

Planning and Regulatory Committee
12 December 2006**5. PROPOSED CONSTRUCTION AND OPERATION OF A CO-MINGLED MATERIALS RECLAMATION FACILITY (CMRF) AT AREA 7, INDUSTRIAL PARK, NORTON, NEAR WORCESTER**

Applicant	Alfred McAlpine Houghtons Developments (Norton Ltd) and Mercia Waste Management Ltd
Local Councillor	Mr R C Adams
Purpose of Report	<p>1. To consider an application for the construction and operation of a co-mingled materials reclamation facility (CMRF) at Area 7, Industrial Park, Norton, near Worcester. Kerbside collected materials collected from households consisting of paper, cardboard, plastics, cans and glass would be brought to the CMRF for separation, sorting and packing and sent to recycling facilities elsewhere. No other wastes would be managed at this facility.</p>
Background	<p>2. The Area 7 Industrial Park is located on Woodbury Lane and is owned by Alfred McAlpine Houghtons Developments (Norton) Ltd. The park was occupied by Morganite Crucible, a ceramics manufacturer who has now consolidated into smaller premises on the site, leaving Area 7 vacant. The Park and the proposed CMRF site benefits from an extant outline B1 (Business Use) and B2 (General Industry Use) planning permission (application number W/04/00497/PN) for 4 B2 units (5574 m²) and 18 B1 units (5574m²) with associated car and lorry parking, granted by Wychavon District Council.</p> <p>3. Mercia Waste Management currently operates Herefordshire and Worcestershire's 25 year Private Finance Initiative (PFI) contract for the management of municipal waste. This includes managing the Materials Reclamation Facilities (MRFs) at the Hill and Moor landfill site and in Hereford. The objectives of this contract have been to safely manage the municipal waste arisings, and introduce a range of new facilities and services aimed at achieving sustainable waste management of the municipal waste stream through the recycling, recovery and landfill diversion targets set out by the two councils in their joint municipal waste management strategy (JMWMS) 2004-2034.</p>

The Proposal

4. The Herefordshire and Worcestershire's Joint Municipal Waste Management Strategy (JMWMS) sets the framework for the management of municipal waste in the two Counties until 2034. A key element of the strategy is to extend kerbside collection of recyclables to every household in the two counties so as to increase the recycling percentage to targets set by the JMWMS and Government. Dry recyclables will be collected on a fortnightly basis. By 2028/29 the quantity of kerbside collected recyclables will be in the region of 105,000 tpa. There are no existing facilities in either County with the capacity to sort this amount of material. A single strategically located CMRF is considered to be the most effective means of dealing with the recyclables.

5. A site search was undertaken by the applicant to identify a suitable site. The area of search was a roughly oval shape of 26 x 19km, centred on Worcester City, with the long axis of the oval roughly parallel to the M5 motorway. The site needed to be close to the primary road network to allow for direct delivery of materials in collection vehicles as well as bulked up materials from transfer stations in Herefordshire and the northern districts of Worcestershire.

6. This application has been submitted jointly by the landowners, Alfred McAlpine Houghtons Developments (Norton) Ltd, and Mercia Waste Management (MWM) who wish to build a CMRF with a capacity to sort up to 105,000 tonnes of recyclables per annum or 30 tonnes per hour. It is anticipated that a capacity of 105,000tpa would be achieved by 2028. The operating hours for the CMRF would be 24 hours per day, 7 days per week. Vehicle deliveries and dispatch would be between 06.00 – 23.00 hours.

7. The CMRF would separate/sort and pack kerbside collected dry recyclables (comprising paper, cardboard, plastics, cans and glass) delivered directly in waste collection vehicles from Worcester City, Wychavon and Malvern Hills Waste Collection Authorities. Materials collected from Herefordshire and the northern districts in Worcestershire would be sent to the local waste transfer facilities (WTS) in Redditch, Wyre Forest, Bromsgrove, Hereford and Leominster where it would be bulked up and taken by road to the proposed CMRF. Once sorted and bulked up the material would be dispatched via the M5 to material reclamation facilities. The facilities that are currently used are in Birmingham, Gloucester, North Wales, West Yorkshire, Warrington and Stratford.

8. Access to the site would be from Woodbury Lane. Alterations would be made to the front boundary of the site to ensure visibility sightlines are achieved. A new secondary

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access for Morganite Crucible would be provided along the south western boundary of the site.

9. Heavy Good Vehicles (HGVs) would enter and leave the site through a designated entrance with security gates and weighbridges. HGVs would enter the building through the roller shutter doors on the north western elevation and deposit their load. A lorry wash and diesel tank would be located on the southern boundary for use on departure. Three holding bays would be available to HGVs waiting to unload during peak times. The doors on the north west elevation would remain open during peak delivery periods 07.00 until 18.00 hours.

10. The proposal would generate 166 HGV movements per day. In addition staff would generate 198 vehicle movements per day giving a total of 364 vehicle movements. Traffic movements during peak hours would not exceed 20 movements per hour for both cars and HGVs.

11. The building would cover an area of circa 7,711m² and would be constructed on a concrete slab with a steel frame. Composite cladding materials in a range of grey and green colours would be used for the external walls and roof. The building height would be 9.5m to the eaves. The roof would be double pitched reaching to 12.3 metres at its highest point. It would be a single storey building in the operational area with a two storey welfare facility and office block at the north western end. There would be a mezzanine level located off the first floor which would provide a viewing platform of the operations. The building would contain the MRF, ancillary office suite, workshop and staff welfare facilities.

12. The CMRF building would be located to the rear of the site to minimise the impact of the building on Woodbury Lane. Staff and visitor car parking (68 spaces), including cycle and coach parking, would be located to the front of the building with screen planting provided to reduce the impact of the development on Woodbury Lane.

