



<u>Committee and Date</u>
North Planning Committee
24 th May 2011

<u>Item/Paper</u>
7
Public

Development Management Report

Application Number: 09/00292/MAW

Parish: Childs Ercall

Grid Ref: 366626 - 323444

Proposal: Change of use of existing warehouse to form an in-vessel composting demonstration facility

Site Address: Hangar 3 Eaton Road Childs Ercall Shropshire

Applicant: In-Vessel Composting Limited

Case Officer: Kelvin Hall **email:** planningdmc@shropshire.gov.uk

1.0 THE PROPOSAL

- 1.1 The planning application proposes the adaptation of a former aircraft hangar, weighbridge and office to an In-Vessel composting facility for the composting of waste materials. The primary aim of the proposal is to function as a demonstration facility to showcase the aerobic in-vessel composting technology to the waste industry. Compost would be provided to local farms to add organic matter and nutrients to farmland.
- 1.2 Works to the buildings would include selective cladding and refurbishment. An internal enclosure would be constructed within the hangar, bolted onto the hangar framework. Wastes would be unloaded from vehicles within this enclosure. WC and rest room facilities for employees and visitors would be provided at an adjacent building.
- 1.3 Imported waste materials would be composted in sealed rotating drums within the hangar building. Waste types to be composted would include: green waste and catering waste from municipal collections, food manufacture/preparation catering waste that contain meat or that come from premises handling meat. Other wastes may include sewage cake, effluent treatment sludge cake, paper/cardboard, chipped wood. The facility would compost a maximum of 25,000 tonnes of waste per year.
- 1.4 Proposed process
Weighing of wastes would be undertaken at the weighbridge. All other processes would take place within the hangar, and would comprise:
- inspection of waste to identify and remove any contaminants

- shredding and mixing of wastes
- loading of wastes into enclosed composting vessels via conveyors
- sorting and screening of composted waste using a trommel
- formation of composted materials into long piles (windrows) for maturation
- relocation of matured compost to loading area in readiness for collection

1.5 The enclosed vessels allow for the control of moisture content, temperature and exposure of the material to air. The waste would be composted for between 3 and 6 days, on a continuous basis. The system allows for heat generated as part of the process to be re-used, and for moisture content of wastes to be reduced. In addition foul air from the composting process would be passed through a biofilter to reduce odour.

1.6 Access and traffic

The primary vehicle access to the hangar would be via an existing access track that is located to the north-east which would be improved through the construction of passing places. The secondary access would be the existing main access into the airfield, to be used by staff cars and a small proportion of tractors delivering compost out to farmland in that direction.

1.7 It is estimated that there would be 5.2 heavy vehicles to the site per day (10.4 movements). These vehicles would comprise lorries delivering waste and collecting compost, and tractor/trailers collecting compost. The applicant states that this is a worst case scenario and assumes that separate vehicles would collect compost, whereas in practice the applicant expects that delivery vehicles would leave the site full of compost. Other vehicles would be associated with staff and visitors, comprising approximately 4 vehicles per day.

1.8 The proposed development does not fall within the requirements for formal Environmental Impact Assessment, however the application details specific controls that would be imposed on operations to mitigate against land-use impacts.

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is located at Peplow Airfield, approximately 10km north of Telford and 11km south of Market Drayton. The proposed composting facility would utilise one of the former aircraft hangar at the Airfield, together with an adjacent weighbridge, office, hardstanding and toilet block. The hangar is currently vacant however the existing permitted use is for storage.

2.2 The hangar is located at the south-eastern side of the airfield, approximately 1km to the north-east of the village of Eaton upon Tern, and approximately 1.3km to the south of the village of Childs Ercall. The nearest residential property to the site is Dodecote Grange, approximately 750 metres to the east.

2.3 The hangar measures approximately 75 metres long x 37 metres wide x 12 metres high, and is constructed of black corrugated steel.

2.4 The airfield lies within a generally flat, open landscape with occasional trees and copses associated with some field boundaries. Land at the airfield and surrounding areas is generally in agricultural use. Other buildings and uses at the airfield include vehicle storage, poultry sheds and model aeroplane flying.

2.5 The nearest public right of way is a footpath approximately 130 metres to the south. Another footpath crosses the existing access track proposed to be used, at a point approximately 850 metres to the north-east of the application site.

