste;
- The permanent retention of the existing (temporary) construction waste recycling operation for construction and demolition waste (capacity of 150,000 tonnes per annum);
- An enclosed area for sorting, storing and transferring of waste and recyclable materials for reprocessing elsewhere;
- Ancillary development including hardstandings, bale storage, vehicle washing, fueling, parking and staff welfare facilities and the retention of the existing site access, weighbridge and office facilities;
- Revised restoration contours to enable the landfill to be restored in accordance with the current permitted timescale of 31 December 2017.

21. Figure 2 shows the proposed site plan:

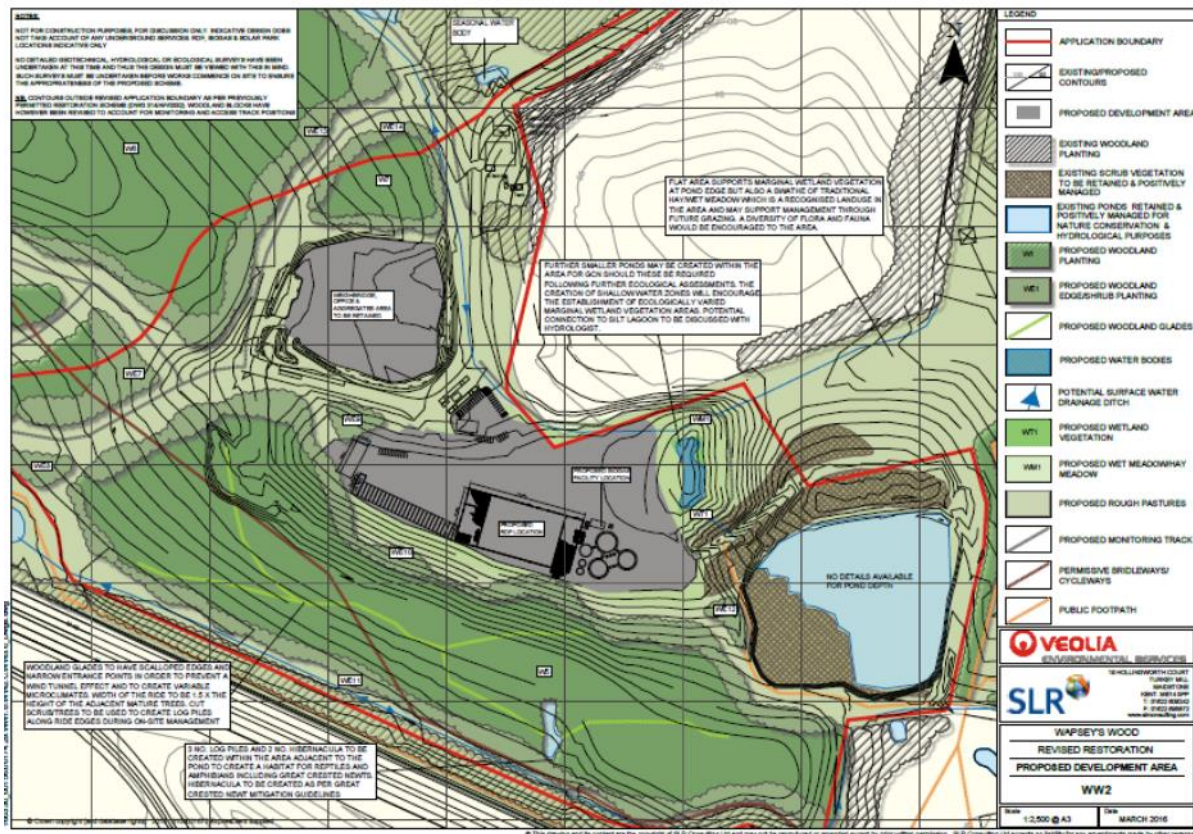


Figure 2 – Wapseys Wood site plan

22. The applicant states that the proposed development would be implemented in phases with the landfill restoration operations being completed first and then followed by the development of the waste recovery facility. Finally and subject to the award of suitable contracts, the AD facility would be developed.

Waste Recovery Facility

23. The WRF would manage black bag waste food/liquid waste and recyclates using waste converter technology and would offer an alternative solution for diverting waste from landfill, increasing recycling and resource recovery and safe treatment and disposal of residual waste.

24. The building would have approximate dimensions of 100m by 45.9m and a maximum height to ridge of 13.3m. It is proposed that the building would consist of three parts as follows:

- The eastern end of the building would receive the food and liquid waste for the AD facility;
- The western end would receive recyclate and residual waste for bulking and onward transfer; and
- The central part of the building would operate as a recovery facility for the processing of recyclates and the shredding and, if required, baling and wrapping of waste for onward transfer.

Construction Waste Recycling Operation

25. The continued operation of the existing construction waste recycling operation is part of the proposed development so this would remain unchanged with an existing output of approximately 150,000tpa of C&D waste.

Anaerobic Digestion facility

26. The applicant states that AD is a proven renewable energy and waste management technology, and is also referred to as a Biogas facility. It would provide up to 1.5 megawatts of renewable power to the National Grid.

27. The proposal is seeking to build an AD facility with a capacity of 50,000tpa and would be located to the east of the WRF building but would make use of part of the waste reception area within the WRF building where the imported food and liquid waste would be received. Drainage and odour prevention infrastructure would be provided as part of the development.

28. Anaerobic digestion of biodegradable (“organic”) waste converts up to 60% of the material into gas which, following treatment, can be burned to produce electricity and/or heat. The residue known as digestate is inert and can be used as a soil improver or landfill cover or further treated to improve its qualities as compost.

29. The AD facility would consist of a number of tanks located within a bunded area as follows:

- 1 x centrifuge tank (10m diameter and 11m high);
- 2 x soup tanks (5.5m diameter and 12m high);
- 1 x digestate storage tank (16m diameter and 15m high);
- 2 x anaerobic digestion tanks (15m diameter and 15m high);
- 2 x gas engines; and
- Ancillary pipework and pumping equipment.

30. The new building and AD facility would be faced with profiled steel cladding (walls and roof), which would be coloured goosewing grey.

Parking and Welfare Facilities

31. In addition to the existing HGV and staff parking on site, the development would add parking for staff directly adjacent to the weighbridge office and admin offices, which would provide an additional 10 parking spaces.

32. Additionally, approximately 20 additional parking spaces would be provided adjacent to the proposed depot welfare cabins. These would allow shift changeovers and ensure no parking takes place on internal roads.

33. To the east and west of the welfare cabins, RCV parking and container storage is proposed, including a vehicle wash bay and re-fueling facilities.