13. A 2.1 m high metal galvanised palisade security fence would surround the development and would also segregate the operational area from staff and visitor parking and the facilities area.

14. There would be no sorting or storage of any waste materials outside the building.

15. The building has been designed to maximise the use of natural light and ventilation. A grey water system would be incorporated into the design. Any excess water not required would discharge to the drainage points provided under the Arrow building next to the proposed site. From here water would flow into the existing surface water

Summary of Issues

discharge infrastructure. None of the roof water would pass through an interceptor. Surface water from the yards, car parks and access roads would be collected via linear drainage and gulleys and would pass through an interceptor before going to the drainage system. Foul drainage from the site would be accommodated in the private sewerage treatment plant operated by Morganite Crucible.

16. The operation of the CMRF would require 40 operators per shift who would be employed in manual sorting, loading, maintenance and supervision and 9 administrative and managerial staff. The construction of the facility would create 100 temporary jobs.

17. The effects of the CMRF on the amenity of local residents and the semi-rural area in terms of noise, dust and odours generated by the proposal and users of the surrounding footpaths and bridleways.

18. The impact of additional traffic and HGV movements on the B4084 and highway safety. Highway infrastructure impacts including whether the junction at Woodbury Lane with the B4084 is adequate to accommodate this additional traffic. The impact of HGV traffic travelling through surrounding villages.

19. It is questioned by local residents if this is the most suitable location for this facility and whether an alternative site should be found.

20. Inadequate time for consultation and a sense of a "done deal".

21. Impact of 24 hour per day, 7 days a week working on local residents.

Planning Policy

National Policy

22. Planning Policy Statement (PPS) 10: Planning for Sustainable Waste Management states that a broad range of locations for waste management facilities should be identified including industrial sites. Applicants should be able to demonstrate that the envisaged facilities will not prejudice the movement of waste up the hierarchy.

Regional Spatial Strategy (RSS) for the West Midlands

WD1(ii) Targets for Waste Management in the Region
WD2(B) The Need for Waste Management Facilities by Sub-Region

WD3A: Criteria for the Location of Waste Management Facilities

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Worcestershire County Structure Plan

SD.1 Prudent Use of Natural Resources
SD.2 Care for the Environment
SD.3 Use of Previously Developed Land
SD.4 Minimising the Need to Travel
SD.6 Location of Development in Urban Areas
SD.7 A Sequential Approach to the Location of Development; Conservation of Town and County Policies
CTC.1 Landscape Character
CTC.5 Trees Woodlands and Hedgerows
CTC.8 Flood Risk and Surface Water Drainage
CTC.13 Protection of Species
T.1 Location of Development
T.15 Freight/Goods Transfer; Waste Management Policies
WD.1 Waste Hierarchy
WD.2 Location of Waste Handling and Treatment Facilities
WD.3 Waste Management Facilities

Waste Core Strategy Submission Document and Proposals Map

Sections 8.5 and 8.6 sets out the strategic objectives of the Waste Core Strategy which include: reducing the amount of waste going to final disposal by increasing the use of a waste as a resource, through maximising its re-use, recycling, composting and energy recovery; and locating new waste management facilities primarily on land designated for B8 and B2 industrial uses.

Relevant policies are:

Policy 4 – Delivering sustainable waste management capacity.

Policy 7 – New waste management activity – assessment

Policy 8 – New waste management activity – positive gain

Policy 10 – New waste activity

Wychavon District Local Plan

GD1 Location Strategy
GD2 General Development Control
ENV1 Landscape Character
ENV6 Protected Species
ENV18 Development in Areas of Low to Medium Flood Risk
ENV22 Contaminated and Unstable Land
SUR 3 Parking Provision.

Worcestershire County Council Municipal Waste Management Strategy Policy

The Site

23. The Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire 2004-2034

Policies 1,6 and 7 set out the local authorities commitment to achieving national and local recycling targets.

24. The application site lies in the countryside approximately 3.5 kms south east of Worcester, about 1.25 kms east of Norton Village and about 1.5 kms south east of junction 7 of the M5 motorway. The site is a flat

vacant plot of land in a small established industrial area formerly occupied by Morganite Crucible, a ceramics manufacturer. Access is from Woodbury Lane. This company has now consolidated into smaller premises, which are located in the south western end of the site. There is currently a temporary access road which cuts through the site serving Morganite Crucible.

25. The site lies at a higher level than the road with an embankment to the one side of the site access and a retaining wall and a boundary fence on the other.

26. The south eastern boundary to the site is formed by the Birmingham to Cheltenham railway line, the Arrow Distribution building forms the north eastern boundary and Morganite Crucible the south western boundary. There is a pond in the south west corner beyond the site boundary.

27. The nearest property to the proposal is The Follies which lies about 80 metres from the eastern corner of the site. The Follies is currently under renovation and unoccupied. There is a cluster of properties and a nursing home opposite the site. The nearest of these properties to the site is Merryfield House, Woodbury Park which is about 85 metres from the north west corner of the site. Richmond House and Capullo, next to Merryfield house lie about 110 metres and about 130 metres respectively from the site. Norton Hall Nursing Home also on Woodbury Park is approximately 160 metres to the north west of the site. 'Sanghoi' is 150 metres to the north east of the site, on the opposite side of the road from the junction of Woodbury Lane with the B4084. Approximately 200 metres further to the south west is a small cluster of residential properties buildings and farm buildings.

28. The general area surrounding the site is semi-rural in nature. Beyond the railway line are a number of public rights of way.

Consultations

29. **Wychavon District Council** objects to the proposal due to the lack of adequate transport infrastructure in the vicinity. The following matters should be considered prior to determination of the application:

- i) improvements to the junction of Woodbury Lane and the B4084;
- ii) a routing agreement so HGVs avoid adjacent and nearby villages;
- iii) strict conditions on hours of working;
- iv) noise conditions; and
- v) conditions concerning contaminated land.

