

Committee Report: 1st July 2019

Application Number:	CM/0018/19
Title:	Use of yard and building for waste transfer and waste processing with ancillary storage of waste materials, skips, operator car parking and welfare facilities
Site Location:	Unit 25 Old Airfield Industrial Estate Cheddington Lane Marsworth Buckinghamshire HP23 4QR
Applicant:	Amalgamated Industrial Park
Case Officer:	Catherine Kelham
Electoral divisions affected & Local Member:	Ivinghoe Anne Wight
Valid Date:	1 st April 2019
Statutory Determination Date:	31 st July 2019
Extension of Time Agreement:	n/a

Summary Recommendation(s):

The Development Control Committee is invited to APPROVE application no. CM/0018/19 for the use of land at Unit 25, Marsworth Airfield for waste storage and treatment subject to Conditions to be determined by the Head of Planning and Environment, including those set out in Appendix A and subject to completion of a Planning Obligation, with details, alterations, additions and deletions, to be determined by the Head of Planning and Environment, to secure the following:

- I. *Routing agreement to ensure that all HGVs involved in the importation and exportation of materials in connection with the Development*
 - a) *Do not pass through Long Marston Village;*
 - b) *Do not turn into or out of Mentmore Road/Cheddington High Street towards Cheddington and turning into or out of the road to the north west towards Mentmore at the double mini-roundabouts between Long Marston Road and Station Road;*
 - c) *Access the Land left-in only from Cheddington Lane;*
 - d) *Egress the Land right out onto Cheddington Lane; and*
 - e) *Proceed to and from the Land along Long Marston Road, Station Road, and the B488.*
- II. *All HGVs within the applicants fleet that travel to and from the site and are involved with the importation and exportation of materials in connection with the Development are installed with GPS equipment in operation at all times for route tracking purposes, which will be available on request provided to the Council.*
- III. *The provision and maintenance of a sign to the reasonable satisfaction of the Head of Planning and Environment at the point of access to the Land to inform drivers of HGVs accessing and egressing the Land of the routes they should observe the routing set out above.*

Introduction

1. Application CM/0018/19 seeks to use the yard and buildings at Unit 25 of the Old Ministry Airfield Industrial Estate, Marsworth, for waste transfer and waste processing with ancillary storage of waste materials, skips, operator car parking and welfare facilities. This site overlaps with part of a larger site granted planning permission for a waste transfer station in 2018 (CM/17/17).

Site Description

2. The Application Site is located in east Aylesbury Vale District in Buckinghamshire, close to the boundary with Hertfordshire. It is part of the Old Ministry Airfield Industrial Estate which forms the northern part of the former RAF Cheddington site. The Old Ministry Airfield Industrial Estate is accessed via Cheddington Lane.
3. Approximately 890 metres to the north of site at the closest point is the village of Cheddington; approximately 2km to the east-southeast is the village of Pitstone; approximately 1.6km to the south-southeast of the site is the village of Marsworth; and approximately 1.8km to the southwest is the village of Long Marston. The closest dwelling to the site, Hatchway Farm House, is approximately 280 metres to the west of the site entrance on Cheddington Lane and approximately 1km from the Application Site yard.
4. The Application Site is within the Cheddington Vale Landscape Character Area. The area is a low lying flat vale landscape which has been significantly altered by arable intensification and field amalgamation. In the southern part of the landscape area, the previous use of the land as an airfield has caused loss of field structure. Immediately to the northeast of the Old Ministry Airfield Site is the Westend Hill-Southend Hill Local Landscape Area. The Application Site is over 2km from the closest part of the Chilterns Area of Outstanding National Beauty (AONB). It is also over 2km from Tring Reservoirs SSSI and Pitstone Quarry SSSI and over 3.75km from Aldbury Nowers SSSI and Ashridge Commons and Wood SSSI.
5. A google image, with the Application Site outlined in red, is shown below:



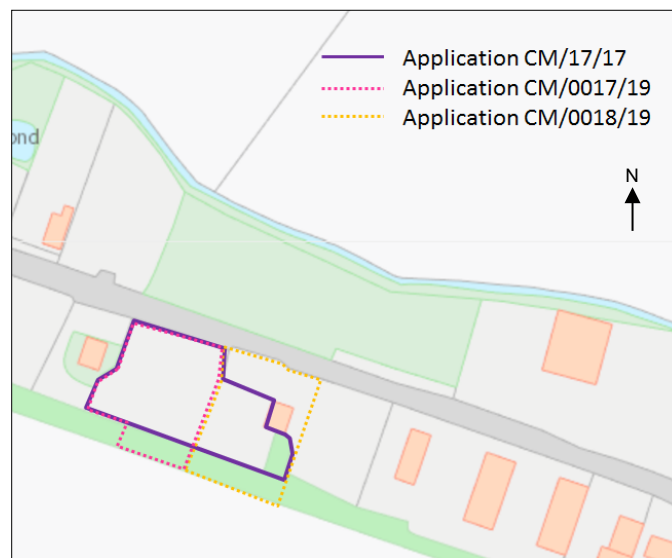
6. There is a Scheduled Ancient Monument approximately 440 metres to the northwest of the Application Site on Southend Hill. The Application Site itself has not been identified as a site of national or local historical, cultural or archaeological significance. In the nearby villages of Long Marston, Marsworth, Pitstone, Ivinghoe, Mentmore and Cheddington there are a large number of listed buildings. Marsworth village centre and Mentmore Village Centre are designated conservation areas. The nearest of these buildings is Grade II listed Westend House, approximately 900 metres to the north of Application Site on the outskirts of