34. The proposal is expected to generate 420 two way traffic movements (210 in, 210 out) per day.

Hours of Operation and Staffing

35. The proposed development would provide jobs for 48 full time employees.

36. Hours of operation for the proposed development would be 0700 to 1900 hours Monday to Friday and 0700 to 1300 hours on Saturdays, although the AD plant would operate continuously. The hours of delivery would match these times. The current landfill operation has permitted hours which are 7.00 am to 6.00 pm Mondays to Fridays.

Ancillary Development

37. In addition to the principle building elements there are a number of ancillary structures not within the main building envelope:

- Landscaping;
- Proposed depot welfare building including staff parking and site admin parking; and
- Lighting and CCTV.

38. External lighting would be required to ensure the safety of vehicles and pedestrians around the site and enhance general security. All lighting would be inward facing and at a low level and no external lighting to the buildings would be required other than above the main doors and low level lighting of walkways. The proposed hours of external lighting are to match the operating hours of the facility.
39. There is a requirement to provide operational supervision by means of CCTV cameras of both internal and external areas. It is intended that this system would also provide a means of surveillance to meet the security needs of the scheme.
40. The proposed landscape strategy plan was developed with the following principles:
- Retain and make use of existing perimeter planting;
 - Use of native tree and plant species for new planting; and
 - Make a positive contribution to biodiversity
41. The proposed development would ensure that all non-inert waste reception and processing activities take place inside buildings in a controlled environment which would control litter and pests.
42. The height from the floor of the location of the RDF/WRF building to the highest point of the ridge to the south of the proposed structures for the development is approximately 13.3 metres.

Waste Source

43. The applicant has provided some information about the intended source of the waste for this development. For inert recycling, the applicant states that the majority of this business is within a 10-15 miles (approx. 17 - 25 Km) radius of Wapseys Wood and 80% of the recycled aggregate is consumed within Buckinghamshire.
44. As for commercial waste, the applicant states that the vast majority of this waste is collected within a 10 miles (17 Km) radius. The applicant was unable to confirm where the majority of the waste for the AD plant would be sourced from as this would be dependent on the contracts they are able to agree should planning permission be granted.
45. Members are advised that a 10-15 mile radius from the site would include parts of Buckinghamshire but also areas within Greater London.

Planning Policy and other documents

46. 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), the saved policies of the South Bucks District Local Plan (SBDLP) 2004 and the South Bucks District Core Strategy.

47. National Planning Policy for Waste (NPPW) 2014, National Planning Policy Framework (NPPF) 2012 and Overarching National Policy Statement for Energy (EN-1) 2011 are also material considerations.

48. The following policies from the Buckinghamshire Minerals and Waste Core Strategy (BMWCS) would apply to this development:

- CS9 (Additional Waste Management Capacity and Net Self Sufficiency);
- CS10 (Recycling and Composting Capacity to be provided for MSW and C&I by 2026);
- CS16 (Management of Imported Waste)
- CS18 (Protection of Environmental Assets of National Importance);
- CS19 (Protection of Environmental Assets of Local Importance);
- CS20 (Green Belt); and
- CS22 (Design and Climate Change).

49. The following saved policy from the Buckinghamshire Minerals and Waste Local Plan (BMWLP) would apply to this development:

- Policy 16 – Anaerobic and Mechanical Biological Treatment
- Policy 28 (Amenity)
- Policy 31 (Restoration and Aftercare)

50. The following saved policies from the South Bucks District Local Plan (SBDLP) would apply to this development:

- GB1 (Green Belt);
- EP3 (Use, design and layout of development)
- EP4 (Landscaping)
- TR5 (Accesses, Highway works and traffic generation)
- TR7 (Parking Provision)

51. The following policies from the South Bucks Core Strategy (SBCS) would also apply to this development:

- CP7 (Accessibility and Transport)
- CP8 (Built and Historic Environment)
- CP9 (Natural Environment)
- CP13 (Environmental and Resource Management)

52. A consultation has been carried out on the preferred options for the new emerging Mineral and Waste Local Plan (2016 – 2036) which would replace the currently adopted saved policies of the Buckinghamshire Mineral and Waste Local Plan and the Buckinghamshire Core Strategy. Although it is a material consideration, the plan carries little weight when it comes to assessing policies for the proposed development.

53. Within the draft emerging Buckinghamshire Minerals and Waste Local Plan, there are proposed “Areas of Focus” for waste management sites which are relevant to this application. The Wapseys Wood site is not one that has been selected as an “Area of Focus” in the new plan. This is due to its Green Belt location. The “Areas of Focus” that have been proposed are in non-green belt areas with most being on brownfield sites or near urban areas. Gerrards Cross is not one. As part of the applicants’ justifications for

the location of the proposed development at Wapseys Wood, they looked at other sites including some “Areas of Focus” sites.

Consultation Responses

54. **Local Members** – The previous Local Member did not make any comments on this application. No comments have been received from the current Local Member.

55. **District Council** – South Bucks District Council has no objection to the planning proposal.

56. **Town\Parish Council** – Gerrards Cross Town Council strongly object to the planning proposal. They have the following concerns:

- Green Belt location – site was expected to close on December 31st 2017, therefore very special circumstances are needed to justify this. The Town Council feels that there are no very special circumstances that apply and those claimed in the application are not valid.
- This site has not been included in the BCC Mineral and Waste Local Plan and is not required by BCC to meet its landfill diversion targets. It is not a co-located facility as stated in the document, as there will be no waste facility at Wapseys Wood after 2017.
- All the waste will need to be transported both to and from Wapseys Wood. This is therefore an industrial application that is not compatible with Green Belt.
- The proposed facility will handle Commercial and Industrial (C&I) waste and household waste. This is therefore waste that could be processed at BCC's new incinerator at Calvert. The waste transfer facilities for moving this to the Incinerator have already been determined in the BCC Waste Local Plan. An additional facility at Wapseys Wood is therefore not required by BCC.
- In the planning application for the extension of the Wapseys Wood landfill from 2012 to 2017, it was agreed that the central area would not be excavated if there was insufficient waste to fill this area by 2017. As there has not been sufficient waste for this, the original contouring plan will need to be changed. The proposal for the Waste Recovery facility is a separate application that has been included in the re-contouring application, which would be required whether or not the Waste Recovery facility is built. We believe that these two planning applications should be separate.
- In order to meet its target of filling the existing excavations at Wapseys Wood, landfill waste has been diverted from the nearby Springfield Farm site in Beaconsfield. This site is still available for landfill and any inert waste could be sent there after 2017.
- The Wapseys Wood site was created before the M40 and M25 were built. The only access road is therefore on the A40 Oxford Road. If this facility is to go ahead, the entrance should be moved to the M40 to prevent waste traffic from using the single carriageway A40. It is a condition of the 2017 planning application that all traffic using the A40 to access the site should be routed to and from the west of the site from the Beaconsfield roundabout and not through Gerrards Cross and Tatling End residential areas. If this facility should be granted without access from the M40, this routing should be maintained and enforced.