30. **Malvern Hills District Council** awaiting comments

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31. **City of Worcester** awaiting comments.

32. **Wychavon District Council (Environmental Health Officer and Contaminated Land Officer)** states:

- i) residual contamination remains on site. In the light of this, mitigation measures listed in 4.1.5 of the supporting statement should be undertaken and should be secured by condition to ensure protection of human health, controlled waters and the environment;
- ii) concerned that the scale of the development will have an adverse impact on the amenity of residential properties;
- iii) adverse effects will arise from noise from vehicles, from within the building and associated extraction and ventilation systems;
- iv) odours may come from materials being brought to the site; and
- v) risk of fly infestation from time to time.

In the event of the application being granted permission conditions should be attached in respect of the above concerns.

33. **Environmental Services – Highways** comment that they have no objections to the proposal subject to highway improvement works being carried out and the applicants entering into a routing agreement. They further comment that there has been lengthy correspondence between the County Council, as Highway Authority, and the applicants and their agents concerning this application. They are in receipt of letters from the applicant's agent confirming that the applicants are prepared to enter into a Section 106 planning agreement with the County Council to fund the following works:

- (1) Amend the existing weight restriction on Woodbury Lane to end to the west of Area 7 Business Park;
- (2) Install two vehicle activated signs on the B4084 to warn drivers from both the Worcester and Pershore directions of vehicles waiting on the B4084 carriageway to make a right turn into Woodbury Lane;
- (3) Install two direction signs on the B4084 to advise drivers from both the north east and south west directions that Area 7 Business Park is accessed from Woodbury Lane;
- (4) Extension of the existing 40 mph speed limit on the B4084 towards Pershore to cover the railway bridge to the east of Woodbury Lane.

34. The applicants are also prepared to enter into a routing agreement with the County Council for vehicles approaching and departing the proposed development. In

addition they are willing to complete a Travel Plan in consultation with the County Council's Travel Plan Officer.

35. In view of the above, and subject to the completion of the appropriate agreements they recommend that any planning permission issued should include the conditions to cover the following matters:- improvements to Woodbury Lane before the development is brought into use; provision of visibility splays at the access to the application site; surfacing and demarcation of the driveway, parking and turning areas in accordance with details to be approved; erection of traffic signs adjacent to the development shall be from the B4084 and Woodbury Lane to the east of the application site only; provision of parking for site operatives and visitors to be provided within the application site to be submitted for approval and retention of these approved areas during the construction of the development.

36. **Environment Agency** has no objection to the proposal and state that the Company should ensure there is no pollution of storm water and all materials stored on site should be stored under cover. The Waste Management activities are likely to require an exemption or waste management licence or PPC permit.

37. **Natural England** (formerly English Nature) letter dated 19 September 2006 objects to the proposal as inadequate information has been provided as to whether the development would have an adverse effect on bats and great crested newts. **Natural England** withdrew their objection in letter dated 18 October 2006. The applicant's supplementary ecological survey received by Natural England ensures adequate protection for both bats and great crested newts in the event that they should be found on the site.

38. **Drakes Broughton and Wadborough with Pirton Parish Council** accept the need for and location of the facility and comment:

- (a) the number of HGV movements have been underestimated;
- (b) the junction of Woodbury Lane and the B4084 should be upgraded to reduce accidents. Increased traffic will result in reduced road safety and wear on the B4084 which will be contrary to the County Council's Local Transport Plan which calls for downgrading of the B4084 and less HGVs on the roads;
- (c) a routing agreement should be agreed to ensure no vehicles travel through the village of Norton but travel along the B4084 to Woodbury Lane;
- (d) weight limits of 7.5 tonnes should be placed on Stonebow Road, Drakes Broughton, Crabbe Lane,

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Besford and Stoulton Road, Wadborough.

(e) Conditions should be attached to any permission granted to ensure noise, dust and odour impacts are not unacceptable to local residents.

39. **Kempsey Parish Council** make the following comments:-

- “(a) Traffic will be the major problem for many residents due to the large number of extra vehicles which will require access to the proposed site, including large lorries. This will also be a problem for residents of the surrounding villages, including the hamlets of Broomhall and Stonehall Common which are situated in this Parish.
- (b) The Parish Council’s particular concern is that Government Guidance is that it is not right to take recycling materials many miles by road to the point of delivery. This proposal would create a far greater density. They also believe that traffic travelling from the south and south west should access the site via the M50 and M5 rather than using local and A class roads.
- (c) We believe that the status of the former A44 road was changed to the B4084 in order “to reduce the heavy vehicles on this particular road”. This application will put hundreds of extra lorry movements back onto this road.”

40. **Norton-Juxta-Kempsey Parish Council** object to the proposal on the following grounds:

- i) increased traffic movements and associated traffic noise, detrimental impact on local residents;
- ii) inadequate existing transport infrastructure, road safety would be compromised owing to inadequate access onto Woodbury Lane. The proposal would add to severe congestion already being experience on the Southern Link road to and from Junction 7 of the M5 motorway;
- iii) noise levels would be too high outside shift patterns of adjacent businesses; due to the rural location
- iv) the proposal would have a detrimental impact on surrounding properties in terms of noise, traffic levels and highway safety. Values of properties would be devalued; and
- v) Night time light pollution would occur over a significant area
- vi) an alternative site should be considered at Throckmorton where existing infrastructure is already in place; and

41. It is inappropriate that the “planning authority determining the outcome of this application is governed by

the County Council... the proposal should be considered by a totally independent, impartial body”.

42. The current waste strategy has yet to be ratified by the County Council – question the validity of considering such a major proposal at this time.

43. The scheme does not conform with the Government’s strategy for waste being dealt with as close to source as possible and not transported long distances due to the environmental impact caused by such traffic movements.