Cheddington Village.

7. The Wash Brook runs southeast-northwest to the north of the industrial site. The yard area of the Application the site is located in Flood Zone 1 and the access road is partially within Flood Zones 2 and 3.
8. Public Right of Way CHD/3/2 runs from Cheddington Lane along the outside of the Old Ministry Airfield Site for approximately 800 metres before heading north-east between Westend Hill and Southend Hill to Cheddington Village.

Site History

9. The Airfield Industrial Estate was granted a Certificate of Lawful Use (reference no: 85/0040/AV) by Aylesbury Vale District Council on 23rd August 1985 for the continued use of the airfield for light industry and storage purposes. This certificate does not include any restrictions on the number of vehicle movements associated with the use of the Industrial Estate and it is under this certificate that the majority of the units on the Industrial Estate operate.
10. On 2nd May 2018, planning permission was granted for the change of use from parking of empty skips to waste storage and sorting at Unit 25B (reference number CM/17/17). This planning permission was subject to a number of conditions and a routing agreement from the site to the B488. The yard area as of this planning consent is shown in purple in the image below.



11. Following a monitoring visit to the site in autumn 2018, it was discovered that the yard area related to planning consent CM/17/17 had been split into two yards. The yards were separated by a fence and each had a separate access from the internal haul road. The eastern yard area (Unit 25) (shown in yellow dashed line in the image above) is currently operated by Amalgamated Ind Park. A different operator is currently occupying the eastern yard (Unit 25B) (shown in pink dashed line in the image above). This planning application relates to the eastern (yellow dashed) yard area. For the clarity, the site area as outlined in red on the plans accompanying this application contains all the land necessary to carry out the development and includes access to the public highway.
12. Planning permission for the demolition of a building and its replacement with an open fronted steel structure on Unit 25 was granted planning permission by AVDC in June 2018 (Planning reference number 18/01229/APP). It is approximately 36m in length and 17m wide with a

small side protrusion of 2.4m by 5m to provide welfare facilities. The building has a mono-pitched roof, sloping from 8.85 metres at the eaves to 7 metres at the back.

13. Changes of use from light industrial and storage to waste-related uses have also been granted planning permission permitted on some other units within the airfield. Where planning permissions have been granted they included conditions/obligations such as vehicle movement limitations and routing agreements.
14. Specifically, planning permissions for waste uses exist on the following units:
 - *Units 32, 32A and 33 (planning reference: 11/20007/AWD)*
 - *Unit F2 (planning reference: 10/20003/AWD)*

Proposed Development

15. The application seeks to regularise the use the yard and building of Unit 25 for waste transfer and waste processing with ancillary storage of waste materials, skips, operator car parking and welfare facilities.
16. The facility would operate in conjunction with Unit 32, Old Airfield Industrial Estate (opposite) as an area for waste processing. The site would accept and separate mixed construction and demolition waste (such as soil, hardcore, wood, plastic, cables etc.) and waste that has arisen as part of home improvement works. It is not proposed to process or import hazardous waste onto the site.
17. The material would be tipped and manually/mechanically screened and sorted within the existing building. The building would be fitted with a dust suppression system
18. Around the southern boundary of the site is an earth bund and hedge. On the remaining three site, the site is enclosed by concrete block and metal palisade fences
19. The maximum annual operational through-put is proposed to be 87,500 tonnes.
20. It is proposed to place security lights along the outside of the building.
21. It is not proposed to have any additional vehicle movements and the application documents state that the site would operate in conjunction with Unit 32 opposite.
22. The following hours of operation are proposed:
 - 7.00am to 5.30pm Monday – Friday
 - 7.00am – 12pm on Saturday
 - No operations on Saturday afternoons, Sundays or Public Holidays

Planning Policy and Other Documents

23. 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.
24. The development plan for this area comprises of:
 - Saved policies of the Buckinghamshire Minerals and Waste Local Plan (BMWLP)
 - Buckinghamshire Minerals and Waste Core Strategy (BMWCS)
 - Adopted Aylesbury Vale District Local Plan (AVDLP) 2004
25. Other documents that need to be considered in determining this development include:
 - National Planning Policy Framework (NPPF)
 - National Planning Policy for Waste (NPPW)