- The application is for a 7 x 24 operation, which exceeds the existing 0700-1900 Monday to Friday and 0700 to 1300 on Saturdays. This will be disturbing to Gerrards Cross residents living at the nearby Moat Farm.

57. **Highways Development Management** has no objection following the submission of further information requesting the distribution of traffic movements to justify the assumption that the majority of the HGV traffic would route to the Strategic Highway Network via junction 2 of the M40. The applicants have submitted a Transport Note Addendum to address this concern and Highways DM are satisfied from the information submitted that there would not be a material impact on the A355 as a result of the proposed development. Highways DM have requested a condition limiting the HGV vehicle movements to that of the existing site (486 two way; 243 in and 243 out). In addition, they also request that the development is subject to a S106 routing agreement the same as is currently applied to the existing site under permission 11/0223/CC. The S106 agreement 10th December 2012 restricts HGVs from travelling east out of the site towards Gerrards Cross and instead requires HGVs to turn left out of the site towards the strategic network of the M40.

58. The **County Council Flood Management Team** has no objection to the proposals subject to conditions to ensure mitigation measures in the flood risk assessment are carried out prior to occupation and that development shall not begin until a whole life maintenance plan for the site has been submitted to and approved in writing by the County Planning Authority. This plan should include details how to and when to maintain the full drainage system following construction, with details on who is to be responsible for the maintenance.

59. The **Landscape Advisor** following further re-submission requiring clarifications of contour heights, is satisfied that the proposed development would not have a detrimental impact on the landscape character area (apart from the industrial use of the site) in which the proposed development is sited and the proposed woodland planting would knit satisfactorily into the wider restoration scheme of the site and would help screen the development.

60. However, they would like to see a reference number to the block of proposed woodland planting to the east of the application area. They would also like to see conditions including pre-commencement, to state the following:

- Limit height of fixed plant at 6m in the construction and demolition waste recycling area;
- Prior to commencement, details of materials and colours designed to minimise visual effects and light reflection;
- A fully detailed planting proposal and specification using locally occurring indigenous species, stating the species, size at time of planting, planting spacing / densities, total plant numbers and planting protection / fencing. This should include all areas of grass seeding and wetland planting;
- Established management and maintenance programme for a minimum of five years aftercare for all new planting works, and during the programme period the replacement of all failed plants (irrespective of cause) in the planting season immediately following failure;

- A long term management programme for all new and existing soft estate areas within the application area with the multiple objectives of maximising a sustainable visual screen and the development of ecological interest. The management of each element should be clearly stated in relation to design objectives for each element.
61. The **Aboriculturalist**, following further submissions, is happy with the proposals and has no conditions to recommend.
62. The **County Ecologist** has no objections to the proposals. However, she believes the restoration plan could be improved in order to result in a net gain for biodiversity which is highlighted within the NPPF section 11. She states 'The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'
63. The ecologist also advises that a condition should be added to state that the applicant will work with Buckinghamshire County Council Ecologist to produce an Ecological Restoration and Management Plan over the whole quarry to provide increased opportunities for a range of wildlife over and above the current plan.
64. The **Environment Agency (EA)** originally objected to the planning application, but following the applicants' submission of further information confirming that there would be no borehole digging on the site, the Environment Agency has removed their objection. However, they would like to see conditions such as a remediation strategy, verification report demonstrating the completion of works as approved in the remediation strategy, long term monitoring and maintenance plan, details of how contamination would be dealt with on site should any be found and development work to be stopped until dealt with, no infiltration of water drainage into the ground, piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority and finally a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority.
65. The **County Archaeologist** has advised that the nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of heritage assets. There are therefore no objections to the proposed development.
66. The **District Council (SBDC) Environmental Health Officer** has no objection to the application.
67. However, the **Healthy Communities Team** at which represents both Chiltern District Council and South Bucks District Council has concerns with regard to noise, odour and air quality from the development, especially the impact to some of the local properties. The District Council has also confirmed that there have been historic complaints of odour from the site to other properties. There are concerns over the increase in vehicle numbers.
68. **Natural England** has no concerns about the proposed development.

69. **Historic England** states that the application should be determined in accordance with national and local policy guidance, and on the basis of the council's specialist conservation advice.

70. The County Council's **Rights of Way Officer** has no objection to the proposed development subject to a new condition detailing the routes that are to be submitted to and approved in writing by the County Planning Authority, including a timetable for their dedication as Rights of Way:

71. No comments have been received from the following:

- **Affinity Water**
- **Thames Water**
- **SBDC Historic Buildings Officer**

72. Full consultee responses available at:

73. <https://publicaccess.buckscc.gov.uk/online-applications/applicationDetails.do?activeTab=consulteeComments&keyVal=O7BI6FDS0010>

74. The full response from the Rights of Way Officer can be seen here:

75. https://publicaccess.buckscc.gov.uk/online-applications/files/E75ED9738AE195A07B5BE1C55DF477E0/pdf/CM_17_16-ROW_RESPONSE-21549.pdf

Representations

76. Representations have been received from one local resident. The local resident main concerns were as follows:

- Impact on traffic and congestion and parking;
- Impact on local amenity;
- Impact on air quality; and
- Visual impact.

77. We also received comments from an interested third party representing City of London which is the landowner of Burnham Beeches SAC. Concerns were raised over the impact on the Burnham Beeches from the proposed development and it is requested that a Habitat Regulations Assessment is carried out prior to determination to include recent decisions regarding impact on air quality in relation to the SAC.

Discussion

78. The site is a very long established mineral extraction site with restoration by landfill. Although the site currently has an existing C&D recycling facility, it is a temporary use that is associated with the landfill operation of the site which is required to be completed and the site restored by 31st December 2017. According to the current permission 11/00223/CC it should be restored back to fields and woodland by that date. Mineral and landfill permissions subject to restoration conditions are not defined in the NPPF as previously developed (brown field) land. Therefore, this planning application needs to be assessed as one for a green field site and which would affect the restoration requirements of the existing planning permission.

79.

