

REGULATORY COMMITTEE

9th OCTOBER, 2002

**BISHOPS CANNINGS: PROPOSED HOUSEHOLD
RECYCLING CENTRE AT HOPTON PARK INDUSTRIAL ESTATE,
LONDON ROAD FOR HILLS MINERALS AND WASTE LIMITED
(Application No. K.43765)**

Purpose of Report

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

Background

2. Hills Minerals and Waste Ltd (the applicant) propose to establish a Household Recycling Centre (HRC) at Hopton Park, Devizes. The site is within the developing industrial estate and was part of the old Devizes Army Camp. It has been vacant for some time.
3. The applicant considers that a HRC at this location will provide a valuable, easily accessible, facility for Devizes and surrounding communities. The HRC proposed would be a comprehensive facility that would accept a wider range of materials than those existing facilities found in town or supermarket car parks. The applicant has developed facilities similar to that proposed at Stanton St Quintin, Everleigh, Purton and Melksham. Sites at Compton Bassett and at Trowbridge have also recently been granted planning permission.

The Application

4. The application seeks planning permission for the development of a HRC on land that is currently vacant and which is situated within the developing Hopton Park Industrial Estate. Hopton Park is located on the northeast side of Devizes, with the application site situated within the north-western edge of the Estate (see **Appendix 1**). Hopton Park lies to the south and east of the application site, with farmland lying to the north and west of Hopton Park. The land to the north of Hopton Park is designated as an Area of Outstanding Natural Beauty (AONB).
5. The HRC would be approximately 0.36 hectares in size (72m x 50m) and would be fenced on all boundaries with 2.4 metre high palisade fencing. There would be one access to the site from the existing estate road, which would be gated with gates of a similar construction as the fencing. A small office would be provided for staff and the site will be lit for security and safety purposes. The layout of the HRC is attached at **Appendix 2**.

6. The site would be open to the public, but not to business or trade, to dispose of the following recyclable waste materials:-
- Paper
 - Glass
 - Cardboard
 - Aluminium and Steel Cans
 - Timber
 - Metals
 - Green Waste
 - Textiles
 - Oil and Batteries
 - Bricks and Soils
 - Bulky Domestic Appliances/White Goods
7. The receptacles for general bulky household and green wastes are sealed containers designed to be used with the mobile compactor units into which the waste would be deposited. When full, the compactor is activated to push the waste into the container. When the container is full, the compactor is moved along rails to the next container. The full container is then sealed in readiness for its removal from the site.
8. The containers for paper, cardboard, cans, bottles, textiles, etc. would be of regular construction found in the recycling centres at supermarkets. The containers used for oil and batteries would be of an approved industry standard.
9. The recycling centre would be manned at all times and a close degree of supervision would be kept to ensure that items are deposited into the correct containers. Full containers would be exchanged for empty ones when the site was closed to the public, but where this was not possible, site staff would supervise the change over of containers to avoid conflict between members of the public and manoeuvring vehicles. The site manager would be responsible for ensuring that business or trade ventures did not use the site.
10. The proposed operating hours for the operation of the recycling centre are:-

07:00 to 19:00 hours Monday to Saturday
08:00 to 17:00 hours Sundays and Bank Holidays

The proposed hours during which the public would be allowed to access the site are:-

09:00 to 17:00 hours April to October
09:00 to 16:00 hours November to March

The longer operating hours are proposed to enable containers to be removed and the site to be cleaned without the public being present.

11. Access to the HRC is proposed either directly from the A361 or through the existing industrial estate. Both routes are considered by the applicant to offer suitable, good quality access to the HRC and would not inconvenience other users of Hopton Park. As the HRC is proposed on land that forms an extension to Hopton Park, a new access road would be constructed that linked the HRC with the existing estate roads.

12. It is considered by the applicant that the Devizes HRC would serve an estimated 11,200 households contained within Devizes and surrounding villages. Based on this figure, and the experience gained running other HRC sites, the applicant estimates that the average visitor numbers will be 100 cars per day Monday to Friday (12 cars per hour), with peak weekend numbers expected to be 330–360 cars per day (46 cars per hour). Two to three HGV vehicles would visit the site each day to remove full containers and deliver empty containers.
13. In connection with the development of the part of Hopton Park a storm water attenuation pond is required. Such a pond is included as part of this application and would provide a hydraulic brake on the rate of surface water discharge to the existing system.
14. A copy of the supporting statement will be made available for inspection in the **Members' Room**.

