

# WILTSHIRE COUNCIL

## REPORT TO THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	7 JULY 2010		
<b>Application Number</b>	W/10/01161/WCM		
<b>Site Address</b>	Land At Quartermaster Road West Wilts Trading Estate Heywood Wiltshire		
<b>Proposal</b>	Temporary change of use for a three year period for an End-of-Life Vehicle (ELV) depot		
<b>Applicant</b>	Mr Jonathan Taylor		
<b>Town/Parish Council</b>	Heywood		
<b>Electoral Division</b>	Ethandune	<b>Unitary Member:</b>	Julie Swabey
<b>Grid Ref</b>	389647 150654		
<b>Type of application</b>	County Matter		
<b>Case Officer</b>	Mr Greg Lester	01225 770344 Ext 5191 greg.lester@wiltshire.gov.uk	

### Reason for the application being considered by Committee

Councillor Julie Swabey has requested that this application be determined by Committee due to:

- \* Environmental/highway impact
- \* Number of issues that on basis of limited information makes proposal unacceptable
- \* Danger of Pollution to River Biss
- \* Security of Site
- \* Fire Risk

---

### 1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

### 2. Main Issues

The main issues to consider are:

- \* Impact on Character of the Area
- \* Impact on Residential Amenity
- \* Impact on Water Environment
- \* Landscape Impact
- \* Highways Impact
- \* Impact on the Historic Environment

### **3. Site Description**

The site is the former Celcon Concrete products site located on the West Wiltshire Trading Estate and occupies a plot served by parallel roads. The site benefits from extensive tree, shrub and hedge planting, with views into the site generally only possible from the entrance gates on Headquarters Road and Quartermaster Road. Views from Quartermaster Road are less well screened, although some viewpoints are more restricted due to tree planting in various locations. The south-western boundary benefits from a good degree of screen planting and is not located on a thoroughfare.

The site itself has two buildings located in close proximity to each other that appear to be in a good state of repair. The building to the northwest of the site, located against the sites boundary with Headquarters Road, would be used for de-pollution and removal of parts from vehicles. This building is clad in metal profile sheet that is olive green in colour. The building located to the south east of the proposed de-pollution building is built from block work and is to be used as site offices. The building to be used for the de-pollution of End-of-Life Vehicles (ELV) is at a lower level than the remainder of the site and is bunded to three sides internally. The buildings are served by a concrete surface that also extends to the entire site area of the proposal. Drainage gulleys and inspection chambers were visible on the site, with the site benefiting from an interceptor.

The site is surrounded by commercial and industrial uses mainly falling within the B1/B8 use classes, although there is a night club and public house nearby.

No residential properties are located within 250 metres of the site.

### **4. Relevant Planning History**

None relevant to current proposal.

### **5. Proposal**

The proposal seeks a temporary three year change of use for an End-of-Life Vehicle (ELV) de-pollution depot with associated storage of vehicles both before and after the de-pollution process.

Vehicles to be de-polluted would be brought to the site and stored on a sealed concrete surface served by drainage gulleys leading to an interceptor. The vehicles would then be de-polluted in an existing building located to the north east of the site located adjacent to the storage area.

The de-pollution process involves the vehicles being drained of all fluids that are classed as hazardous waste and would include oil, petrol/diesel, brake fluid, anti-freeze etc. Vehicle airbags and seat belt pre-tensioners are also regarded as hazardous waste and would be dealt with in-situ within the vehicle using a detonation device rendering them non-hazardous. Batteries would also be removed as part of the process.

All liquids and batteries would be stored within the de-pollution building, which is located at a lower level than the rest of the site, thus reducing the likelihood of an escape of hazardous substances. The building itself has no drainage system and any spillages would be dealt with using spill kits which generally consist of absorbent granules.

All liquids stored within the building would be within tanks/drums and would be collected by a registered waste carrier for subsequent disposal.

Once de-polluted the vehicles would be removed from the building and stored on the concrete surface. The vehicles will be retained on site until such time as they are deemed no longer useful for spare parts. In the event that a part is required on a vehicle, it will be taken back into the building where the part(s) would be removed and the vehicle subsequently returned to its location in the yard. Final disposal of the vehicle will be by crushing at the Company's site in Devizes.

Vehicles will be stored at ground level only on site and racking will not be used. A temporary Heras fence will be erected inside the existing perimeter fence and boundary planting of the site for the duration of the operation.

The proposal would not involve direct retail sales to members of the public from the site.