Therefore the discussion looks at

- Need;
- Green Belt;
- Energy
- Landscaping
- Transport
- Flood Risk
- Biodiversity and Historic Environment

Need for development (Policy CS9 of the BMWCS)

80. The National Planning Policy for Waste (NPPW) sets out objectives for sustainable waste management and encourages diversion from landfill, in addition to encouraging the reuse, recycling and biological processing of waste. It does not encourage development in the Green Belt (section 6) and states in section 7 that applicants need to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan.

81. In the BMWCS, Composting is defined as:

“An Aerobic biological process in which organic wastes such as garden and kitchen waste are converted into a stable granular material which can be applied to land to improve soil structure and enrich the nutrient content of the soil”.

82. And in the same Core Strategy, Energy Recovery is defined as:

“A term covering a range of treatment process that reclaim energy from a waste material feedstock. There are different techniques to recover the energy from waste, including combustion, gasification, pyrolysis and biological processes, including anaerobic digestion and extraction of landfill gas, Other processes pelletise waste inputs for burning in a Refuse Derived Fuel (RDF) plant.”

83. According to the definitions above and the aim of the Anaerobic Digestion (AD) facility at Wapseys Wood, the Anaerobic Digestion facility would come under the Energy Recovery category.

84. Policy 16 of the BMWLP states that the County Council support the development and demonstration of AD facilities to make a contribution towards the growing contribution towards the recovery of waste and energy generation.

85. Policy CS9 of the BMWCS on page 52 shows a table stating the target capacity for waste management in Buckinghamshire to achieve by 2026. The required capacity (tonnes) is as follows:

| Capacity | MSW | C&I | C&D | TOTAL |
|-------------------|------------|----------------|----------------|----------------|
| Recycling | 60,000 | 214,000 | 280,000 | 554,000 |
| Composting | 51,000 | 61,000 | N/A | 112,000 |

| | | | | |
|------------------------|---------|---------|---------|----------------|
| Energy Recovery | 112,000 | 178,000 | N/A | 290,000 |
| TOTAL | 223,000 | 453,000 | 280,000 | 956,000 |

86. The current required capacity figures as obtained from the Bucks Mineral and Waste Policy Team are as follows (based on the BMWCS targets).

| Capacity (tonnes) | MSW (Municipal Solid Waste) | C&I (Commercial and Industrial Waste) | C&D (Construction and Demolition Waste) |
|--------------------------|------------------------------------|--|--|
| Recycling | 97,000 (37,000 achieved) | 214,000 (164,000 achieved) | 280,000 (286,000 achieved) |
| Composting | 51,000 (12,000 achieved) | 61,000 (12,000 achieved) | N/A |
| Energy Recovery | 112,000 (162,000 achieved) | 178,000 (212,000 achieved) | N/A |

87. According to the table showing the figures for current capacity, the waste from the Energy Recovery facility (i.e. AD) is not required as the BMWCS targets for 2026 have already been met and are over capacity.

88. The draft emerging Minerals and Waste Local Plan, based on the Waste Needs Assessment for the years up to 2036, shows the following waste stream capacity needs:

| | |
|---|----------------|
| Recycling and reprocessing materials (C&I) | 200,000 tonnes |
| Composting (or other biological processing including Anaerobic Digestion) (MSW and C&I) | 130,000 tonnes |
| Inert recycling (C, D and E) | 510,000 tonnes |

89. According to the Emerging Minerals and Waste Local Plan, Anaerobic Digestion is defined in the glossary as:

“The biological treatment of biodegradable organic waste in the absence of oxygen, utilising microbial activity to break down the waste in a controlled environment. AD results in the generation of: biogas which is rich in methane and can be used to generate heat and/or electricity; fibre (or digestate) which is nutrient rich and can potentially be used as a soil conditioner; and a liquor which can potentially be used as a liquid fertiliser. Where AD includes energy recovery it can be classified as “other recovery” (under the waste hierarchy).”

90. The proposed development at Wapseys Wood proposes to bring in the following

- 22,500 tonnes of MSW Energy recovery (not required by BMWCS as target already met but AD would contribute to need for biological processing capacity towards 2036.);
- 150,000 tonnes of C&D recycling (contributing towards target currently);
- 100,000 tonnes of C&I recycling (as required by BMWCS to contribute towards reaching capacity target); and
- 27,500 tonnes of C&I Energy recovery (not required by BMWCS as target is already met).

91. However, the Waste Needs Assessment Addendum (paragraph 1.75) (which feeds into the new draft Minerals and Waste Local Plan) recognises that AD can take up biological processing capacity that may otherwise be provided by composting for which the Waste Needs Assessment Addendum indicates that there is future need.

92. A facility at Wapseys Wood for the recycling and processing of CD&E waste currently exists. The target figure for the county (according to the BMWCS) is 280,000 tonnes. The current capacity provision is 286,000 tonnes. If this facility were to be removed, then Buckinghamshire would be under capacity as capacity would be reduced by 150,000 tonnes and a further 144,000 tonnes of C&D recycling would then need to be sought elsewhere in order to reach capacity again. Additional facilities would therefore be required to meet the targets as proposed in the Waste Needs Assessment in order to meet need up to 2036. However, it should be noted that C&D recycling are often ancillary to mineral extraction and often only have temporary planning permissions,

93. Based on the current figures and the Minerals and Waste Core Strategy, there is a need for more capacity to process C&I waste via recycling in the County as the target is 214,000 tonnes and current capacity is at 164,000 tonnes. The proposed 100,000 tonnes of C&I recycling waste from the proposed energy recovery centre at Wapseys Woods would assist in reaching the County Council's target by increasing it to 264,000 tonnes. Therefore, there is a need for additional C&I recycling facilities in Buckinghamshire, which this proposal would more than meet. Again, the need for further facilities is indicated by the Waste Needs Assessment up to 2036.

94. The current capacity figures show (according to the Mineral and Waste Core Strategy), that there is not a clear need for the proposed AD facility at present. However, figures in the table are based on numbers projected in 2010 and with the current growth in housing in Buckinghamshire, there is a move towards renewable and sustainable energy processes (as mentioned in the EN-1 National policy on infrastructure) and with a new emerging Minerals and Waste Local Plan, there is likely to be an increased need in energy recovery processes in the future, as indicated by the Waste Needs Assessment.

95. The Mineral and Waste Core Strategy clearly indicates that there is still a need for the provision of C&I and C&D facilities. While the Waste Needs Assessment and therefore the draft Mineral and Waste Local Plan indicate that there is a further need for facilities for composting and other biological processes (which may also be delivered by AD facilities) to be provided by 2036..

96. Taking the above together, the committee is advised that there is an ongoing need for facilities of the nature proposed to serve Buckinghamshire's waste needs in the longer term. It is therefore fundamental to the determination of this application to consider whether the proposal would indeed serve the waste needs of Buckinghamshire and furthermore whether the location proposed is suitable and in accordance with national and local policies.