44. An application of this type should be subject of an Environmental Impact Study.

45. They have commissioned a transport consultant (John M Tough) to comment on the transport elements of the planning application. His conclusions are:

- i) The traffic counts of 2004 and 2006 are unreliable and new counts should be carried out. The should be conducted in a month clear of holidays which is normal practice - both surveys were carried out in July.
- ii) The counts should use a more detailed vehicle classification system.
- iii) Junction capacity and accident predictions for 2018 must be based on new traffic counts and employ a range of traffic growth rates.
- iv) Traffic accident rates should also be estimated for the future traffic turning movements during the peak periods and during the off peak period.
- v) The traffic situation when the CMRF becomes fully operational must also be assessed.
- vi) A Green Travel Plan for the proposed development must be carried out.

46. **Stoulton Parish Council** object to the application on the following grounds

- i) the junction of Woodbury Lane and B4084 is not wide enough for lorries. Loaded lorries would cause problems for normal traffic travelling on the B4084.
- ii) the 40 mph speed limit would need to be extended to the Stoulton side of the railway bridge.
- iii) the area could not cope with both this proposal and a railway station – will there be a railway station?
- iv) waste from such a wide area would not help with

air

pollution

- v) concerned about the increase in traffic travelling through the village of Stoulton

47. **Whittington Parish Council** is concerned about the

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traffic impacts arising from this proposal. Visibility at the junction of Woodbury Lane with the B4084 is poor and cars travelling from the east are often fast moving. In the event of 24 hour working deliveries and collection should only occur during the normal working day. A 30mph speed limit should be introduced from Junction 7 of the M5 to beyond the railway bridge east of Woodbury Lane.

48. St Peter the Great County Parish Council strongly object to the proposal. They have serious concerns about the increase in heavy transport travelling to and from the site with the increase in environmental pollution this will bring. There is nothing to prevent lorries accessing and exiting the facility taking advantage of the St Peters Drive "rat run". They are also extremely concerned that they were not consulted on the proposal in spite of the fact their Parish adjoins the Norton Parish and is likely to be affected by this proposal.

49. West Mercia Constabulary has serious concerns about this application as follows:

- i) increased HGVs on the B4084 turning into Woodbury Lane could cause accidents;
- ii) increased HGVs in Woodbury Lane;
- iii) potential for an increase in collision history on the B4084, near Norton Fields Farm owing to increased HGV movements;
- iv) the use of the bus stop on the B4084 as an overtaking facility.

50. They suggest that in order to address their concerns there are three potential solutions:

"(i) the provision of a right turn facility on the B4084 to accommodate traffic turning right into Woodbury Lane. The main disadvantage in this measure is that it would not assist traffic turning into Woodbury Lane onto the B4084 in either direction and would not reduce the inherent dangers of doing so;

(ii) the signalisation of the junction of the B4084 and Woodbury Lane. The main disadvantage in this suggestion is that this could potentially create dangers for traffic approaching the junction from the Pershore direction. These vehicles would not be aware of standing traffic waiting at the signals on the B4084 due to the queue being hidden on the opposite side of the rise in the road at the Rail Bridge over Norton Fields Farm; and

(iii) the provision of traffic island at the junction of the B4084 with Woodbury Lane. Whilst this will allow safer exit of traffic from Woodbury lane, there would still be issues similar to those referred to in item (ii) above, concerning approaching traffic from Pershore not being

aware of standing traffic at the traffic island ahead of them.

51. Of the three possible solutions only the last two are practical, however both would still require a considerable amount of engineering to ensure that traffic speeds on the approach from the Pershore direction are reduced sufficiently prior to the junction approach.”

52. Worcestershire Wildlife Trust do not object to the proposal but wish to see conditions attached to any permission granted to ensure protection of the environment.

53. South Worcestershire Primary Care Trust – awaiting comments.

Other Representations

54. The proposal has been advertised in the local paper and on site. Letters were delivered to the occupants of properties within 400 metres of the site, notifying them of the application. One letter has been received in support of the proposal and so far 427 letters and emails have been received objecting to the proposal. All the letters of representation are available in the Members Information Room. In summary their principal points are that:

- i) the proposal is too close to residential development and by its nature will have a detrimental impact of the amenities of local residents;
- ii) the proposal would have a detrimental impact upon the rural area, the users of the bridleway and local footpaths;
- iii) unsuitable location in a rural area, it should be in a built up area;
- iv) the proposal will lead to increased noise levels from lorries reversing and odour problems;
- v) there should not be 24 hour working, delivery times between 6am -11pm and 7 days per week are too broad and should be restricted with no working on Sunday;
- vi) it would cause light pollution;
- vii) the plant would cause pollution if there are only fortnightly collections of recyclables and other waste;
- viii) the proposal will generate too much traffic and combined with potential traffic from Norton Parkway the B4084 will be unsafe as will the junction with Woodbury Lane and highway safety will be compromised; the recently downgraded A44 is not suitable for HGVs and the traffic volumes proposed;
- ix) the proposal will cause weighbridge tail backs on Woodbury Lane
- x) traffic modelling data is flawed, the information in the application misrepresents the true impacts;
- xi) traffic from this proposal combined with traffic going