26. The emerging **Buckinghamshire Minerals and Waste Local Plan (2016-2036)** (BMWLP36) has undergone public examination and the final Inspector's report was received in June 2019. This confirms that the plan, with modifications, is sound and so can proceed to adoption. As the plan at an advanced stage of preparation, it is considered to hold considerable weight for the determination of planning applications. The policies referred to in this report are from the submission document, as modified.
27. The draft **Vale of Aylesbury Local Plan (2013-2033)** has been submitted to the Secretary of State for MHCLG for independent examination. Examination hearings were held in July 2018 and, following the provision of the Inspector's interim findings, AVDC is currently preparing Main Modifications for consultation. The VALP is considered to be at an advanced stage of preparation and is a material consideration for the determination of planning applications.
28. The following policies are considered relevant to the proposed development:

Adopted Buckinghamshire Minerals and Waste Core Strategy (BMWCS) 2012

- CS9 (Recycling)
- CS14 (Safeguarding Existing and Potential Waste Sites)
- CS18 (Protection of Environmental Assets of National Importance)
- CS22 (Design and Climate Change)
- CS23 (Enhancement of the Environment)

Saved Policies of the Buckinghamshire Minerals and Waste Local Plan (BMWLP)

- Policy 28 (Amenity)

Adopted Aylesbury Vale District Local Plan (AVDLP) 2004

- GP.8 (Protection of Amenity of Residents)
- GP.35 (Design)
- GP.95 (Unneighbourly uses)
- RA.36 (Traffic on Rural Roads)

Draft Buckinghamshire Minerals and Waste Local Plan (BMWLP36) (2016-2036)

- Policy 11 (Spatial Strategy for Waste Management)/Policy 14 (Sustainable Waste Management)
- Policy 12 (Waste Management Capacity Needs)
- Policy 15 (Development Principles for Waste Management Facilities)
- Policy 17 (Managing impacts on Amenity and Natural Resources)
- Policy 18 (Sustainable Transport)
- Policy 20 (Historic Environment)

Draft Vale of Aylesbury Local Plan (VALP) (2013-2033)

- BE1 (Heritage Assets)
- BE2 (Design of new Development)
- BE3 (Protection of the amenity of residents)
- NE5 (Landscape character and locally important landscape)
- NE6 (Pollution, Air Quality and contaminated lane)
- I4 (Flooding)

Consultation Responses

29. Local Member, **Councillor Anne Wight**, has objected to the planning application. She considers it is detrimental to the local amenity, particularly with regard to new housing development in the area, the proximity of the site to the AONB and proximity to Pitstone SSSI. She also considers the local road network is insufficient to accommodate an increase in industrial vehicles.
30. **Marsworth Parish Council** has no objection the planning application.
31. The **Highways Development Management Officer** is mindful that the Old Airfield Industrial can currently operate with no restriction on HGV movements. He has commented that, subject to the site being monitored, a condition being imposed to limit the 82 two-way vehicle movements per day to be across Unit 32 and 25 and the existing routing agreement being maintained he is satisfied that the operation of the site can be controlled to that which is being proposed. He is also satisfied that subject to these requirements the traffic impact of the proposed development would not be material. In addition, he recommends that the scheme for parking, manoeuvring and loading and unloading of vehicles as shown on the submitted plans laid out as shown on the plans and is not used for any other purpose.
32. BCC as **Lead Local Flood Authority** considers the site lies within an area of low risk of surface water flooding. With regard to surface water drainage, they understood that the site is brownfield and 100% impermeable, and it is proposed to connect to the existing surface water drainage network. Overall, they have no objection to the development subject to a condition requiring the provision of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context.
33. The **Environment Agency** has no objection to the development subject to a condition requiring the reporting and pausing of development in the event that not previously identified contamination is found to be present at the site.
34. The **BCC Ecology Officer** has no objection to the proposed development and does not consider it necessary to apply a condition to safeguard ecological interests.
35. The **BCC Rights of Way Officer** has no comments to make from a Rights of Way perspective.
36. The **BCC Archaeology Officer** considers the nature of the proposed works is such that they are not likely to significantly harm the archaeological significance of nearby assets. They therefore have no objection to the proposed development and do not consider it necessary to apply a condition to safeguard archaeological interest.
37. **Historic England** has no comment to make.
38. No comments have yet been received from the **AVDC Design and Conservation Team**.