Green Belt (Policy CS20 and CS23 of the BMWCS, GB1 of the SBDLP, NPPF, NPPW,)

97. The proposed development represents inappropriate development in the Green Belt and the NPPF, Policy CS20 of the BMWCS and Policy GB1 of the SBDLP state that permission for inappropriate development in the Green Belt should not be granted unless very special circumstances exist to justify overriding normal policy. The NPPW advises that local authorities should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development.

98. Paragraph 87 of the NPPF states:

“Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.”

99. Paragraph 88 of NPPF goes on to state:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

100. The NPPF in paragraph 80 further sets out the purposes and objectives of including land in green belts. The purposes are as below:

- To check unrestricted sprawl of large built up areas;
- To prevent neighbouring 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.

101. Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- To provide opportunities for access to the open countryside for the urban population;
- To provide opportunities for outdoor sport and outdoor recreation near urban areas;
- To retain attractive landscapes, and enhance landscapes, near to where people live;
- To improve damaged and derelict land around towns;
- To secure nature conservation interest; and
- To retain land in agriculture, forestry and related uses.

102. Policy CS20 of the BMWCS states that waste development would be permitted in the Green Belt if it can be demonstrated that there are no other suitable sites for the development beyond the Green Belt. It also states that the redevelopment of a waste site to improve and enhance Green Belt objectives may also be considered. Strategy Objective SO9 of the BMWCS states that the Green Belt should be protected from inappropriate waste development. Policy GB1 of the SBDLP states that development would not be permitted for new buildings unless it is for the following purposes:

- Recreation use

- Cemeteries
- Mineral workings
- Agriculture / forestry
- Limited extension, alteration or replacement of existing dwelling,
- Limited infilling in existing villages
- Limited infilling or redevelopment of major existing developed sites.

103. These would be subject to other policies being met i.e. scale, building height, and those buildings that would not have an adverse impact on the character or amenity of the area. The development of buildings for a new waste recovery centre does not fall within these categories.

104. The National Policy document on Energy which sets out policies for the promotion of developments to generate renewable energy and reduce greenhouse emissions, states that applications covered by this should demonstrate that there is a need. Section 5.10 of the EN-1 document also sets out policy for Energy Infrastructure development in Green Belt areas. It states what applicants should consider for proposed developments in the Green Belt areas that are primarily aimed to prevent urban sprawl and protect the openness of the countryside. In addition, it advises that Green Belt plays a positive role in the promotion of providing access to sports and recreation facilities or access to the open countryside.

105. Paragraph 5.10.10 of the EN-1 document states that development should not be approved in the Green Belt except in very special circumstances. Paragraph 5.10.11 states that infilling or redevelopment of major developed sites in the Green Belt if identified by the planning authority may be suitable for energy infrastructure but need to show that physical characteristics would have no adverse effects on the fundamental purposes of the Green Belt.

Purposes and objectives of the Green Belt

106. In relation to the purposes and objectives of the Green Belt, I would comment as follows:

- The development covers a significant area and is located in a relatively isolated location unconnected to any built up area. It could not be argued that the development would contribute to the unrestricted sprawl of large built up areas nor would contribute towards preventing sprawl of Gerrards Cross or Beaconsfield nor affect the setting of historic towns. The development would represent a permanent development in an open countryside setting and as such would encroach into the countryside. The application site and surrounding land is currently in use for waste management facilities and landfill operations, which have recently ceased. The current planning permission expires (with the exception of the gas power station) on the 31st December 2017. There are restoration conditions attached to them, the aim being to restore the land to an appropriate countryside / agricultural/woodland uses. The proposal, therefore, does not involve the recycling of derelict or other urban land. The proposal seeks to extend the use of the C&D waste recycling area to make it a permanent operation together with the Anaerobic Digestion facility.
- The development itself would not directly provide opportunities for access to the open countryside or for outdoor sport and recreation. The applicant proposes, however, to ensure public footpaths and bridleways are provided as part of this planning application to be secured by condition and a legal agreement.

- The proposal involves retaining the existing construction and demolition waste recycling facility on the site along with the construction of a new permanent waste residual fuel / materials recycling facility building and anaerobic digestion facility. This would not contribute to the Green Belt objectives of improving damaged land around towns, improving the landscape nor retaining land in agricultural or forestry use, taking into account the current restoration requirements for the land which would not be secured should the development be carried out.

107. When the buildings and plant are considered in the context of surrounding operations and other buildings, the additions by definition would impact on the openness of the Green Belt. It is evident that the proposal would be in general conflict with the purposes and objectives of the Green Belt designation. To be acceptable therefore, very special circumstances would have to prevail.

Very Special Circumstances

Need and Alternative sites

108. The development is proposed to serve a 10 - 15 mile radius and, although the applicant has stated that contracts of waste sources are not yet known, it is the applicant's intention that waste sources for the AD plant would be as local as possible. The site is located on the Strategic Highway Network with access to the M40 via the A40 and so is readily accessible for waste arisings outside of the county, including a large area of Greater London including Slough and Maidenhead which are large generators of waste. It is known that the existing landfill has historically served these out of county areas thus there is no reason to conclude that the proposed development would not continue to do so.

109. Whilst some cross-boundary movement of waste is inevitable, policy CS16 in the BMWCS states that proposals for facilities in Buckinghamshire primarily intended for the management of imported wastes would be resisted. Provision for energy recovery would only be accepted where there are demonstrable benefits to Buckinghamshire including improving the viability of recovery activity within the County. A Green Belt location without properly justifying why other alternative sites are not suitable and available would not be acceptable.

110. The applicant submitted a schedule of alternative sites that they had considered in relation to this proposal. Given the size and site required, and the environmental impacts such a facility would generate and the access / infrastructure needed, the applicant rejected those sites and considers that the site at Wapseys Wood provides an acceptable location in environmental terms. In theory, it would be possible to provide similar waste recycling capacity at a number of smaller sites. In response to the council's request for further justification on co-location, the applicant is adamant that such facilities need to remain together, keeping the C&D, C&I and the MSW all on the same site. The applicant's reason for this is that the co-location would allow a wide spectrum of material separation, processing, packaging and distribution to operate within the site with minimal requirements for double handling and off site movement. The site at Wapseys Woods would provide the area needed for the capacity of the facilities it seeks to provide and has the infrastructure in place for such a facility.

111. The applicant has identified 9 sites that meet the minimum size of the required site for development, if it were to be split up and each facility located on different sites. Only four of these are outside the Green Belt and in south Buckinghamshire (South Bucks, Chiltern and Wycombe Districts).

