

**WARMINSTER: CHANGE OF USE OF PART OF WILTSHIRE COUNTY COUNCIL
HIGHWAYS DEPOT TO RELOCATE THE HOUSEHOLD WASTE RECYCLING CENTRE
WITH ANCILLARY DEVELOPMENTS INCLUDING ACCESS AND OFFICES/STORES,
LAND AT FURNAX LANE, WARMINSTER FOR HILLS WASTE SOLUTIONS LIMITED
Application No. W/08/09022**

Purpose of Report

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

The Site

2. The application site is part of an existing County Council highways depot situated off Furnax Lane, Warminster to the north of the B3414 Bath Road which runs north-west from Warminster to the A36/A350 roundabout.
3. The site to be developed is an area of level ground to the rear of the depot which has been used in the past for loading gritter lorries, storing sand and salt and parking of vehicles and equipment. It is located within a developed industrial area adjoining Crusader Park. The closest residential properties to the site are two semi-detached houses which front the B3414 and adjoin the highway depot to the rear.
4. A location plan is attached at **Appendix 1**.

Planning History

5. The current highways depot has been in operation for at least 30 years and has the benefit of unrestricted use in terms of hours of operation for the activities currently carried out.

The Proposal

6. The existing Household Recycling Centre (HRC) for Warminster is located some 200 metres to the north along Furnax Lane. This facility needs to be re-located because the current site has been identified as contaminated land due to its historic use as a coal yard. Current legislation requires the site to be remediated by the Council. As it is not possible to keep the site open and carry out the remediation, an alternative site is needed.
7. An alternative and available site within the highways depot has been identified which offers the opportunity to re-site the existing HRC with the minimum of impact enabling improvements to the recycling facilities to be incorporated into the new design and layout. With the Council no longer requiring all the land within the depot an area of approximately 0.3 ha has been allocated for the HRC. The remainder of the site would continue to be used for the County's highway activities, including highways maintenance, gritter lorries, etc.

8. With regard to the layout of the site, it would have a separate entrance and exit onto Furnax Lane which is aimed at reducing congestion at times of peak usage.
9. Within the site there would be the usual facilities associated with HRCs. A series of compactors would be located centrally with one of these dedicated to receiving plastic. There would be containers for wood and cardboard or other bulky items along the rear boundary adjacent to a traversing roll-packer which would be used to compact these items. Traditional bottle, can and paper banks would be placed around the perimeter of the site with secure provision being made for the storage of items such as household paints, chemicals, batteries or gas bottles. There will be a site office. Details of the site layout are shown at **Appendix 2**. (Note – A large scale version of this plan will be displayed at the meeting).
10. Hours of operation proposed would be as standard at the majority of HRCs across the County:

Summer: 1st April – 31st October

Monday, Tuesday, Friday, Saturday, Sunday: 9.00 a.m. – 5.00 p.m.
Wednesday, Thursday: 9.00 a.m. – 7.00 p.m.

Winter: 1st November – 31st March

Monday – Sunday: 9.00 a.m. – 4.00 p.m.

It is estimated that the site would receive approximately 12,000 tonnes of waste per year and that some 70% would be recyclable.

Planning Policies

11. The following policies are considered relevant to this application:
 - Policies W1 – W4 of the Adopted Wiltshire and Swindon Structure Plan 2016 (adopted April 2006) (WSSP) which relate to the provision of adequate waste recycling facilities.
 - Policies 2 and 6 of the Adopted Wiltshire and Swindon Waste Local Plan 2011 (adopted March 2005) (WSWLP) which consider the need for waste management facilities and the impact they can have on the surrounding local area.

The relevant policies are set out in **Appendix 3**.

Consultations

12. **Local Member, Mr. P. Batchelor** – no comment received.
13. **West Wiltshire District Council** – no objection in principle to the relocation of the HRC to the proposed site. Some concerns regarding inadequate information provided regarding noise and light mitigation measures to properly assess impact on nearby properties and existing levels of amenity. If permission is granted conditions would be required to address noise and landscaping.
14. **West Wiltshire District Council (Environmental Health Officer)** - originally objected on the grounds of lack of noise assessment. Having considered an assessment on noise arising from activities proposed on site the objection was withdrawn.