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- to the Hill and Moor site all travelling along the B4084 is too much;
- xii) The HGV movements would have a detrimental impact upon Pershore.
 - xiii) HGV turning left from Woodbury Lane will emit noise and emissions as they travel along the first mile of the B4084 towards junction 7 as it is uphill;
 - xiv) additional HGV traffic on rural roads will break up the road surface;
 - xv) potential increase in traffic along Crookbarrow Road, Church Lane and Woodbury Lane;
 - xvi) additional traffic would compromise the safety of school children catching or being dropped from school buses in Norton Lane and in Brockhill;
 - xvii) vehicles coming from the west of the county may cut through Brockhill Village, Woodbury Lane from the Southern Link road;
 - xviii) unlikely to achieve 100% loading capacity for each HGV and therefore there would be a need for HGV movements to increase by 25% more than the applicant calculates;
 - xix) accident figures don't include the near misses that are never recorded;
 - xx) an independent risk assessment should be carried out on the B4084;
 - xxi) horses and riders are using Church Lane, HGV movements would endanger these people;
 - xxii) routing agreement is required to ensure no vehicles travel through Norton village;
 - xxiii) why has the railway lane adjacent not been considered as an alternative means of transportation?
 - xxiv) an alternative site should have been chosen such as the Hill and Moor site;
 - xxv) there is a conflict of interests as this is a County Council application and they will determine it;
 - xxvi) a lack of time was given for consultation;
 - xxvii) an EIA was not carried out;
 - xxviii) cost savings on a centralised facility come at a great cost to the local economy, causing road congestion and a detrimental impact on tourism;
 - xxix) the proposal is contrary to the proximity principle and the Council's BPEO;
 - xxx) contrary to the MWMS for Hereford and Worcestershire which calls for 4 MRFs rather than once centrally located;
 - xxxi) why is this facility taking Herefordshire's recycling?;
 - xxxii) the proposal flouts the principle of localised management;
 - xxxiii) the proposal contravenes Government directive on handling recycling at site of general waste collection which is already been done effectively at Hill and Moor;
 - xxxiv) has the pertinent information from the 2002 MRF appeal been taken into consideration in determining this application?;

- xxxv) house prices will be devalued; and
- xxxvi) village conservation areas will be harmed.
- xxxvii) An alternative site in the north of the County would be more appropriate and other sites should have been considered.
- xxxviii) The proposal should comply with Article 4 of the EC Framework Directive on Waste (75/442/EEC) to ensure waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment. Granting planning permission would be contrary to the requirements of this Directive.
- xxxix) Concern about fly infestation
- xl) Concern that Woodbury Lane floods
- xli) Concern over contamination on the site
- xlii) Inadequate size of the site in relation to the scale of operations

55. j7 Waste Action Group – is an Action Group formed to oppose the application, their objections are summarised below. Their report containing their objections is available in the Members Information Room.

- 1) The County Council will benefit financially from the proposal but the cost will fall upon local residents who will suffer from loss of amenity, reduction in property values and one business will face financial ruin;
- 2) The County Council has failed to consider all relevant factors in promoting this proposal and does not benefit Worcestershire's residents;
- 3) It will sterilise the land surrounding the plant of any future housing use or light industrial use;
- 4) It poses potentially serious risks to the health of residents in the surrounding area and no risk assessment concerning the impacts of the proposal on the health of local residents has been undertaken;
- 5) It will cause even greater congestion on the roads, particularly the southern relief road and lorries will travel further across two counties transporting waste, there will be more accidents on the B4084 and damage to road surfaces;
- 6) B4048 is not suitable for use by a large number of HGVs, Woodbury Lane is not adequate to accommodate all these traffic movements;
- 7) HGVs should not use roads used by horse riders;
- 8) The junction of the B4048 with Woodbury Lane is an accident blackspot;
- 9) The number of traffic movements has been severely underestimated and the traffic data is flawed as it includes weekend data. The turning movement count was only conducted for one day

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during peak traffic, also traffic count was done in July and should have been done in a month free from holidays;

- 10) A single facility is more vulnerable to strikes, breakdown or fire;
- 11) It will have a detrimental impact upon the historic nature of Worcester and its environs;
- 12) A full risk analysis has not been undertaken;
- 13) An EIA has not been carried out;
- 14) Inadequate consultation was carried out and limited time to submit objections. The process is undemocratic and impacts upon people's human rights;
- 15) The application is not reliable and inadequately identifies the impacts of the proposal on the local community;
- 16) The County Council has failed to comply with their own policies in terms of its BPEO and Waste Core Strategy, there has been a lack of community engagement on the proposal;
- 17) The proposal will have a detrimental impact upon the environment in terms of pollution and no Integrated Pollution Protection Control statement (IPPC) has been submitted;
- 18) A full and proper ecological survey has not been carried out;
- 19) The plant will cause a noise nuisance to the surrounding businesses and residents;
- 20) The proposal will result in dust emissions, airborne bacteria, vermin and insects.

56. **Peter Luff, MP** states he has several reservations about the application. He says that it is not equitable that Wychavon, and his constituency, should have the only landfill (at Hill and Moor) and the only recycling facility for waste from Herefordshire and Worcestershire. He states that 24 hour operation, 7 days a week operation is unacceptable. He refers to the serious concerns from local people about sustained noise and disturbance both from the operation itself and the high number of long movements over a long period every day.

57. His greatest concern is the pressure on the roads around Norton and especially between Junction 7 of the M5 and Norton. He states that the junction off the main road is not suitable for such a heavy volume of traffic, being narrow and with poor visibility. He foresees serious accidents occurring. Furthermore, he states that there is bound to be "rat running" through other local roads, especially in the Norton Parish. He states there will also be a serious impact on roads in the Whittington, Drakes Broughton and Stoulton Parishes.

58. His main concern is that this dramatic increase in traffic on the old A44 road could prejudice the development of the

**Director of Planning,
Economy and
Performance Comments**

much needed Worcestershire Parkway Station. The increased traffic levels could render the road unusable for the increased levels of car traffic that would flow from the Parkway Station.

59. He states that the recycling scheme seems totally out of place at this location. It will generate unacceptable levels of heavy traffic, unfairly concentrate waste handling in one small part of the two Counties and prejudice a strategically important transport development and he recommends that the scheme is abandoned.

60. As with any planning application, this application should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The relevant policies and key issues have been set out earlier.