112. The reasons given for rejecting these four sites are as follows:

| Site | Size (ha) | Reason for rejection by the applicant | Other comments |
|--|------------------|---|--|
| Land at Thorney Lane (Area of Focus in the new draft plan) | 1.61 | Site is in an awkward position between a railway line and a canal and access is understood to be relatively difficult. The wider highway generally provides access to the nearby villages | Area of focus in new draft plan |
| Aerial House, Asheridge Lane, Chesham (Area of focus in the new draft plan) | 1.85 | This is a purpose built production warehouse and not suitable waste management development | Area of focus in draft plan due to existing use and location |
| Kites Park, Princes Risborough (not an Area of Focus but another site in the southern part of Buckinghamshire) | 2.30 | This is being marked for high quality business park for which vendors are unlikely to be looking for a waste management site uses and in close proximity to residential properties. | Not an area of focus in draft Local plan |
| Development Site (Mill End Road), High Wycombe (not an Area of Focus but another site in the southern part of Buckinghamshire) | 2.00 | This is directly adjacent to residential properties and not considered suitable for waste management needs | Not an area of focus in draft Local plan. |

113. The draft emerging Minerals and Waste Local Plan identifies “Areas of Focus” for future waste management facilities which are largely related to the main urban and growth areas in the county where it is considered waste management facilities should most appropriately be located. Gerrards Cross is not one of these areas of growth and Wapseys Wood has not been identified as an Area of Focus. While there are some proposals for new housing in the south of Buckinghamshire, there is a significant amount of new homes proposed in the north of the County. The applicant has identified suitable sites in the north of the County including those at Westcott Venture Park, and Symmetry Park, College Road North at Aston Clinton which are outside the Green Belt and would accommodate all three proposed facilities together on one site. Both of these are in the Areas of Focus in the draft Local Plan. Both have ease of access to the Strategic Highway Network and promote co-location of other waste management facilities (Shanks AD plant at Westcott, and Olleco off Samian Way off College Road North). There are

also a number of other sites that the applicant has identified as suitable for the development if the facilities were separated both in the north and the south of the county outside the Green Belt.

Conclusion on Green Belt and Very Special Circumstance

114. The applicant has not demonstrated that there are no alternative sites reasonably available to provide the waste management capacity for the equivalent of the waste arising within the county outside the Green Belt and so the need for the proposed development to take place on this site. In addition, it is my view that the applicant has not demonstrated that the development would principally serve the waste needs arising from within the County and, although some cross boundary movement is inevitable and acceptable in principle, it would not justify the harm to the Green Belt by way of inappropriateness, when sites are available outside of the Green Belt to serve Buckinghamshire's needs.
115. It is my view, therefore, that the development of this site as a permanent waste recycling facility is not justified by any wider environmental and sustainability benefits and that very special circumstances which would override normal Green Belt policy for this inappropriate development do not exist. The development is therefore contrary to policies CS20 of the BMWLP, GB1 of the SBLP and paragraphs 87 and 88 of the NPPF. In addition, because it is not considered that the proposal is aimed primarily to serve Buckinghamshire's waste needs it is considered that the proposed development is not in compliance with Policy CS16 of the BMWCS.

Development on previously developed land and restoration requirements (Policy CS23 of the BMWCS, policy 31 of the BMWLP and section 4 of the NPPW)

116. Section 4 of the NPPW sets out criteria for assessing suitable locations for waste management facilities. It gives priority to the re-use of previously developed land for these types of facilities. Policy CS23 of the BMWCS states that any restoration schemes must ensure the positive integration of the site with the wider landscape and the creation of green spaces. The site was initially mineral working and operations were permitted with the intention of the site being restored to fields and woodland after completion which is required by 31st December 2017. It is currently partially in use as a waste recycling facility, with temporary consent and restoration of this area is required as part of the overall approved scheme. Policy 31 of the BMWLP seeks the satisfactory restoration of minerals and waste management sites and states that waste management sites which are to be restored should have a 5 year scheme of aftercare and this is required in the current consent 11/00223/CM.
117. To place a permanent facility with buildings and other structures on a green field site in a Green Belt area which would not meet the restoration intention of sites used for mineral workings and landfilling is clearly contrary to the aims of these policies. Therefore the proposed development would not be in compliance with these policies

Sustainable Energy (Policy 12 of the SBDCS)

118. Policy 12 of the SBDCS states that development that promotes and encourages energy efficient and renewable / low carbon energy in all new development including infrastructure, including standalone facilities in suitable locations, should be approved.
119. The proposed development would allow anaerobic digestion facilities and would provide a form of renewable energy. Energy derived from this source would be fed back into the National Grid. Therefore, the proposed development would be compliant with the above policy.

Amenity, (Policy CS22 of the BMWCS, Policy 28 of the MWLP, Policy CP13 of the SBCS)

Amenity

120. Policy 28 of the MWLP states that development would not be permitted where it would unreasonably harm any aspect of the amenity of the nearby residents when considered against the benefits of the development. Noise, odour and visual amenity are considered below.

Noise

121. Section a) in Policy CS22 of the BMWCS mentions that noise pollution should be minimised. Paragraph 123 of the NPPF sets out the planning policy approach to noise when determining planning applications. In essence, it sets out that decisions should aim to :

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development including through the use of conditions;
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- Identify and protect areas of tranquility which will remain relatively undisturbed by noise and are prized for their recreation in amenity value for this reason.

122. Although AD operations are continuous 24/7, they are not considered to cause a detrimental impact on noise. If approved, this would have to be closely monitored during operation. For the development as a whole, the operation / delivery hours, as well as vehicle movements, would be no more than current levels which would be secured by a condition and a S106 agreement for traffic routing. A Noise Report has been submitted with the planning application to assess the noise levels. The noise assessment demonstrates that the proposal does not give rise to any new noise issues. Although concern has been raised by the District Council's Health Communities team, no objection was received from the Environmental Health Officer.

Odour

123. Again, section a) of Policy CS22 of the BMWCS states that odour should be kept to a minimum. Policy CP13 of the SBCS states that new development should seek improvements in air quality. The nature of waste operations means there is a risk for odour during the transportation, handling and processing of waste. An odour assessment was carried out by the applicant of the potential impacts of odour from the development. Technology is proposed for the suppression of any odour to be released through the stack and following an assessment on 16 residential receptors in close proximity to the site, and subject to mitigation measures, it is not considered that there would be a detrimental impact on the local amenity through odour and on air quality from the site. Although concern has been raised by the District Council's Health Communities team, no objection was received from the Environmental Health Officer.