15. **Warminster Town Council** – no objections to the proposals.
16. **Environment Agency** – no objections subject to the inclusion of conditions relating to the storage of wastes on site.
17. **County Archaeologist** - no objections.
18. **Countryside Section** – no objection to the scheme in principle but has concerns regarding the existing trees on site. Suggest that conditions are required relating to the need for a tree condition survey prior to any development taking place on the site. Where possible, trees should be retained on site and any remedial works undertaken to ensure their longevity.
19. **Local Highway Authority** – no objection subject to conditions.
20. Copies of the consultation replies referred to above are available in the **Members' Room**.

Publicity

21. The application has been advertised in the local press and by site notice. A neighbour notification exercise has been undertaken. Two letters of representation have been received. The concerns raised are as follows:

- Proximity of the application site to the two nearest residential properties (32 and 34 Bath Road).
- Noise, dust and odour.
- Operating hours.
- Visual Impact.
- Traffic.

Copies of the representations are available in the **Members' Room**.

Planning Considerations

22. The planning application must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
23. The reason the application has been submitted now is that the current HRC located further north along Furnax Lane has been found to be located on contaminated land which requires remediation. The existing HRC is well used by the residents of Warminster and the surrounding area. Relocating the HRC provides the opportunity to deal with the contamination issue and provide a better facility for the people of Warminster.
24. The main planning issues raised by the application are considered below:
 - (i) Contribution to Sustainable Waste Management.
 - (ii) Impact on nearby residential and other land uses.

(i) Contribution to Sustainable Waste Management

The combined effects of Policies W1 – W4 of the Adopted Wiltshire Structure Plan 2016 are to minimise volumes of waste requiring disposal (W1 and W2) and to provide an adequate network of waste management facilities subject to their environmental impact (W3 and W4).

The existing HRC at Warminster was one of the three original ‘civic amenity’ sites (Swindon and Salisbury are the other two) in the old County of Wiltshire. Because of this, it was not developed along the modern lines of the subsequent HRCs which have been developed throughout the County. However, its catchment area of Warminster town and the surrounding area has meant it has been well used by the local people and regularly ranks third after the high volume users of Salisbury and Trowbridge HRC sites.

Structure Plan Policies consider the need to provide an adequate network of waste management facilities which can meet the needs of the area. The existing Warminster HRC site plays an important role in providing a waste recycling point for the local community. However, it cannot stay on its current site due to the existing land contamination issue. Therefore, there is a need to consider the impact the new proposals would have on nearby residential and other land uses.

(ii) Impact on nearby residential and other land uses

The location of the HRC within the County Council’s highway depot would bring the proposal to within 32 metres of two semi-detached residential properties which are the nearest properties to the site. These properties were previously owned by the County Council but were sold in approximately 1987. The rear gardens of these properties back onto the depot and currently extend to approximately 16 metres.

The main concerns raised by the occupants of 32 and 34 Bath Road relate to noise, dust, odour, operating hours, visual impact and traffic. Policies W2 and W4 of the Wiltshire Structure Plan 2016 and Policy 6 of the Adopted Wiltshire and Swindon Waste Local Plan 2011 make it clear that these impacts must be reduced to acceptable levels and this is considered below.

Noise

Concerns have been raised regarding the potential noise levels which would arise from the operations. When the application was submitted, no formal assessment of noise had been undertaken and this was raised by the Environmental Health Officer. A survey was undertaken by a consultant retained by the applicant. This concluded that it is unlikely the overall noise climate at the dwellings would change significantly as a consequence of the proposed development. Noise mitigation measures would be incorporated to ensure that the propagation of noise to nearby residents would be minimised. A main feature would be a 2.5 metre high acoustic fence erected on the southern and western boundaries to separate the HRC from the highway depot and the two dwellings. This would have the effect of providing noise attenuation of 7 -10 dBA for the nearest dwellings. Therefore, it is considered that noise from the site could be mitigated to acceptable levels. The Environmental Health Officer is now satisfied that noise will not be an issue.