Consultations

15. **Kennet District Council** – initially objected to the proposal, as the proposed HRC would have prevented a substantial tree belt being planted in accordance with the approved strategic landscaping scheme for Hopton Park. This would have meant that the proposal would have had a detrimental visual impact on the rural character of the area. However, an amendment to the strategic landscaping scheme has now been agreed by the District Council and therefore has withdrawn its objection.
16. **Kennet District Council Environmental Health Officer** – satisfied that there are unlikely to be any adverse environmental impacts from the proposed development.
17. **Kennet District Council Environmental Officer** – concerned that there is no provision for plastic bottle recycling and this is the main enquiry received from members of the public.
18. **Bishops Cannings Parish Council** – strongly in favour of the proposal and feel that the sooner the centre is developed the better, as this is the site where the Parish Council prefer the HRC to be built.
19. **Devizes Town Council** – no objections and fully endorse the proposed development. Request that particular attention be paid to the directional signage to and from the site.
20. **Roundway Parish Council** – raise no objection to the proposal and comment that it fully supports a recycling centre, which it considers is long overdue in this area.
21. **Environment Agency** – no objections to the proposed development. However, considers that activities previously undertaken at the site may have caused contamination of soil, subsoil and groundwater present beneath the site and may present a threat to nearby surface waters and/or water resources. Recommend that any planning permission granted requires the applicant to carry out a site investigation to determine the nature and extent of contamination, and if contamination is confirmed, the applicant is required to adopt measures to mitigate against pollution of the water environment. Confirm that with regard to the waste regulation aspects of the proposal, the overall design of the site in terms of drainage and water protection is acceptable.

22. **English Nature** – initially concerned that a badger sett existed on/in the vicinity of the application site and required that a badger survey be carried out. However, following further consideration of the distance between the sett and application site the need for a badger survey has been removed.
23. **Wessex Water** – confirm that there are foul and surface water sewers in the vicinity of the development site and advise that the applicant will need to obtain permission to connect to these systems.
24. **Local Highway Authority** – raise no objection, subject to the imposition of a planning condition requiring the site gates to open inwards only. Also advise that applicant should be required to provide direction sign at the site access road for exiting traffic warning drivers that there is no right-turn onto the A361 towards Devizes.
25. **Assistant Countryside Officer (Forestry)** – concerned that the proposals, as submitted, did not take account of the existing landscape plan for the site. Draws attention to a number of trees at the access point that, with minimal surgery works, would provide much needed semi-mature tree cover within the site.
26. Copies of the consultation replies referred to above are available for inspection in the **Members' Room**.

Publicity

27. The application has been publicised as required in the local press and by site notices. One letter of support has been received, together with three letters of objection. The concerns raised are outlined below:-
 - (i) The proposed site is an unsuitable location for a HRC
 - (ii) Land has been purchased at Hopton Park on the understanding that the Park would maintain a quality commensurate with a “business park”
 - (iii) A HRC would adversely effect the perception of businesses by their key customers
 - (iv) Application is likely to lead to pressure for further related development on the site or surrounding area
 - (v) The proposed HRC would have an adverse visual impact and degrade the environmental quality of the surrounding area
 - (vi) Access to and from the site is likely to be problematic as access to Devizes via the A361 is prohibited and because a large number of lorries often park on road through the estate reducing its width and restricting visibility
 - (vii) Unpredictable traffic levels are likely to make access for existing businesses more difficult, especially at weekends, with increases in traffic likely to result in congestion and queues on roads leading to the site

- (viii) The HRC would become noisy, odorous and dirty and significantly affect the surrounding area
 - (ix) Dust, debris and litter would be deposited on surrounding roads
 - (x) The siting of the HRC is likely to lead to fly tipping on surrounding roads.
28. The letter of support raises the following reservations:-
- (i) The proposed opening hours are too short to enable those working typical office hours to access the site at either end of their working day
 - (ii) Sensitive lighting should be used around the site; there is no need for high intensity lighting very high above the ground
 - (iii) There are trees on the boundary to both east and west, but no hedging or tree cover at all where the site is proposed
 - (iv) Camouflage colours should be used for compactors (or screens around them) to make the site less visible from Roundway Hill during daylight hours until the landscaping proposed for the perimeter of the industrial estate has matured
 - (v) Facilities for plastics should be included on site.
29. Copies of the representations received will be available in the **Members' Room**.