Visual Impact

124. The height of the proposed RDF building would be 13.3 metres, the height of the bund would be 12 metres from the ground level of the RDF building. There are proposed woodland glades at the top of the bund. The site is very well screened from any views into the site and therefore it is considered that if the proposed development were to be approved it would not have a detrimental impact through visual impact on the local area.

Footpaths

125. These are part of the consideration of impacts on the amenity of the local area. The latest landfill operations have a S106 agreement (dated 9th December 2011) that covers the requirement for works to footpaths within the site once the site is restored. The Rights of Way officer has no objection to the planning application, subject to a new S106 agreement in place requiring the same restoration proposals as previously agreed and to enable guaranteed Rights of Way and subject to a condition requiring details of all routes proposed within the red and blue line areas. This planning proposal would provide opportunity for an improved Rights of Way network in the area.

Conclusion on Amenity Impacts

126. The application site is located 512 metres from the nearest house and the proposed facility should not give rise to any significant environmental impacts (as discussed below). The site is mostly screened by existing bunds and trees and additional woodland planting is to be undertaken to reduce the impact on the local area. The site is located away from local residents, is already well screened and further screen planting is to take place. The distance between the site and the nearest properties and the proximity of the site to the M40 motorway means that direct environmental impacts in terms of noise, dust and odour are limited. With regards to amenity, although concerns have been raised by the District Council's Health Communities team, the Environmental Health Officer has raised no objection. It is considered that the proposed development would not have a detrimental impact: With conditions to control noise and dust and ensure the provision of the proposed planting and a Section 106 agreement and condition to improve and secure the provision of rights of way, this should not have a detrimental impact on local residents or environment (NB odour is a matter which would be controlled by the Environmental Permit issued by the Environment Agency). Therefore I consider the proposed development to be compliant with the above policies CS22 of the MSCW and policy 28 of the BMWLP and policy CP13 of the SBCS.

Design and Location (Policy EP3 of the SBDLP)

127. Notwithstanding my conclusion on Green Belt grounds, the design of the development has also been considered on its own terms. Policy EP3 of the SBDLP states that buildings should be in scale to fit in with existing buildings, style and character and should not detract from those of the local area. The layout and siting of the buildings should make positive use of the qualities and features of the site. The use of the building should not have a detrimental impact on the amenity of the local area, although it would be inappropriate and therefore harmful to the openness of the Green Belt.

128. The height of the proposed AD digestors is approximately 15 metres. The height of the WRF building is proposed to be 13.3 metres high. Due to the location of the

buildings and tanks in the hollow of the unfilled area of the landfill site and the proposed woodland screening as well as the location of the footpaths, it is considered that this would not have an adverse impact on the qualities and features of the local area. Therefore, subject to a condition requiring the approval of materials and colours of the WDF and digester tanks, it is considered that the proposed development is compliant with policy EP3 of the SBDLP.

Landscaping (Policy EP4 of the SBDLP)

129. Policy EP4 promotes the use of hard and soft landscaping and especially those that complement the existing landscaping on or adjacent to the site. It also promotes the use of native species for the area and provision should be made for the provision and maintenance of planting.

130. As previously mentioned, the proposed development would be located in an unfilled area of the landfill site, with the highest ridge around the site to be at 13.3 metres high. Currently there is woodland planting in some parts of the site. It is proposed that the woodland planting would be extended / planted on the southern ridge to the south of the RDF and AD facility and therefore inward looking views into the site from the footpath would be minimal due to the screening. The landscape advisor advises a condition be added to include further details of the landscaping proposals and planting specifications, a 5 year management plan and protection plan. Therefore, subject to these conditions, it is considered that the proposed development is in compliance with policy EP4 of the SBDLP.

Transport (CS22 of the BMWCS, TR5 and TR7 of the SBDLP, CP7 of the SBCS and the NPPW)

131. Paragraph 5 of the NPPW states that the capacity and potential transport infrastructure to support the movement of the waste must be suitable and encourage the use of other modes of transport other than roads. This is also mentioned in Appendix B in the Location Criteria in the NPPW. Policy CS22 of the BMWCS seeks to minimise the distance travelled of materials by road in order to minimise greenhouse emissions and other pollution, taking into account factors such as residential amenity and routing agreements. Policy CP7 of the SBCS seek to improve accessibility to services and ensure a safe and sustainable transport network.

132. Policy TR5 of the SBDLP states that in creating new or alternating accesses onto the highways, development would only be permitted where:

- the proposal complies with the standards of the relevant Highway Authority;
- the operational capacity of the highway would not be exceeded, or where the proposal would not exacerbate the situation on a highway where the operational capacity had already been exceeded; and
- traffic movements, or the provision of transport infrastructure, would not have an adverse effect on the amenities of nearby properties on the use, quality or character of the locality in general, including rural lanes.

133. Policy TR7 of the SBDLP states that parking would only be permitted if parking is made on the development site and would not have a detrimental effect on parking elsewhere.

134. The site has excellent access off the Strategic Highway Network (A40) with excellent access to the M40 for any C&I and C&D waste transportation which need to come and go further afield. It would be close to waste generating urban areas such as Gerrards

Cross, Beaconsfield, the Chalfonts and London. The proposed development would also make use of the existing site access road and existing weighbridge and would enable to the mineral extraction site with the aim to be fully restored by the permitted date of 31st December 2017 without the need for further landfill activity. The site would not be fully restored by 31st December 2017.

135. Having an AD facility in the South of Buckinghamshire could reduce the travelling distance made by road but London is required to be self-sufficient by 2026 in its management of its own waste and most housing development would be taking place in the north of the county. The applicant is proposing the same vehicle movements, using the same access and the same operation hours as those currently in use for the operations on site as a landfill. Parking provision of 30 parking spaces would be made for staff who would work there. No objection has been received from the Highways Officer. Subject to a condition to limit the vehicle movements to current levels and a S106 agreement to re-iterate the left turn out of the site, I consider the proposed development to be in compliance with the above policies in relating to transport and highways.

Flood Risk (Policy CS22 of the BMWCS)

136. Policy CS22 of the BMWCS states proposals for new development should seek to reduce flood risk from all known sources including river, surface water and ground water flooding. Development proposals should avoid or minimise adverse impacts on water environment and water infrastructure. The Council's Flood Management Officer raised no objection to the proposed development subject to a condition requiring the development to be carried out in accordance with the Flood Risk Assessment with regards to surface water run-off, use of swales, pollution control measures and a condition requiring the submission to and approval by the County Planning Authority of a whole life maintenance plan. I therefore consider that the proposed extension would not have a detrimental impact on flooding and surface water run-off.