61. The proposal would provide the opportunity for waste materials that are currently landfilled to be reused in accordance with Regional Spatial Strategy policy WD1(ii) Structure Plan policy WD1, Waste Core Strategy: Preferred Options Report policy 4. European, Government, Regional and Waste Development Frameworks promote the reuse and recycling of waste materials above that of disposal by landfilling.

Policy and Procedural Issues

62. Many of the consultation responses have raised concerns about why there is a need for such a large facility in the area and that it is contrary to the Councils BPEO that calls for 2 MRF's to handle MSW, and the proximity principle. The adopted BPEO strategy does not categorically state that the BPEO should be delivered by the provision of 2 MRF's as the requirement is indicative. In any event the issue of BPEO has been subsumed by the introduction of Statutory Sustainability Appraisals through plan led strategies (PPS10 "Planning for Sustainable Waste Management" refers) Whilst, in line with the guidance in PPS10, the County Council does not require applicants to undertake a BPEO exercise. Applicants are required to set out how the proposal helps to meet the Council's BPEO objectives and whether or not it is consistent with PPS10.

63. It is acknowledged that the provision of one facility to serve both Herefordshire and Worcestershire would result in some recyclables being transported further. However, investigations of the technologies currently available to sort co-mingled recyclables concluded that a single strategically located CMRF offers the most effective means of dealing with the material, by utilising the high capacity nature of typical sorting lines to their maximum. This decision is supported by the County Council's Waste Core Strategy

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preferred options report which states that comments received on the option of small or large facilities favoured larger facilities because of the importance of economies of scale and recognising the need for specialised facilities to handle different waste streams. In the absence of the facility at Norton, Herefordshire and Worcestershire's recyclables would continue to travel to Kent to be sorted.

64. Furthermore the County Council's preferred option in the Waste Core Strategy is for new waste activities to be permitted on land designated for B8 or B2 industrial uses where the development would have a similar impact on the local environment as a B8 or B2 industrial use (Policy 10).

65. As part of its commitment to sustainable development the Government has set ambitious targets for composting and recycling. These targets must be achieved if the longer term requirements of diverting biodegradable waste away from landfill as set by the European Landfill Directive are to be met.

66. Local authorities play a fundamental role in delivering sustainable waste management. They needed to have achieved a target of recycling/composting 25% of household waste by 2005/2006. In the light of this Worcestershire and Herefordshire County Councils have identified the need for specific facilities in the JMWMS as outlined earlier in this report.

67. Before submitting the application, the applicants requested a screening opinion from the County Planning Authority which determined that an Environmental Statement was not required because the proposal would not give rise to specific impacts that are likely to result in significant effects on the environment.

68. The County Council has received considerable criticism about the lack of time given for the consultation process and the lack of public consultation. Local residents did not feel they were fully aware of the proposal and needed more time to respond. In addition local people felt that the County Council were acting as both "judge and jury" in dealing with this application.

69. In line with the County Council's submitted Statement of Community Involvement, all potential applicants are encouraged to discuss their proposals with the County Planning Authority and all other relevant statutory and non statutory bodies before submitting their planning application. The applicant has not done so but it should be noted that the Government advises that Authorities cannot refuse to accept valid applications because they disagree with the way in which an applicant has consulted the community. However, since the application was submitted the applicant has undertaken a site visit to a CMRF at Cardiff with county

waste management Officers, elected members and the chair of j7-Waste Action Group and held a public meeting on 3 November 2006 at the Local Member's request which sought to address key concerns raised during the consultation period. The Head of Planning, Economy and Research extended the time for consultation responses to be received from September until mid November to ensure everybody who wished to, had further time to respond. Members should be aware that public consultation on this proposal commenced on 31st August 2006.

70. This facility has been submitted jointly by the landowners of the site and Mercia Waste Management in fulfilling their contract with the two councils to manage municipal waste arisings from both counties and it is the responsibility of the County Council as the Waste Planning Authority to determine planning applications for waste development.

Traffic and highway safety issues

71. The impact of the proposal in terms of traffic and highway safety is a cause of considerable concern for local residents who already consider the B4084 to be a busy dangerous road and the junction of the B4084 with Woodbury Lane to be inadequate to accommodate additional HGV traffic. Consultation comments have requested that an independent risk assessment should be undertaken to establish how safe the Woodbury Lane/B4084 junction is for users. Concerns were also raised about the additional traffic combined with potential traffic from Worcestershire Parkway. Local residents have also raised concerns about HGVs travelling through local villages which would compromise the safety of pedestrians, including both school children waiting for buses in Norton Lane and Brockhill and horse riders and would harm village conservation areas. Concern has also been raised by West Mercia Police about the use of the bus lane for overtaking by vehicles.

72. These traffic and highway concerns have been discussed with the applicant who has agreed to undertake the following highway improvements which would be secured by a legal agreement:

- i) highway improvements at the access point to the site and Woodbury Lane as shown on drawing C/ST/90/001;
- ii) amend the existing weight restrictions on Woodbury Lane to end just to the west of Area 7 Business Park;
- iii) signs to be erected at the access point informing all lorries to turn right out of the site. There will be no left turn towards Norton village;
- iv) install two direction signs on the B4084 to advise drivers from both east and westerly directions that access to Area 7 Business Park is from

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- v) Woodbury Lane;
Install two vehicle activated signs on the B4084 to advise drivers from both east and westerly directions of vehicles waiting on the B4084 at the Woodbury Lane junction; and
- vi) a financial contribution towards extending the 40mph limit along the B4084 to beyond the railway bridge.