Representations

1. At the time of going to print, 43 representations from members of the public, all of which object to the application, have been received.
2. The main reasons for the objections are:
 - Roads being unsuitable for HGVs (due to: Brownlow Bridge weight limit; the roads being too narrow for HGVs, proximity to residential properties; and roads being over capacity due to other development in the area)
 - Highway safety
 - Impact of noise and vibrations from vehicles on residential properties
 - Impact litter from site on local amenity
 - Impact of dust/fumes site on surroundings and local wildlife

- Impact of increasing capacity without increasing vehicle numbers leading to larger vehicles and greater impact
 - Impact of odour from the site
3. **Slapton Parish Council** has objected to the proposed development. They comment there is a lack of suitable roads in the area and that overflow parking from the station further reduces the road width. In addition they comment that development on the site would strain the amenity's resources and roads over and above the present situation. They also comment that Ivinghoe is an AONB and Pitstone has an SSSI and attention should be paid to this status.
 4. Mentmore, Crafton and Ledburn Parish Councils have objected to the proposed development. In summary, they consider it has an unacceptable impact on residential amenity, highway and traffic impacts and harm to the character and appearance of the Chilterns AONB. They believe it is contrary to the BMWCS, BMWLP and AVDLP, harmful to the Conservation Area and the cumulative impacts have not been taken into consideration.
 5. **Cheddington Parish Council** has objected to the proposed development. They question what is being proposed and consider the site is an inappropriate location for the development.
 6. **Ivinghoe Parish Council** has objected to the proposed development. They consider there is insufficient information regarding traffic or HGVs in the application and believe the local roads are unsuitable for the type of vehicle that would need to be used. In addition, they consider the traffic from the site has a detrimental impact on amenity for residents living close to the B488.

Discussion

7. The main issues for consideration in relation to application CM/0017/19 are:
 - Principle of the proposed development
 - Traffic and Transportation
 - Impact on Amenity
 - Landscape and visual impact
 - Drainage and Contamination
 - Heritage

Principle of the proposed development

8. The proposed development seeks planning permission to use the yard and building of Unit 25 for waste transfer and waste processing with ancillary storage of waste materials, skips, operator car parking and welfare facilities.
9. Waste material would be brought to the site and the elements to be recycled or reused would be separate from the elements to be sent to disposal. Diverting waste from disposal and moving it up the waste hierarchy is supported in principle by the NPPW, BMWCS, BMWLP and emerging BMWLP36.
10. The Application Site constitutes previously developed (brownfield) land and the last authorised use of much of the Application Site was for waste processing and transfer under planning permission CM/17/17. The areas of the Application Site not within the planning unit defined by planning permission CM/17/17 have immunity from enforcement action when used for light industry and storage purposes.
11. Policy CS9 of the BMWCS outlines the provision required to meet the waste management capacity needs of Buckinghamshire. This data is however largely out of date, and it is therefore recommended that weight is also attached to the 2017 Addendum Report to the Waste Needs Assessment which is reflected in table 7 and draft policy 12 of emerging BMWLP36. These documents indicate that, across emerging plan period, there is additional

capacity needed for construction, demolition and excavation waste recycling facilities and there a smaller need for commercial and industrial recycling facilities. This need continues to exist when the capacity of 25,000 tonnes provided by application CM/0017/19 is taken into consideration.

12. As the Application Site is previously developed land formerly used for waste management purposes, the proposal to reuse the site for waste management is compliant with policy CS14 of the BMWCS. This policy seeks to safeguard existing waste sites within Buckinghamshire for waste management purposes. It also has support from merged policies 11 and 14 of the BMWLP36. This policy provides for waste management facilities outside the key settlements, as appropriate, particularly where they involve the re-use of previously developed land. It also provides support co-locating waste management facilities together with complementary activities such as industrial estates and waste management sites.
13. As set out in Policy 15 of the emerging BSWLP36, there are a number of principles which waste management development should adhere to. This includes facilities being in general compliance with the spatial strategy for waste development; facilitating the delivery of Buckinghamshire's waste management capacity requirement; identifying the waste stream to be treated; identifying the catchment area and end-fate of the waste; being complementary to the current economic role, status and uses of the employment area; allowing communities and business to take more responsibility for their own waste; and supporting the management of waste in line with the waste hierarchy. The proposed development is considered to be broadly in accordance with this policy.
14. In summary, there is policy support for the movement of waste up the waste hierarchy and support for the continued use of this site for this waste management purposes under the current and emerging spatial strategy. There is also a need across Buckinghamshire for waste management facilities of this type. Overall, the principle of the development and principle of the location is acceptable and in accordance with policy. There are however a number of site specific factors which must also be considered.