In addition to the requirement for planning permission, the site will require an environmental permit from the Environment Agency, which sets certain standards to ensure that ELV's are stored and treated in a way that does not harm the environment and that parts are recycled, stored and disposed of appropriately.

## **6. Planning Policy**

The following Development Plan policies are considered relevant to the determination of this planning application:

Policies DP1, C5, HE2, W1 and W4 of the Wiltshire and Swindon Structure Plan 2016 (SP)

Policies WCS1, WCS3 and WCS5 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document (WCS)

Policies WDC1, WDC2, WDC3 and WDC9 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document (DCP)

## **7. Consultations**

### Heywood Parish Council

Object to the proposal – Limited information provided in application. Three main reasons for objection:

- 1) Pollution; is drainage on the West Wiltshire Trading Estate adequate? This could lead to a pollution threat in the River Biss.
- 2) Suitability of interim fence is questionable. Site could potentially be an attractive (hazardous) site for thieves and youngsters.
- 3) Little consideration given to catch pits/bunding with which to contain flammable/polluting liquids produced during the process, or account taken of any other possible fire or health and safety risks.

### Local Highway Authority

No objection

### Environment Agency

No objection

### Wiltshire Council Assistant Archaeologist

No adverse comments – refer to English Heritage for comments regarding adjacent Scheduled Ancient Monument

### English Heritage

No objections, subject to a condition providing a buffer to the Scheduled Ancient Monument to the South/Southwest of the site.

### Wiltshire Council Principal Ecologist

No adverse comments

### Wiltshire Council Landscape Officer

No adverse comments

## 8. Publicity

The application was advertised by site notice/press notice /neighbour notification. No objections have been received.

Expiry date: 4 June 2010

## 9. Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

### Impact on Character of the Area and Landscape

Policy WDC2 of the Waste Development Control Policies DPD states that development will be permitted where it avoids negative impacts to amenity, visual aspects, noise and light emissions, vibration and transportation of waste amongst others.

The site is located within a long established trading estate and is surrounded by similar industrial uses and processes. A car auction and storage complex is located to the opposite side of Quartermaster road, with distribution facilities being to the east of the site.

The West Wiltshire Trading Estate site was previously allocated within the Wiltshire and Swindon Waste Local Plan for such use, and is also included in the emerging Waste Site Allocations Development Plan Document as a suitable site for waste transfer, material recovery and recycling. Whilst this document has not yet been adopted, it is considered to carry substantial weight in the decision process due to its advanced stage of preparation. Advice contained within Planning Policy Statement 10: Planning for Sustainable Waste Development (PPS10) directs Planning Authorities to consider new waste management facilities favourably when consistent with PPS 10 and the authority's Waste Core Strategy in the absence of a site allocation document. In this case Policy WCS3 of the WCS places the type of use applied for as best suited for industrial/employment land.

Given the existing uses on the trading estate, the proposed use is not considered to be out of character with the area and is therefore considered to be in compliance with Policy WDC2 of the DCP.

The site benefits from extensive tree, shrub and hedge planting to all boundaries, with the exception of the boundary to the south east corner, which consists primarily of hedge planting. Glimpse views are available into the site through the entrance gates, however, it is not considered that the view of stored cars at ground level would be significantly different to the view presented by a car park, and as such is not considered to cause detrimental harm to the visual amenity of the area.

The remaining boundaries are extensively screened and only limited glimpses are available through gaps in the planting. However, slightly more extensive views of the site are available through the entrance gates located off Headquarters Road. Despite this, it is considered the proposed use and the appearance of cars stored on the site will not have a detrimental impact on the landscape character of the wider area.

The proposed fencing, whilst of an industrial nature, is not considered to be out of keeping with the character of the area. Given the temporary requirement of the site, it is considered unreasonable to impose a condition to erect a permanent fence for a limited period. It is also considered that the proposed fence will provide increased security over the existing low fence/hedge combination that currently encloses the site, and has a number of noticeable breaches, as it will be markedly higher and also incorporates an anti-climb design to deter trespass on the site. The interim fencing measures are therefore considered acceptable.

### Impact on Residential Amenity

The nearest residential properties are located in excess of 250-metres from the boundary of the proposed site. The process building is located on the opposite side of the site to the nearest residential area, therefore, in practice this distance will be greater. Due to the existing use of the area as a trading estate and the large distance between residential occupiers and the site it is not considered that the proposed temporary change of use will cause demonstrable harm to residential amenity.

With regard to the risk of fire, the site will operate under the conditions of an Environmental Permit issued and monitored by the Environment Agency to ensure that hazardous substances are stored in a safe manner.