Relevant Planning Policy

- 30. Policies W1-W4 of the Wiltshire Structure Plan 2011 (adopted January 2001) are considered relevant to this application as regards the provision of adequate waste recycling facilities. Policies ED2, NR7, NR9 and NR12a of the Replacement Kennet District Local Plan Second Deposit are also considered relevant to this application concerning.
- 31. Policies 1, 2, 4, 6 and 11 of the Wiltshire and Swindon Waste Local Plan 2011 Revised Deposit Draft (September 2002) are also considered relevant to this application.
- 32. All the policies considered relevant to this proposal are set out in **Appendix 3**.

Planning Considerations

- 33. The application must be determined in accordance with the Development Plan, unless material considerations exist which justify a departure from the plan.
- 34. The main planning issues raised by the application are considered below:-
 - Suitability of the proposed location
 - Impact on nearby land uses
 - Highway and traffic implications.

Suitability of the proposed location

35. The application site forms part of the Hopton Park Industrial Estate. Hopton Park is located on the northern fringe of the town within Development Area Boundary for Devizes. The Hopton Park Estate is identified in the Replacement Kennet District Local Plan (Second Deposit) as a site for which planning permission will be granted for uses falling within the 'B' Classes of the schedule to the Town and Country Planning (Use Classes) Order. The proposed HRC is development falling within Class B.
36. Hopton Park is also identified in the Wiltshire and Swindon Waste Local Plan (Revised Deposit Draft – September 2002) as a location at where local waste management facilities, such as Household Recycling Centres, will be permitted if the proposal complies with the other policies and criteria contained in the Development Plan.
37. Policies W1, W2 and W3 of the Adopted Wiltshire Structure Plan (January 2001) seek to minimise volumes of waste requiring disposal and to provide adequate facilities for the collection of waste, subject to their environmental impact (Policy W4).
38. Household Recycling Centres offer the public the opportunity to participate in recycling of their household waste and so it is important, in order to maximise the opportunity to recycle waste, that such facilities are easily accessible to the local community. Facilities need to be located near to centres of population or on the edge of urban areas to maximise accessibility and ensure usage.
39. The proposed location is accessible to Devizes town and the surrounding area via the A361 and through the established Hopton industrial area. The town is not at present directly served by an HRC facility, the nearest operational HRC being at Melksham to the west (approximately 11 kilometres [7 miles]) and Stanton St. Quinton to the north of Chippenham (approximately 24 km [15 miles]). Additional sites at Compton Bassett (approximately 21 km [13 miles]) and at Trowbridge (approximately 17 km [11 miles]) have also recently been granted planning permission but are not yet operational. The provision of a HRC at Devizes would not only significantly improve the existing network of neighbourhood type (bring) facilities within the area, but positively contribute to the wider network of HRC facilities in the County.

Land contamination

40. The Environment Agency has drawn attention to the matter that activities previously undertaken at the site may have caused contamination of soil, subsoil and groundwater present beneath the site. (The site was formerly an Army Camp). The concern is that this contamination may present a threat to nearby surface waters and/or water resources. Consequently, the Environment Agency has recommended that the applicant be required to carry out a site investigation to determine the nature and extent of contamination as part of any planning permission granted.

41. Such a requirement reflects Government advice as set out in Planning Policy Guidance Note 23: Planning and Waste Management (PPG23). PPG23 states that, where there is only a suspicion that the site might be contaminated, planning permission may be granted, but conditions should be attached to make it clear that development will not be permitted to start until a site investigation and assessment has been carried out. The development itself will then need to incorporate all the measures shown in the assessment to be necessary.