Traffic and Transportation

15. In the emerging BMWLP26, policy 18 requires that minerals and waste development provide a transport statement addressing matters including safe and suitable access to the site, traffic flows to be generated, the capacity of the local and highway network to accommodate the movements and identification of mitigation measures to prevent potentially adverse impacts arising from the transport of waste on the community and environment. Policy 28 of the BWMLP seeks to protect the amenity of all those who may be affected waste development proposals both near the site and on routes to and from it, from various factors including noise, vibration, dust, fumes and gases. This requirement is reflected in policy 17 of the emerging BMWLP36. Similarly, policy GP.8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of amenity when considered against the benefits arising from the proposal and policy GP.95 seeks to protect the amenity of existing occupiers and not exacerbate any adverse effect of existing uses. Specifically with regard to proposals in rural areas, policy RA.36 of the AVDLP requires the council to have regard to the desirability of protecting the characteristics of the country side from excessive traffic generation, including the need to avoid traffic increases and routing unsuitable to rural roads.
16. A large number of representations have been received from members of the public objection to the development due to the impact of lorries on the roads, traffic noise and pollution, highway capacity and highway safety. The Local Member, Cheddington Parish Council,

Mentmore Parish Council, Ivinghoe Parish Council and Slapton Parish Council have also raised concerns over these matters. These concerns were also raised during the determination of the change of use application CM/17/17. In addition, it is acknowledged that when increases in HGV movements were proposed on other units on the Old Airfield Industrial Estate (07/20009/AWD and 10/20003/AWD) these were considered to be unacceptable.

17. No vehicle movements are proposed as part of this application as the site would operate in conjunction with Unit 32 opposite. Unit 32 is also within the control of the application, as indicated by the blue line on the submitted plans. Under planning permission (11/20007/AWD) it operates as waste transfer station with HGVs limited to a maximum of 82 per day (41 in and 41 out). Subject to a condition being placed any planning permission granted for this application which limits HGVs to 82 two way movements per day in combination with Unit 32, there would be no change to the existing permitted situation and no increase from HGVs from the Old Ministry Airfield Site.
18. It is acknowledged that if this site were to have the through-put outlined in the application form and HGVs remained capped at 82 per day then there is an argument that larger HGVs may be used to bring material into the site. It is understood that the business at Unit 32 centres on traditional Skip and Ro-Ro container hire. To facilitate this, the vehicle fleet is understood to primarily consists of skip lorries (maximum gross weight around 18 tonnes) with a low number of hook vehicles to move the Ro-Ro containers (maximum gross weight most likely 26 or 32 tonnes). If the site were operate as proposed in conjunction with Unit 32, this should not change. It is however appreciated that larger HGVs may cause more vibrations and greater disturbance. To prevent this, it is recommended should planning permission be granted, HGVs used in the conjunction of waste material into or out of the site are limited to those with a gross maximum weight not exceeding 36 tonnes.
19. There is already a routing agreement in place for vehicles associated with Unit 32. This however does not include the area of land of Unit 25. To ensure any HGVs vehicles associated with Unit 25 also adhered to this routing agreement, it would be necessary for the application to enter into a new legal agreement containing details of this routing.
20. The routing agreement for other units on the site, and indeed unit CM/17/17 which the Application site area overlaps, utilises the most direct route to the main highway network (B488) and avoids the village centres of Long Marston, Cheddington, Mentmore and Marsworth. It does require HGVs to pass by West End House (Grade II listed), 11, 13 and 15 Station Road and close to the Church of St Giles (Grade II* listed). While this may not be ideal, any alterative routing arrangement would require HGVs to take a less direct route to the strategic road network, would not avoid all listed buildings and may also require them to travel through conservation areas.
21. Overall, with the condition in place and routing agreement, the development is considered to be in accordance with policy CS22 of the BWMCs, policy 28 of the BMWLP, policies GP.8, GP.95 and RA.36 of the AVDLP and policy 17 and 18 of the emerging BMWLP36.
22. The proposed development includes ten car parking spaces and it is indicated that four operators would be required to run the proposed development. Policy GP.24 of the AVDLP requires that new development provides vehicular parking in accordance with the Council's operative guidelines. There is no specific parking requirement within this document for waste uses, but based on the requirements for industry uses, there is a requirement for around eleven car parking spaces. While the car parking provision is slightly below this level, given there would be four operators, the provision proposed is considered to be acceptable. As in the comments of the Highways Development Management Officer, should planning

permission be granted, it is recommended that the scheme for parking, manoeuvring and the loading and unloading of vehicles is laid out as shown on the plans and is not used for any other purpose. This may be secured by condition.