### Impact on Water Environment

Policy WDC3 of the DCP states that development will be permitted where it can be demonstrated that provision has been made to protect the water environment. A Flood Risk Assessment (FRA) accompanied the application which confirms that the site is not at risk from flooding.

Whilst the proposal involves the removal of hazardous substances from vehicles, this will be carried out within the northern most building on site that is located at a lower level than the remainder of the site and is bunded on three sides, with the entrance being accessed via a gentle slope down. It is considered that by removing and storing the hazardous substances within the buildings, the risk to contamination of the water environment is avoided. This will also provide security to the stored hazardous substances prior to subsequent collection and disposal. Furthermore, the site benefits from a fully sealed concrete surface that is served by drainage gulleys and an interceptor and demonstrates the site has adequate drainage to deal with the proposed use. However, it is considered appropriate to recommend a planning condition for the submission of a detailed drainage scheme to ensure that the system is implemented and maintained during the course of the development. It is considered that these measures will considerably reduce the potential for pollutants to enter any controlled waters. Furthermore, the Environment Agency raised no objections to the scheme.

### Impact on Highway Safety

The site is served by two existing accesses, with the access from Headquarters Road to be used as the primary site access. The visibility from the site access is good and leads to a wide surfaced estate road. It is considered that the application will not add a significant number of vehicles to the trading estate as a whole and would therefore not have a prejudicial impact on highway safety. Furthermore, the Local Highway Authority raised no objections on highway safety or capacity grounds.

### Impact on Scheduled Ancient Monument

Policy HE2 of the SP and Policy WDC9 of the DCP make a presumption in favour of the preservation of Scheduled Ancient Monuments (SAM). This accords with Government guidance contained within Planning Policy Statement 5: Planning for the Historic Environment (PPS5). Development for the management of waste will be permitted where it can be demonstrated that the proposal would preserve the setting of a cultural asset.

The SAM in this case is a moat located to the west of the south/south-western portion of the site. It is surrounded on all sides by industrial and commercial premises and has no green space linking it to the wider countryside beyond the trading estate. It is considered that whilst the setting of the SAM has already been significantly compromised by the existing developments, there is an opportunity to create a buffer to prevent vehicles being stored immediately adjacent to the SAM. English Heritage has recommended that a buffer strip be created in this part of the site to prevent the setting of the moat being further compromised. A buffer strip of 2.5 metres which would be kept clear of all vehicles, parts, associated machinery and be kept clear of any form of storage or waste products is considered to make a notable improvement on the current situation where objects could be stored against the boundary and to preserve the setting of the SAM at this location.

The proposal is therefore considered to accord with the relevant policy documents and Government guidance.

### Recommendation

The proposal is considered to comply with the policies of the development plan document and there are no material considerations to indicate that permission should be refused. The application is therefore considered acceptable and is recommended for approval for a limited period of three years.

**Recommendation:            Approval**

### **For the following reason(s):**

The development will facilitate the de-pollution of end-of-life vehicles aiding the prevention of waste from vehicles and the re-use and recycling of their components. The development is considered to be in accordance with the Development Plan and would not have adverse effects on the local environment or local communities. Policies relevant to this decision are Policies DP1, C5, HE2, W1 and W4 of the Wiltshire and Swindon Structure Plan 2016, Policies WCS1, WCS3 and WCS5 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document and Policies WDC1, WDC2, WDC3 and WDC9 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document.

### **Subject to the following condition(s):**

- 1     The use hereby permitted shall be discontinued and all associated vehicles and components removed from the land on or before 31st July 2013.

REASON: In the interests of amenity, in order to secure the restoration of the land upon the cessation of the temporary use hereby permitted.

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 2     No development shall commence on site until details of surface water drainage from impermeable parking areas and hardstandings for vehicles associated with the development to oil interceptor(s) has been submitted to and approved in writing by the Waste Planning Authority. The development shall not be first brought into use until the oil interceptor(s) has/have been installed in accordance with the approved details. Thereafter the oil interceptor(s) shall be maintained in accordance with the approved details. Roof water shall not pass through the interceptor(s).

REASON: To minimise the risk of pollution of the water environment.

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 3     The de-pollution and removal of parts from vehicles shall only take place within the designated de-pollution building. No vehicle parts, materials or hazardous substances shall be stored outside the de-pollution building at any time.

REASON: In order to safeguard the water environment and in the interest of amenity

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 4 Vehicles shall be stored at ground level only and shall not be stored by stacking/racking at any time.