Impact on nearby land uses

42. The proposed siting of a HRC at Hopton Park has raised concerns from nearby businesses, who are concerned about the nature of the HRC and how this would affect the perception their customers have of the business. Concern has also been expressed over the traffic that the HRC would generate and that the HRC would have an adverse visual impact and degrade the environmental quality of the surrounding area, as well as become noisy, odorous and dirty and significantly affect the surrounding area.
43. With regard to how customers would view any business located next to a HRC it is important to note that of the business premises in question, the closest lies 150 metres away, with the other two premises 250 metres and 300 metres respectively from the site of the proposed HRC. Any visitors to these business premises would not pass by the HRC. It is unlikely that the HRC would be significantly visible to any visitor to the premises in question given the layout of Hopton Park and the buildings that have been, and remain to be, erected on the plots that lie between the premises and the proposed HRC site.
44. Notwithstanding these points, it is also necessary to consider Government advice set out in Planning Policy Guidance Note 1: *General Policy and Principles* (PPG1). PPG1 advises that the planning system does not exist to protect the private interests of one person against the activities of another. The question is not whether owners and occupiers of neighbouring business premises would experience financial or other loss from the development of the HRC, but whether the HRC would unacceptably affect the amenities and the existing use of land and buildings which ought to be protected in the public interest. Such material considerations are considered further below.

Visual impact

45. The application site is located in the north-western corner of Hopton Park, which has outline planning permission and an approved strategic landscaping scheme, to minimise the impact of proposed development on the surrounding landscape (which is designated an AONB). Kennet District Council, in preparing the landscaping scheme and completing a Landscape Assessment of the Area, concluded that the area of land within which the HRC is proposed could be released for development without additional impact on the AONB.
46. Kennet District Council has recently approved an amendment to the strategic landscaping scheme. This amendment would result in substantial screening being provided around the northern and western boundaries of the HRC. The applicant has confirmed that the developers of Hopton Park will be undertaking this planting in the next planting season.

47. It has been suggested that the compactor units be painted in camouflage colours to reduce their visual impact until the landscaping has matured. However, in view of the size of the compactors, when compared to the nature of the other buildings on the Hopton Park Estate and the colour and finishes used in their construction, it is not considered justified or reasonable to require such a treatment. No sizeable buildings are proposed as part of the HRC and all waste materials will be placed and stored in containers. With the use of appropriate fencing and lighting, it is considered that the visual impact of the HRC would be minimal.

Noise

48. Concerns have been raised regarding the potential noise levels that would emanate from the site. However, the activities carried out at a HRC are largely that of members of the public placing items of household waste into containers. The electrically driven compactors are the only plant that will operate at the site. The application site is located within an industrial estate and it is not anticipated that such activities would cause any nuisance to nearby premises. The Environmental Health Officer has not raised any concerns regarding the potential for noise nuisance to nearby premises.

Dust and Odour

49. With regard to dust, this is not a nuisance normally experienced with this type of facility. This is because the household waste received for recycling does not contain materials that generate a dust problem. The site will also be hard-surfaced to ensure that vehicles do not generate or carry any debris onto the estate roads or the public highway.
50. On the matter of odour, because no putrescible (i.e. organic) waste would be accepted at the HRC, it is unlikely that any odour would be generated. The type of materials deposited at HRC's, such as glass, cardboard, timber and metal do not generate a smell.

Litter

51. The HRC site would be surrounded by a 2.4 metre high palisade fence, which will act as a litter-catch fence. The applicant confirms that site staff would be required to make regular inspections and ensure that any windblown litter is removed from the site boundaries. All waste containers would, depending on their design, be sealed or netted when full and prior to their removal from the site.

Access and Highways

52. Representations made in respect of the application have suggested that access to and from the site is likely to be problematic. This being due to the access to Devizes via the A361 being prohibited (no right-turn is permitted) and because a large number of lorries often park on the road through the estate reducing its width and restricting visibility. However, it is important to note that the Local Highway Authority has not objected to this application either on the grounds of highway safety or road capacity.

53. The Local Highway Authority comments that the Hopton Park Industrial Estate is a large industrial estate with a number of significant traffic generating businesses, with others planned. The proposed HRC is anticipated to generate approximately 100 car visits per day, Monday to Friday, with approximately 330-360 daily visits at weekends. The Local Highway Authority is satisfied that the Hopton Park roads and junctions are more than capable of accommodating these flows and also consider that it would be unlikely that any potential tailback from the site would affect the access points of existing businesses.
54. One objector has commented that any Devizes bound driver leaving the HRC would have to carry out an illegal right-turn out of Hopton Park onto the A361. However, it is the case that access to Devizes is available through the Hopton Estate onto London Road. The Local Highway Authority advises that the Hopton Park/A361 junction is designed to current highway standards to prevent vehicles attempting such a manoeuvre and that any driver who did turn right towards Devizes would be contravening traffic signs and performing a prohibited vehicle manoeuvre. The Local Highway Authority considers that the recommended directional signage for the HRC would reduce the likelihood of any drivers performing this prohibited manoeuvre.