Impact on Amenity

23. Policy 28 of the BMWLP seeks to protect the amenity of all those who may be affected by mineral and waste development proposals, both near the Application Site and on routes to and from it, from noise, vibration, dust, fumes, gases, odour, illumination, litter, birds or pests. This is also seen policy 17 of the emerging BMLP36. Similarly, policy CS22 of the BWMCS seeks to minimise pollution from development, including noise, air and odour pollution. This is further supported by policies GP.8 and GP.95 of the AVDLP which seek to prevent development which would unreasonably harm any aspect of the amenity of nearby residents and prevent development that exacerbates any adverse effects of existing uses. In addition, policy NE6 of the draft VALP, seeks to prevent development which would unreasonably harm any aspect of the amenity of existing residents while BE3 states that developments likely to generate more significant levels of noise will only be permitted where appropriate noise attenuation measures are incorporated which would reduce the impact on the surrounding land uses to an acceptable level.
24. The nearest residential property is located 890 metres to the north of the site in Cheddington. Vehicles associated with the site would however pass closer to residential properties. Concerns have been raised by local residents relating to odour, vibrations, noise, dust, air pollution and debris on routes to and from the site, and from the site itself. No concerns or recommendation has been raised in relation to noise, dust, air pollution or odour from the District Environmental Health Officer.
25. Given the nature of waste to be managed on site (construction, demolition, wood, metals and cardboards), it is considered the site has a low potential to generate odour.
26. As part of the planning application, it has been stated that all skip vehicles delivering and removing waste will be sheeted. It is also stated that all waste would be tipped, sorted and loaded within the building and that this building is fitted would be fitted with dust suppression measures. In order to ensure the development operates as proposed and to minimise the potential for dust and litter on routes to and from the site, and from the site itself causing nuisance or detriment to local amenity and health, particularly for local residents and users of public right of way CHD/3/2, should planning permission be granted, it is recommended these measures are secured via condition. In addition, in order to reduce waste becoming windborne, it is also recommended that material stored in bays or containers does not exceed the height of the bay or container walls. This may be secured via condition.
27. Under the previously permitted use of much of the site (CM/17/17), the use of an external trommel and picking station was considered to be acceptable. Under this application, it is proposed for all waste processing to take place inside the building. It is generally accepted there are environmental benefits of processing waste internally with regard to noise and dust. For the committee's information, there is no trommel, screener or crusher proposed as part of the application on the western part of the site (CM/0017/19). As a result of this application and the application on Unit 25B, there would be no increase in processing plant on the site. Given there is a substantial distance between the site and nearest residential property, there is other processing taking place on the Old Airfield Industrial Estate, outdoor processing was on this the site was previously considered to be acceptable, it is not considered that the move to indoor processing would have a discernible noise impact.

28. The site is proposed to operate between 7.00am and 5.30pm Monday to Friday and 7.00am and 12pm on Saturdays. This is a change from the previous permitted use of the site (which operated between 7.30am and 5.30pm Monday to Friday and 08.00am and 12pm on Saturdays) and the hours of operation on Unit 32 (which operates between 7.30am and 5.30pm Monday to Friday and 07.30am and 12pm on Saturdays). It has not been demonstrated that HGVs leaving the site half an hour would not cause a detrimental impact on dwellings on routes to and from the site. On this basis, it is recommended that the hours of operation are limited by condition in line with the other uses on the site so that operations start from 7.30am.
29. Overall, subject to the conditions outlined above, the development is considered to be in accordance with policy 28 of the BMWLP, policy CS22 of the BMWCS, policy GP.8 and GP.95 of the ADLP, draft policy NE6 and BE3 of the VALP and emerging policy 17 of the BMWLP36.

Landscape and Visual Impact

30. In conjunction with policy CS22, policy CS23 of the BMWCS requires that the design and layout of development is positive integration into the site and wider landscape taking. In addition, emerging policy 21 of the BMWLP36 requires that minerals and waste development protect and enhance valued landscape in a manner commensurate with their status recognising their importance and contribution to wider networks. Draft policy BE2 and NE5 of the VALP also require development to respect and complement the physical characteristics of the site and its surroundings and take the landscape character of the area into consideration.
31. The development is located within the curtilage industrial estate in an existing building. It not within a landscape identified or protected for its special character, though it is adjacent to the Westend Hill/Southend Hill Local Landscape Area. This designation identifies the two hills as a feature of distinctive quality at the district level.
32. As the site is located in a relatively flat landscape, it recommended that the height of any stockpile are limited to the four meters as they are on other units of the industrial estate. Lighting has previously been placed on this site under planning permission CM/17/17, and provided the same lighting curfew was adhered to, it is not considered there would be an additional impact from the security lighting around the building. With these measures in place, as the proposed development would not encroach from the Industrial Estate, and does not involve any additional built form, the landscape and visual impact of the development from outside the would not change from the existing permitted situation.
33. In summary, from a landscape and visual impact perspective, the proposed development is considered to be accordance with policy CS22 and policy CS23 of the BMWCS, policy 21 of the emerging BMWLP36 and draft policy BE2 and NE5 of the VALP.