REASON: In the interest of visual amenity.

POLICY: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 5 The security fencing to serve the site shall be set away from the boundary of the Scheduled Ancient Monument (Scheduled Monument No. 12048) to the south/southwest of the site by 2.5 metres whilst the site is occupied in accordance with this planning approval. No vehicles, parts, machinery or waste products shall be stored within this 2.5 metre strip at any time.

REASON: In order to preserve the setting of the Scheduled Ancient Monument.

POLICY: WDC9 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 6 No flattening or crushing of vehicle shells shall be undertaken on site.

REASON: In order to avoid the level of noise generated in the interest of amenity

POLICY: WDC1 and WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	

## RELEVANT APPLICATION PLANS

Drawing : DRCL/WEST/SPLP 2 received on 10.06.2010



# Devizes Reclamation Co Ltd, Westbury Yard, West Wilts Trading Estate, Westbury Site Plan for temporary change of use to ELV-ATF

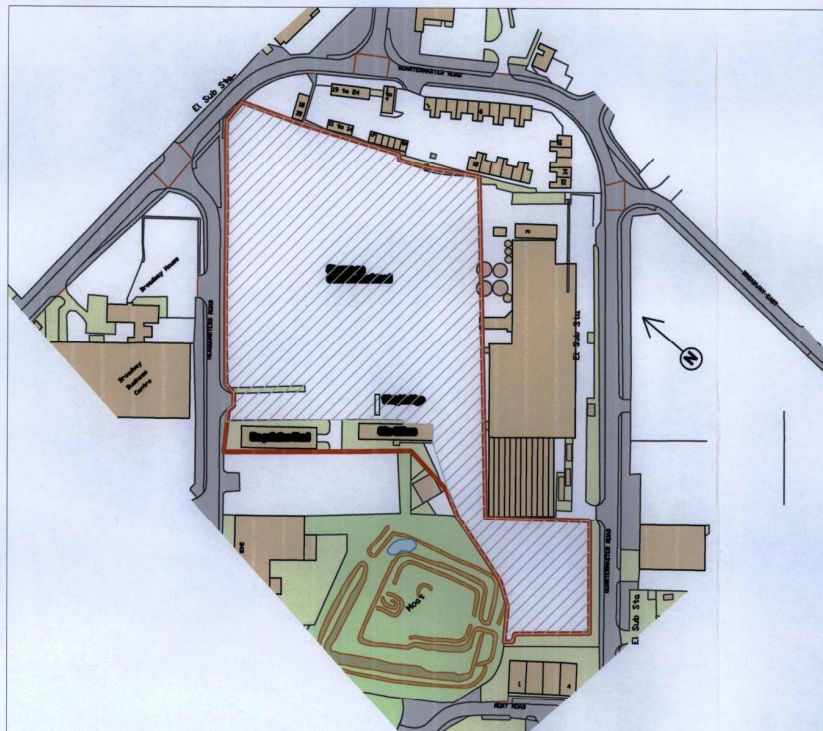
Ref:DRCL/WEST/SPLP

Date: April 2010

Paper Size: A3

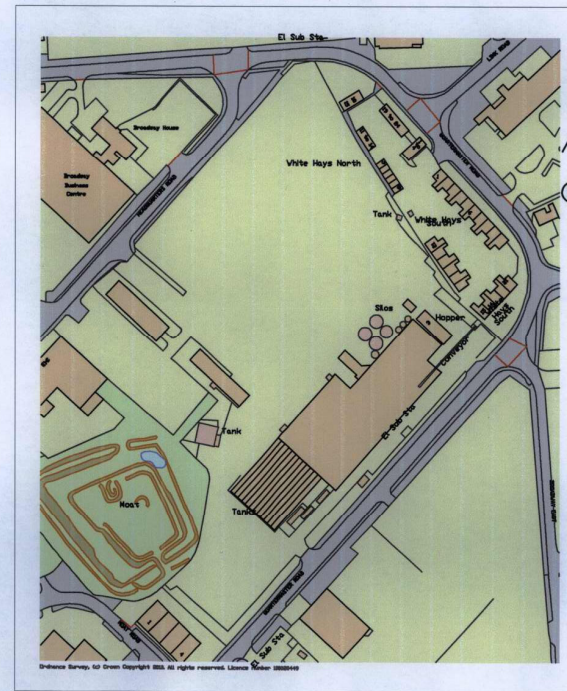
## Site Plan

Scale: 1:2500



## Location Plan

Scale: 1:2750



14 APR 2010