Dust and Odour

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 normally contain materials that could create a dust problem. The site would be hard surfaced to ensure that vehicles do not generate or carry any debris onto the public highway.

With regard to odour, it is unlikely that any odour would be generated because of the nature of the materials deposited and the fact that they are deposited directly into containers. The types of materials deposited at HRCs, i.e. glass, cardboard, plastic, timber and metal, etc. do not generate an odour.

Operating Hours

The proposed operating hours are 9.00 a.m. – 4.00 p.m. in winter and 9.00 a.m. – 5.00 p.m. in summer seven days a week, with an additional two hours on two days during the summer, accords with the hours of opening operated at other HRCs throughout the County. Bearing in mind the fact that the highway depot currently has unrestricted opening times and is located adjacent to an industrial area which opens on Sundays and Bank Holidays, it is not considered that the hours of opening would create disturbance to local residents.

Visual Impact

The application site is currently used as part of the highway depot used by the County Council and its contractors. As a result of the open storage of some vehicles, plant, equipment, salt etc., the whole site at present is industrial in appearance and is surrounded on three sides by industrial development in the form of the Crusader and Warminster Business Parks. The site falls within land allocated as an 'Employment Policy Area' and is partially screened from Bath Road by a grassed area along the road frontage and some mature trees along Bath Road. In part, the site would be screened visually by the acoustic fence which would run along two sides of the proposal and by existing planting on the eastern edge of the site. Further planting would be required by condition to supplement that which already exists and provide additional screening. The visual impact of the proposal in terms of what currently exists on the site at present is considered to be minimal and may even be an improvement to the way the site looks at present.

With regard to the potential visual intrusion from any lighting, this would be covered by a condition requiring approval of details prior to construction.

Traffic

Although concerns have been raised regarding traffic generated by the site if developed, Furnax Lane is already being used to provide access to the existing HRC. Locating the HRC at the southern end of Furnax Lane would mean that there would be less vehicles travelling along its length. Furnax Lane to the north of the site is very restricted in width and there are currently 'priority' road signs over part of its length. It is understood that if planning permission is granted the Local Highway Authority would take the opportunity to improve the position by reversing the 'priority' such that northbound traffic would have priority over southbound traffic. This would ensure that the entrance and exit gates to the HRC are kept clear of queuing traffic.

With regard to vehicle numbers, the peak usage of HRCs is at weekends and on public holidays which is a time when industrial estate roads are generally quieter. The layout of the HRC has been designed so that 'quieter' uses are located near the houses at the southern end of the site and the noisier uses such as glass and can banks are located to the north. It is not considered that traffic using the site will cause a problem to local residents.

Conclusion and Recommended Reasons for Granting Approval

25. The relocation of the HRC from its current position further along Furnax Lane to a position within the County Council's highway depot is considered beneficial, enabling a more modern and better equipped facility to be provided for the residents of Warminster and the surrounding area.
26. It is considered that the proposed use is appropriate for the location chosen and subject to compliance with the conditions would not cause any significant harm to the amenities of the local area and residents.
27. It is considered that the application is in accordance with the Development Plan and there are no material considerations to indicate permission should not be granted.

Recommendation

28. That planning permission be granted for the above reasons and subject to the following conditions:
 1. The development hereby permitted shall commence within three years of the date of this permission.

Reason: To comply with Section 51(1) of the Planning and Compulsory Purchase Act 2004.
 2. Prior to the use commencing the household recycling centre hereby permitted shall be laid out in accordance with the details shown on Drawing No. WHRC-01c-glv dated 20 September 2008. There shall be no alteration to the layout without the prior written approval of the Waste Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.
 3. No development shall take place until a detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Waste Planning Authority. Such scheme shall include details of:
 - (a) The positions, species and sizes of all trees, shrubs and hedgerows to be retained, and the proposals for their protection throughout the development and operation of the site.
 - (b) The positions, species, density and initial sizes of the new trees and shrubs.
 - (c) Any hard landscaping proposed.
 - (d) The programme of implementation of the scheme.
 - (e) The arrangements for subsequent maintenance.