Drainage and Contamination

34. Policy CS22 requires applicants to avoid or minimise impacts on the water environment and water infrastructure. This includes impacts on surface water, ground water and minimising the possibility of pollution. In addition, policies 17 and 24 of the emerging BMWLP36 together with draft policy I4 and NE9 of the VALP seek to avoid contamination and integrate suitable water management in developments.
35. The yard area of the development is located in flood zone 1. The access road is partially within flood zones 2 and 3. The development would not increase the impermeable area and is considered to be in an area at low risk of surface water flooding. Subject to a condition requiring a surface water drainage scheme for the development, there is no objection from a

drainage perspective. This condition is considered necessary the site area has changed and it not been confirmed that the previous drainage system is still viable.

36. With regard to contamination, the Environment Agency has advised they have no objection to the proposed development subject to a condition regarding the reporting of unexpected contamination. Similarly, AVDC planning officer has recommend the inclusion of an informative outlining the action to be taken should contamination which has not previously been identified being encountered. In this instance, following consultation, neither pre-existing contamination nor a risk of contamination from the development has been identified. In addition, the control of polluted land and its remediation falls within other legislation. On this basis, it is not considered that the condition put forward by the Environment Agency fulfils a planning purpose. For this reason, if planning permission was to be granted it is recommended this condition is not included, though the same information would be included as an informative. This recommendation would however mean that should planning permission be granted it would be against the advice of the Environment Agency.
37. Overall, and without the condition recommended by the Environment Agency, the proposed development is considered to be in accordance with policy CS22 of the BMWCS, policies 17 and 24 of the emerging BMWLP36 and draft policy I4 and NE9 of the VALP.

Heritage

38. As part of delivering sustainable development, there is a requirement to protect and enhance the Historic Environment. This is reflected in policy CS18 of the BMWCS, policy 20 of the emerging BMWLP36 and draft policy BE1 of the VALP.
39. There is a scheduled ancient monument approximately 440 metres to the northwest of the Application Site There are also a number of listed buildings in the surrounding villages, though the nearest is approximately 900 meters from the application site. No concerns have been raised by the Archaeology Officer or Historic England in regard to the ancient monument. Due to the distance from the application site, and existence of other similar waste processing uses on the Old Airfield Industrial Site, it is consider unlikely that the listed buildings in the would be impacted by operations taking place on the application site. No comments have yet been received by the AVDC Design and Conservation Team.
40. There are several listed buildings on the route to and from the site. As there is no change proposed to the number of HGVs from the Old Airfield Industrial Site, and with a routing agreement in place, no change to their route to and from the site, there would be no change from the existing permitted situation to these buildings as a result of the proposed development.
41. The development is therefore considered to be in accordance with Policy CS18 of the BMWCS, policy 20 of the emerging BMWLP36 and draft policy BE1 of the VALP.

Other Matters

42. Concern has been raised by members of the public and the Local Member about the impact of the development on wildlife and SSSIs in the vicinity of the site. The application site is located over 2km from the nearest SSSI. Indeed advice from Natural England in relation to assessing waste planning applications in this location for their likely impacts on SSSIs is that consultation is not required. It should also be noted that no concerns have been raised by the County Ecology Officer.
43. The proposed development is not considered to conflict with the requirements of the Equality Act 2010 or the Council's policy on equality.

Conclusion

44. The proposed development seeks planning permission to use the yard and building of Unit 25 for waste transfer and waste processing with ancillary storage of waste materials, skips, operator car parking and welfare facilities. The application site is brownfield land on an existing industrial estate and was previously used for waste management purposes. There is also a need for the type of facility across Buckinghamshire.
45. It must be noted that no any additional vehicle movements are proposed as the site would operate in conjunction with another unit on the same site which is also within control of the applicant. Subject to this being controlled via condition, there would be no increase in HGV numbers. To avoid larger HGVs being operated, which may have an adverse impact on local amenity, it is recommended size limit is also imposed via condition.
46. In summary, the development is considered to be in accordance with the development plan as a whole and material considerations do not indicate that planning permission should be refused. Subject to the recommended conditions and routing agreement, , it is recommended that planning permission is granted.

Appendix A - Schedule of Conditions

Time limit for commencement

Not applicable

Approved Plans

1. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:
 - Block Plan, Drawing numbers: AMC/0219/3082 (A) and AMC/0219/3082 (B),
 - Boundary Plan, Drawing number: AMC/0219/3082 (A)
 - Ground Floor Plan, Drawing number AMC/0219/3085
 - Toilet Block, Drawing number: AMC/0219/3086
 - North East and South East Elevations, Drawing number AMC/0219/3087
 - North West and South West Elevations Drawing number AMC/0219/3088

Reason: To define the development which has been permitted so to control the operations in accordance with policy 28 of the BMWLP and policies GP.8 and GP.35 of the AVDLP.

Pre-commencement Conditions

Not applicable

Development Phase Conditions

2. 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. Within three months of the details being approved, the scheme shall be implemented in accordance with the approved details. The scheme shall also include:
 - 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.
 - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to ensure that surface water is managed in a sustainable manner to managing flood risk, and comply with paragraph 103 of the NPPF.