137. The Environment Agency originally objected, raising concerns in regard to the risk of pollution to groundwater by deep pit boreholing. The applicant has confirmed that no boreholes will be dug and the Environment Agency has subsequently removed their objection subject to conditions. Therefore I consider it to be satisfactory that this application is compliant with Policy CS22 of the BMWCS.

Biodiversity and Historic Environment (Policy CS18 and CS19 of the BMWCS and Policy 9 of the SBDLP, policies CP8 and CP9 of the SBCS)

138. Policies CS18 and CS19 of the BMWCS state that permission will not be granted for waste development that would be likely to endanger or have a significant adverse effect on the character, appearance and affect the setting of designated locally importance landscapes, nature reserves, heritage assets, water resources including canals. Policy CS18 of the BMWCS states that the proposed development shall not have an impact on Listed Buildings and Conservation areas and SSSIs. Paragraphs 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. This is supported by policy CP9 of the SBCS. Paragraph 128 of the NPPF states that Local Planning Authorities should require applicants to describe the significance of any heritage assets that could be affected by the development. Policy CP8 of the South Bucks Core Strategy reiterates this.

Historical Environment

139. The site is not located in a nationally important archaeological site. The nearest listed building is at least 450 metres away in the Bulstrode Manor Historic Park and Garden.
140. There are also a few Grade II listed structures further away. I consider that the proposed development would not have a detrimental effect on the character, appearance or setting of the nearby historic landscape designations. No comments have been received from South Bucks Historic Buildings Officer and no objection from Historic England has been received. The County Archaeologist has considered the proposals to have no impact on archaeology. I therefore consider that the proposed development is in compliance with the above policies.

Biodiversity

141. Paragraph 109 of the NPPF states that development should minimise the impact on biodiversity and where possible should provide for net gains in biodiversity. The Council's Ecology Advisor has raised no objection to the proposal, but highlighted the need to secure an ecological and restoration management plan. I consider that the proposed development would not have a detrimental impact on biodiversity, especially with the retention of the ponds which would contribute towards the promotion of biodiversity. It is not considered that the proposals would have a detrimental impact on any SSSIs which are all in excess of 2km from the site. However, there are some Biological Notification sites adjacent to the eastern boundary of the site. No objections, subject to a condition, have been received. Therefore, I consider the development to be compliant with the above policies.
142. The recent comments made by the interested third party representing City of London requiring a Habitats Regulations Assessment is noted and that in the light of this Buckinghamshire County Council will be screening the application for the Habitats Regulations Assessment. The Committee will be updated verbally at the meeting regarding progress with this. The committee is advised that a decision on the application must not be issued until the screening exercise is undertaken and, in the event that the committee resolve to approve the application, deferral may be required if the screening exercise concludes that a Habitat Assessment is required.

Implications of Refusal for Site Restoration

143. Members are advised that the refusal of this planning application would mean that there is a large void within the existing complex which will not be restored before the permitted completion date of 31st December 2017. Consideration will need to be given to how best to restore this area, which may require further planning applications to be submitted in due course and which may include proposals to import waste to the site for a further temporary period and to retain the existing infrastructure, plant, and buildings accordingly. This 'fallback position' is material to the planning application currently being determined.

Conclusion

144. The applicant proposes major waste management facility on the site of Wapseys Wood landfill site. It would assist in retaining the C&D facility that is currently contributing to the achieved capacity of recycling of this type of waste in the County and would allow the site to be fully restored by the end of 2017 and avoid the need for further landfilling of the remaining void. The County has a requirement to provide more capacity for the recycling of C&I wastes and this proposed planning application would assist the

County Council in achieving its target for this as outlined in Policy CS9 of the Minerals and Waste Core Strategy.

145. However, the development would comprise inappropriate development in the Green Belt and by definition would therefore be harmful. It is concluded that very special circumstances have not been demonstrated to justify a departure to Green Belt policy in this instance. The applicant has not demonstrated that there are no alternative sites available to provide for Buckinghamshire's waste arisings nor has the application produced a convincing argument that the three facilities need to be co-located on a single large site within the Green Belt. The development is therefore contrary to policies CS20 of the BMWCS, GB1 of the SBLP, and paragraphs 87 and 88 of the NPPF. In addition, as the development would primarily be located to serve waste arisings from Greater London, the proposal would be contrary to policy CS16 of the BMWLP.

146. Finally, the development would conflict with the restoration requirements of the existing planning permissions, which were imposed to ensure the temporary mineral and landfill operations, which are exempt from Green Belt policy, are returned to open space and woodland. Whilst there will clearly be an issue with regard to achieving the final restoration of the site by the current permitted deadline of 31st December 2017 I consider this to carry very limited weight in justifying a permanent inappropriate development in the Green Belt.

147. Subject to the adoption of a Habitats Assessment Screening Opinion prior to the decision notice being issued, it is recommended that planning permission is refused for the reasons set out in Appendix A.

BACKGROUND PAPERS

Planning Application Ref. CC/17/16
South Bucks District Council Local Plan 1999
South Bucks District Council Core Strategy 2011
Buckinghamshire Minerals and Waste Local Plan
Buckinghamshire Minerals and Waste Core Strategy Adopted 2012
National Planning Policy Framework 2012
National Planning Policy for Waste 2012
Overarching National Statement for EN-1 July 2011.
Consultation replies dated May 2016 – October 2017.
Draft Buckinghamshire Minerals and Waste Local Plan 2016 -2036

APPENDIX A

Reasons for Refusal

1. The development would be inappropriate in and would affect the openness of the Metropolitan Green Belt contrary to the provisions of policies CS20 of the Buckinghamshire Minerals and Waste Core Strategy, paragraphs 87 & 88 of the National Planning Policy Framework and policy GB1 of the South Bucks Local Plan. The applicant has not demonstrated that the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations nor have they demonstrated that no alternative sites are available outside the Green Belt including through making provision for the individual waste streams proposed to be managed at smaller sites. Very special circumstances do not therefore exist to justify making an exception to these policies.
2. The development would be on a green field site and would have an adverse effect on the restoration and aftercare of the existing mineral working and landfill site as required by planning permission no. 11/00223/CC. The applicant has not demonstrated that there are no alternative previously developed sites available. The application is therefore contrary to the provisions of policy CS23 of the Buckinghamshire Minerals and Waste Core Strategy, saved policy 31 of the Buckinghamshire Minerals and Waste Local Plan and section 4 of the National Planning Policy for Waste.
3. The development is contrary to Policy CS16 of the Buckinghamshire Minerals and Waste Core Strategy as facilities for the management of imported waste, including those from London other than limited provision for landfill to 2026, are to be resisted.