Range of facilities

55. Concern has been expressed over the lack of provision for plastic bottle recycling at the proposed HRC. In response, the applicant has confirmed that the HRC could be provided with such a facility. The applicant advises that the number and type of recycling containers and materials accepted would be flexible and changed to meet the particular needs that arose in the area as the site became established.

Conclusions: Options Considered

56. The proposed development would assist in achieving a more sustainable approach to waste management in the County, by extending the network of local waste management facilities. It is considered that the impact on nearby business premises would be minimal and unlikely to give rise to any environmental nuisance. Perceived problems regarding noise, dust, odour and litter have been addressed in this report. Additional safeguards would also be required by the Environment Agency through a Waste Management Licence to ensure that the proposals are carried out in an environmentally acceptable way.
57. The provision of the HRC close to the source of waste arising is in accordance with the Government policy and the policies of the Adopted Structure Plan and emerging Waste Local Plan. The provision of a HRC at Devizes, which would be part of a wider network of such facilities, would ensure that household wastes can be managed close to the point at which it is generated to reduce unnecessary vehicle journeys and pollution.
58. It is considered that the application is in accordance with the Development Plan and there are no other overriding material planning objections that would justify refusal.

Recommendation

59. That planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No development shall commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public and environment when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.
3. No development shall commence until details of all exterior floodlighting and other illumination proposed at the site have been submitted to and approved in writing by the Waste Planning Authority. These details shall include the height of the floodlighting posts, intensity of the lights (specified in Lux levels), spread of light in metres, any measures proposed to minimise the impact of the floodlighting or disturbance through glare (such as shrouding) and the times when such lights will be illuminated. Development shall be carried out in accordance with the approved details.
4. No development shall commence until a scheme of advance and local signing and road lining has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include details of the location and form of the signs and road lining and provide for the erection of a sign at the site exit advising drivers that there is no right-turn onto the A361 towards Devizes and provide for the erection of direction signs and road lining to inform drivers of the routes to and from the site. The use shall not commence until the scheme approved has been implemented.
5. No development shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include detailed proposals in respect of surface water drainage arrangements. The scheme/work shall be constructed and completed in accordance with the approved plans.
6. No development shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include detailed proposals in respect of foul water drainage arrangements. The scheme/works shall be constructed and completed in accordance with the approved plans.
7. No development shall commence until full details of the storm water balancing facility has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include detailed proposals in respect of the design of the facility. The scheme/works shall be constructed and completed in accordance with the approved plans.

8. No development shall commence until details of the site office building have been submitted to and approved in writing by the Waste Planning Authority. These details shall include the design and external appearance of the building. Development shall be carried out in accordance with the approved details.
9. Before the use is commenced, the access to the existing highway shall be laid out and constructed in accordance with a detailed scheme to be submitted to and approved in writing by the Waste Planning Authority. The scheme shall:-
 - (a) include detailed proposals for the construction of the road;
 - (b) provide for the site access road to be of a minimum width of 7.3 metres with associated footways a minimum width of 2.0 metres;
 - (c) provide for the gates to the vehicular access to open inwards only.The use shall not commence until the scheme approved has been implemented.
10. No vehicle shall enter or leave the site and no working or operations shall take place at the site except between the hours of 07.00 and 19.00 hours Mondays to Saturdays and 08.00 and 17.00 hours on Sundays and Bank and/or Public Holidays.
11. All skips, containers, structures, plant, buildings, fences and waste shall be removed from the site within a period of two months from the date the site ceases to be used as a Household Recycling Centre.

Reason for Recommendation

60. European, National, County and Local Policies all seek to develop waste recovery/recycling and it is recognised at all levels that facilities to encourage this must be provided within or close to local communities. This application seeks to encourage recycling and meets the requirements of sustainable development. There are no planning grounds to recommend refusal.

RICHARD J. LANDER
Director of Environmental Services

The following unpublished documents have been relied on in the preparation of this Report:

Consultation replies and correspondence.

Environmental impact of the Recommendations contained in this Report:

As set out in the report.