3. No later than one month from the date of this planning permission, the scheme for parking, manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policies 28 of the BMWLP and GP.8 of the AVDLP

Post Development Phase Conditions

None

On-going Conditions

4. No operations shall take place other than between the following hours:

Monday to Friday 7:30am to 5:30pm

Saturday 07:30am to 12:00pm

There shall be no working on Saturday afternoons, Sundays, Bank Holidays or Public Holidays

For the avoidance of doubt, operations include but are not limited HGVs entering and leaving the site.

Reason: To protect local residents from being adversely impacted by noise from operations taking place on the site in accordance with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

5. All tipping, loading and processing of waste shall take place inside the building shown on drawing number AMC/0219/3082 (A).

Reason: To reduce noise and avoid dust and litter from the site causing nuisance and effecting the amenity of the surrounding area and in particular public right of way CHD/3/2 in accordance with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

6. Dust suppression measures within the building shown on drawing AMC/0219/3082 (A) shall installed, implemented during the tipping, loading and processing of waste, and maintained for the duration of the development.

Reason: To protect local residents and users of the public right of way CHD/3/2 from being adversely impacted by dust from operations taking place on the site and from vehicles leaving the site in accordance with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

7. All loaded vehicles shall enter and egress the site sheeted

Reason: To prevent waste from being deposited on the public highway in the interests of highway safety and local amenity in accordance with policy 28 of the BWMLP and policy GP.8 of the AVDLP.

8. Freestanding stockpiles of sorted and unsorted material shall not exceed four metres in height.

Reason: In the interests of local visual amenity in accordance with policy CS23 of the BMWCS and policies GP.8 and GP.35 of the AVDLP.

9. Material stored in bays or containers shall not exceed the height of the bay or container walls.

Reason: In the interests of local visual amenity and to avoid material becoming airborne in accordance with policy CS23 of the BMWCS and policies GP.8 and GP.35 of the AVDLP.

10. The total maximum number of Heavy Goods Vehicle (HGVs) movements per day in combination with those consented pursuant to planning permission numbers 11/20007/AWD, 09/20003/AWD, 001955/AWD and APP/0164/92 shall not exceed 82 two-way (41 in, 41out) per day.

For the avoidance of doubt, HGVs are goods vehicles with a maximum gross maximum weight above 3.5 tonnes and include skip lorries.

Reason: To ensure the site operates as proposed which is in conjunction with Unit 32, 32A and 33 and without any additional HGV movements and to protect local residents from being adversely impacted by noise from HGVs travelling to and from site in accordance with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

11. HGVs with a maximum gross weight exceeding 36 tonnes (including articulated vehicles) shall not be used in conjunction with the movement of waste material into or out of the site. For the avoidance of doubt, HGVs with a maximum gross weight exceeding 36 tonnes may be used for the delivery of plant and machinery associated with the use of the site only and shall be included in the maximum daily HGV movements.

Reason: To protect local residents from being adversely impacted by noise and vibrations from larger HGVs travelling to and from site in accordance with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

12. A record of the number of daily vehicle movements and the tonnage of waste being imported to the site shall be maintained for the duration of the development hereby permitted and shall be made available to the County Planning Authority no later than one week after any request to view them has been made.

Reason: In the interests of highway safety and the amenities of the local area and to comply with policy 28 of the BMWCS and policy GP.8 of the AVDLP.

13. No hazardous waste shall be imported to or processed at the site.

Reason: To comply with policy CS22 of the BMWCS, policy 28 of the BMWLP and policy GP.8 of the AVDLP as the importation of this waste type may raise other environmental and amenity issues which would require consideration afresh to ascertain the acceptability of the use of the land for that purpose.

14. 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: To protect local residents from being adversely impacted by light from the site in accordance with policy 28 of the BMWCS and policies GP.8 and GP.35 of the AVDLP.

INFORMATIVES

Compliance with Article 35 of the Town and County Planning (Development Management Procedure) Order 2015

In determining this planning application, the County Planning Authority has worked positively and proactively in accordance with the requirements of the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. In this instance, this requirement can be demonstrated through the County Planning Authority highlighting the breach of planning control to the applicant, advising of ways to resolve the matter and providing the applicant the opportunity to provide additional information to address comments from consultees.

Mud on the Road

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

Contamination

If during development works contamination is encountered which has not been previously identified please contact the Environmental Health department immediately at:

envhealth@aylesburyvalecd.gov.uk

Works must cease on site until an appropriate remediation scheme is submitted to and agreed in writing by the local planning authority. Failure to remediate site contamination during development could result in serious long-term health impacts to future users of the development.

Site Notice

Please remove any site notice that was displayed on the site to advertise this planning application.