The agreed planting shall be carried out in full in the first available planting season following completion of the development, and any trees or shrubs which die or become diseased within five years shall be replaced.

Reason: To ensure the provision, establishment and maintenance of a satisfactory standard of landscaping.

4. No development shall take place until full details of the acoustic barrier have been submitted to and approved in writing by the Waste Planning Authority. The barrier shall be of the general design and layout as that shown on Drawing No. WHRC-01c – glv (dated 20th September, 2008). Development shall be carried out in accordance with the details and timetable approved.

Reason: To protect the amenities of local residents.

5. No development shall commence until details of the proposed on-site office building have been submitted to and approved in writing by the Waste Planning Authority. The office shall be constructed in accordance with the approved details.

Reason: To enable the Waste Planning Authority to adequately control the development and to minimise the impact on the amenities of the local area.

6. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Waste Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To ensure the proposed development will not cause pollution to Controlled Waters, and in the interests of highway safety.

7. No additional floodlighting shall be erected on the site until a detailed lighting scheme has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include details of the height of the floodlighting posts, intensity of the lights (specified in lux levels), spread of light, including approximate light spillage to the rear of the lighting posts, any measures proposed to minimise the impact of the floodlighting or disturbance through glare and the times when such lights will be illuminated. Development shall be carried out in accordance with the approved scheme.

Reason: To enable the Waste Planning Authority to adequately control the development and to minimise the impact on the amenities of the local area.

8. There shall be no open stockpiling of waste or reclaimed materials within the site.

Reason: In order to protect the visual amenities of the area and to regulate the use of the land.

9. All waste brought into the site shall be stored in containers appropriate for such storage and the containers will be placed on an appropriate impermeable surface.

Reason: To ensure that the proposed development will not cause pollution to Controlled Waters.

10. All existing trees on the site shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of work on the site, to the satisfaction of the Waste Planning Authority in accordance with relevant British Standards (BS 5837: 1991) for the duration of the works on site and until at least five years following completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Waste Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed, without the prior consent of the Waste Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded to existing trees.

11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Waste Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% or 25% of the total volume that could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourses, land or underground strata. Associated pipe work should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. If the capacity of any storage container is greater than 200 litres the developer should refer to Guidance for the Control of Pollution (Oil Storage) (England) Regulations 2001 published by the Department for Environment, Food and Rural Affairs.

Reason: To ensure the proposed development will not cause pollution of Controlled Waters.

12. Visibility shall be provided and maintained at the site access with nothing over 1.0 metre in height above the adjoining Furnax Lane carriageway level being planted, erected or maintained in front of a line measured 2.0 metres back into the 'out' access from the carriageway edge extending across the whole site frontage in the form of a parallel strip.

Reason: In the interests of highway safety.

13. Prior to the use commencing the areas between the edge of carriageway and the proposed gates shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have first been submitted to and approved in writing by the Waste Planning Authority.

Reason: In the interests of highway safety.

14. The gradient of each access shall not be steeper than 1 in 15 for a distance of 4.5m from their junction with Furnax Lane.

Reason: In the interests of highway safety.

15. The Recycling Centre shall be open to the public during the following hours:

Summer - 1st April – 31st October

Monday, Tuesday, Friday, Saturday, Sunday: 9.00 a.m. – 5.00 p.m.
Wednesday and Thursday: 9.00 a.m. – 7.00 p.m.

Winter – 1st November – 31st March

Monday – Sunday: 9.00 a.m. – 4.00 p.m.

Reason: For the avoidance of doubt and in the interests of local amenity.

GEORGE BATTEN

Director of Environmental Services

Report Author

DAVID ROSE

Principal Planning Officer

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

Consultation replies and correspondence.