73. In the event of the proposal being permitted many objectors have expressed the desire for a routing agreement to prevent vehicles travelling through Norton village. The Director of Planning, Economy and Performance considers that it would also be appropriate to include routing arrangements within the requirements of the legal agreement referred to in paragraph 60 above. The purpose of this would be to restrict all HGV's to using a route from the site to and from the B4084 only. The only exception to this would be for HGVs collecting recyclables from the households in the immediate locality of the site. The Director of Planning, Economy and Performance does not consider that the proposal would compromise the safety of pedestrians, horse riders and school children waiting for buses as, with the exception of waste collection vehicles collecting from the villages no additional traffic should travel through Norton and adjacent villages. It is not envisaged that there will be any adverse impacts on village conservation areas by additional HGV movements as almost all of these vehicles would travel along the B4084 and not through surrounding villages.

74. Concern has been raised by objectors that the proposal would create tailbacks onto Woodbury Lane as HGVs wait to be weighed in. The applicant has stated that this would not occur as there is room for 4 HGVs to queue between the weighbridge and the site entrance. Also there are two holding bays within the site. In the event of insufficient capacity HGVs could be parked along the Morganite Crucible access road.

75. The issue of traffic impacts arising from this proposal combined with traffic from the proposed Worcester Parkway has been raised as a concern. The Worcester Parkway project is planned for circa 2010. In the absence of a planning application for this proposal and any traffic data, it is not possible to comment on the potential traffic impacts of this proposal.. Every application must be determined on its own merit. Concern was also raised about the cumulative impacts of this proposal combined with traffic travelling to the Hill and Moor site. The Director of Planning, Economy and Performance is satisfied that this is not an issue and, in any event, the highway improvements to be undertaken along the B4084 would contribute towards improving highway safety.

76. The Director of Planning, Economy and Performance considers that there would be potential increases in traffic along Crookbarrow Road, Church Lane and Woodbury Lane as a result of this proposal or through Pershore. However virtually all of the HGV traffic would access the site from the B4084 with the exception of local collection vehicles collecting recyclables from the villages adjacent to the site. The issue of weight restriction signs in certain villages is not a concern of this report.

77. The accident and traffic modelling data has been described as flawed by several objectors who consider it misrepresents accurate information. The applicants acknowledge that there was a minor clerical error with the transport statement and the information has been corrected. The traffic accident data that has been submitted with the application has been produced using standard procedure. Data that is not recorded cannot be considered.

78. Concern has been expressed that large HGVs will damage roadside verges and break up the road surface along Woodbury Lane and the B4084. The Director of Planning Economy and Performance is satisfied that the road improvements undertaken to widen Woodbury Lane, which was required for an earlier permission on the site are sufficient to prevent road surface damage.

79. Concern has been raised that because HGVs are unlikely to achieve 100% loading capacity for each vehicle, there would be a need for HGV movements to increase by 25% more than the applicant calculates. However, the possibility of a collection vehicle not having a full pay load has been considered by the applicants in the calculation of HGV movements and the numbers submitted reflect this information.

80. Structure Plan policy T15 seeks to promote alternative means of transporting freight/goods other than by the public highway. Comments have been received on this proposal asking why the adjacent railway line cannot be used to transport recyclables. There are currently no siding facilities available along this railway line to make this possible. However, in the absence of alternatives to using the road network it is considered that Norton is well located as it is well located to the lorry route network in accordance with Structure Plan policy T15 (ii).

81. West Mercia Constabulary are concerned about the use of the bus lay-by on the B4084 as an "undertaking" facility with cars using the lay-by to pass vehicles waiting to turn into Woodbury Lane. This is not something this proposal should exacerbate. However, there would be a greater impact of highway safety if the bus lay-by was removed as buses

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would have to stop to pick up or drop down passengers on the main carriageway. Furthermore, the measures recommended by the County Council's Highways Officer should improve highway safety on the B4084 road.

Impact on amenity, landscape and ecology

82. Local residents are concerned that the proposal by its very nature will give rise to noise, odours and dust from the operation of the facility. The applicants submitted information about these issues in their supporting statement.

Noise is not only a concern of objectors during operation of the site but also during its construction. Limits on noise levels would be secured by condition. Before the CMRF is brought into use the applicant would be required to submit a scheme of noise attenuating measures for the approval of the County Planning Authority. Again this would be secured by condition.

83. The plant is to receive clean dry recyclables from kerbside collections. There would be no input of raw refuse or material that would give rise to noxious odours and attract flies or any processing of material that would give rise to gas or effluent emissions. Localised dust which may arise from the handling of paper or glass would be controlled by either sprinklers or localised filtered dust extraction. Any arisings from the filters would be collected in bags for disposal.

Concerns have also been raised about the impact of vehicle emissions on air quality. The Director of Planning, Economy and Performance is satisfied that this proposal would not compromise air quality in this location.

84. Concerns about light pollution have also been raised. Details of any lighting used on the site would need to be submitted to the waste planning authority for approval. This would be secured by condition.

85. The proposal is a large building which would be built between similar sized buildings. The nearest residential property to the site, The Follies is screened from any views into the site by vegetation. The building would be visible from the public footpaths which run to the south and south east of the site. The applicant has submitted a drawing showing the proposed landscape and ecological enhancement scheme which shows the proposed planting. However, the scheme does not cover the south east boundary of the site. There is potential for additional planting in this corner of native species. The scheme proposes ornamental planting at the front of the site, bearing in mind the semi-rural location of this facility it would be preferable to introduce a boundary of native species. No mature trees should be felled from this boundary before a tree survey has been undertaken. These trees provide a valuable screen for the site from users of Woodbury Lane. These requirements would be secured by condition. The site is screened from residential properties on the opposite

side of Woodbury Lane by existing vegetation.

86. Local residents have raised concerns that the move to fortnightly alternative collections by the district council will result in nuisance and local pollution. Although this is not a direct concern of this application, as the facility would receive recyclables collected either weekly or fortnightly, the Director of Planning, Economy and Performance is satisfied that this approach, which is set out in the JMWMS will not result in nuisance for local residents. Other authorities who have already started fortnightly collections has not experienced any of the problems identified. In addition it would have the benefit of reduced collection vehicle numbers travelling around the two counties each week.

87. Natural England initially objected to the proposal on the grounds that inadequate information was provided with the application to establish if the development would have an adverse impact on protected species, namely, bats and great crested newts (GCN). The applicant was requested to undertake additional survey work and submitted a supplementary ecological survey. This survey satisfied Natural England's objections. However, they requested an additional survey to be undertaken in accordance with the GCN mitigation guidelines during the period mid March to mid June 2007. In the event that GCN are found the proposals to mitigate for the impacts of the development made within the original ecological report may need to be reviewed.

88. Wychavon District Council's contaminated land officer expressed concern that there was residual contamination on the site. Any redevelopment of the site would require certain measures remediation measures to be undertaken. These would be secured by condition.

Hours of working

89. The issue of 24 hours a day, 7 days a week working is a serious concern for local residents, parish councils and Wychavon District Council. The Director of Planning, Economy and Performance is aware of these concerns and does not feel that there is adequate justification for such working hours. The applicant has stated that following feedback from community consultation they propose to amend their proposals to mitigate some local concerns as follows:-

"a. It is proposed to carry out materials sorting between the following hours: 06.00 am and 22.00 pm Monday to Friday, and between 07.00 a.m. and 13.00 p.m. on Saturdays.

b. Under normal conditions there will be no sorting operations on Saturday afternoons, Sundays or on

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Christmas Day.

c. On other Bank Holidays the plant should be able to operate within the hours set out in (a) above if requested by the County Council (as the Waste Disposal Authority). In addition, on Saturdays before and after a Bank Holiday, the plant should be available to operate up to 22.00 p.m.

d. It is proposed to carry out plant maintenance (within the building only) at any time from 06.00 am on Mondays to 22.00 on Saturdays.

e. The applicant is willing to be constrained by a planning condition (similar to the extract permission for B1/B2 development at the site) which prohibits HGV's entering or leaving the site between 22.00 hours and 06.00 hours"

90. However, the Director of Planning, Economy and Performance considers that the hours requested are still not acceptable and has recommended the imposition of a condition that is more restrictive than the hours of operations applied for by the applicant.

Alternative Sites

91. Many of the consultation responses have questioned why this site has been selected and would like alternative locations to be considered, in particular the Hill and Moor site. Others have questioned the need to bring Herefordshire's recyclables to Norton. The latter issue has been addressed earlier in the report. Turning to the issue as to why Norton was chosen over the Hill and Moor site, the benefit of the site is its strategic location within the County and its proximity to junction 7 of the M5 motorway. Thus making it easier for the sorted materials to reach the reprocessing plants. PPS 10: Planning for Sustainable Waste Management states that industrial sites should be included in the search for sites. The site at Norton benefits from an existing planning permission for B1/B2 uses and is previously developed land. PPS 10 states that priority should be given to the reuse of previously developed land.

92. The existing MRF at Hill and Moor does not have sufficient capacity to deal with 105,000 tpa. It is not on an existing industrial estate and its operation is tied to the life of the landfill site. In the event of this permission being granted at Norton, the two existing MRFs at Hill and Moor and Hereford would no longer be required for sorting kerbside recyclables.

93. An additional benefit of this site over Hill and Moor is that it provides the shortest possible direct haulage distance for the three districts in closest proximity, i.e. Worcester City, Wychavon and Malvern Hills. These three districts have all agreed to sign a service level agreement to route vehicles

along Woodbury Lane and the B4084. Materials coming from Hereford and Leominster would have to travel further than if sorted in Hereford. However, if materials were sorted in Hereford the majority of sorted materials would still travel along the M5 passing Junction 7 to the various reprocessing facilities. It is considered that Norton is the most appropriate location for this facility as it accords with national policy as set out in PPS 10 and Structure Plan policies.

Conclusion

94. This proposal for a CMRF at Norton would provide the two counties of Worcestershire and Herefordshire with a facility to sort kerbside recyclables. The provision of such a facility will help towards achieving the sustainable waste management of the municipal waste stream by the recovery of materials for recycling and contribute towards meeting Government targets for the diversion of bio-degradable waste away from landfill. The proposal supports the waste hierarchy in that it moves waste up the hierarchy and away from landfill, it complies with the locational criteria set out in PPS 10, it is well located to main transport routes and well located to serve both counties.

95. The proposal has caused considerable concern amongst parish councils, local residents and Wychavon District Council owing to its impact on amenity, highway safety and the hours of working. The hours of working have been limited in response to these concerns and highway improvements would be undertaken, including the imposition of a routing agreement if the proposal were permitted to ensure highway safety would not be compromised.

96. On balance taking into account national and regional waste policy, the provisions of the Development Plan, and in particular policies WD.1, WD.2 and WD.3 of the Regional Spatial Strategy for the West Midlands; policies SD.1, SD.2, SD.3, SD.4, SD.6, SD.7, CTC.1, CTC.5, CTC.8, CTC.13, T.1, T.15, WD.1, WD.2 and WD.3 of the Worcestershire County Structure Plan; policies 4, 7, 8 and 10 of the draft Waste Core Strategy for Worcestershire; policies GD1, GD2, ENV1, ENV6, ENV18, ENV22 and SUR3 of the Wychavon District Local Plan; it is considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

97. The Director of Planning, Economy and Performance recommends that subject to the applicants first entering into a Section 106 agreement to provide for highway safety improvements works to be undertaken and a routing agreement that planning permission be granted for the operation of a co-mingled

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materials reclamation facility for the separation of dry recyclables at Area 7 Industrial Park, Norton, near Worcester subject to the following conditions:-

(conditions to follow separately)

List of Background Papers

In the opinion of the proper officer (in this case the Director of Planning, Economy and Performance) the following are the background papers relating to the subject matter of this item:

Application, plans and consultation replies in file reference 407669