3.0 RECOMMENDATIONS

3.1 That planning permission is granted subject to the conditions listed at the end of this report, and subject to the applicant completing a Section 106 Unilateral Undertaking to provide for the following:

Routing Agreement – to require all HGVs associated with the delivery of waste materials to only use an agreed vehicle route between the A41 and the airfield, avoiding Childs Ercall.

Traffic Management Plan – to include a commitment by the applicant to restrict HGV movements on the local highway network associated with the development; to control the usage of each access to the airfield to specific vehicle types and intended destination; to impose time constraints on vehicle access and egress to avoid busy periods/ peak morning and afternoon periods.

4.0 REASON FOR DELEGATED DETERMINATION OF APPLICATION

4.1 The application does not fall within the criteria of the Delegation Scheme as more than six representations from the public have been received.

5.0 RELEVANT PLANNING HISTORY

5.1 There are no records of any previous planning decisions relating to waste management at the site.

5.2 A Certificate of Lawfulness was issued in 1997 confirming that the use of the hangar (and an adjacent hangar) for storage under Use Class B8 was lawful. This Certificate effectively confirms that the existing permitted use of the hangar is for storage or distribution.

5.3 The application is accompanied by signed declarations (made in 1997 in support of the application for a Certificate of Lawfulness) confirming that the hangar has been used for storage between 1960 and 1995. The items stored have included aircraft, vehicles, vehicle parts, and industrial equipment and components, potatoes, and meat and bone meal waste.

5.4 Decisions relating to land in the vicinity of the application site including the following:

- NS/04/00433 – proposed continued use of airfield for flying model aircraft, permitted 2004
- NS/05/00317 , 00318 & 00319 – erection of units for free range egg production at airfield (sites located approximately 400m to the south-west of the hangar for proposed composting), permitted 2005

6.0 CONSULTEE RESPONSES

6.1 **Childs Ercall Parish Council** Strongly object to the proposal. The Parish Council's concerns comprise:

- approach roads to the site, including route from A41, in unacceptable state of repair, have several hazardous areas including the bridge over Alford Brook; have no proper foundations and unsuitable for the amount of heavy goods

vehicles which already travel through the village to the storage areas on both old airfield sites; roads not properly maintained

- level and type of traffic is totally unacceptable
- properly constructed passing places should be made to allow large lorries to pass without needing to flatten the grass verges and water gullies which in turn cause flooding and excessive amounts of mud whenever it rains
- lorries travelling to the site will have to pass the parish playing field which has three entrances and a play area used by children of all ages [this comment was made prior to the modification of the access proposal that would result in vehicles avoiding travelling past the playing field]
- impact on other local road users including horse riders, cyclists and walkers
- proposal would involve a continuous process as opposed to the intermittent traffic involved with the present storage use
- traffic movements associated with water transport have not been included
- concerns over environmental issues, smell, flies and noise etc. In recent times, was great distress to residents by flies and odour from waste spraying by Enviroclear.
- concerns over technology to be used – relatively untested; low quality
- dust from vehicle movements and composting operation
- potential health risks and pathogens: vermin; scavenging birds; litter
- impact on public footpath
- impact on current eco-structure and wildlife balance
- justification for choice of site
- no list of waste sources, or farmholding destinations
- no details of de-packaging of wastes
- lack of contingency plans if plant breaks down
- proposed type of facility has not been fully implemented anywhere else and should therefore be treated with the highest and most stringent reservations
- lack of business agreements exist for the collection of waste material will increase collection journeys or require many smaller deliveries to the site
- lack of free flowing water supply to the unit
- impact on health from bio-aerosol emission containing bacteria, spores and fungi
- research that other sites have harmed the health of residents
- impact on users of public footpaths, HGV crossing footpaths would make them unusable
- restrictions on routing cannot be effectively policed
- Committee should attend a similar in-vessel site
- impact on culverted stream (Alford Brook)
- application not clear regarding sewage disposal; query what system exists on site and if it is a septic tank how will the soakaways be dealt with near to a watercourse and also in a proven flood risk area
- end product will be classed as waste as will not meet PAS100 standard, therefore waste will be spread on land
- impact on any protected species
- recent house building in the village has greatly increased the population and inevitably the number of cars travelling the roads which is very different to the number of vehicles using the roads when previous users of the hangar were travelling to site
- concern over how routing would be monitored if permission granted

- need for facility is questioned as a compost facility has recently opened at Harper Adams College at Edgmond; query whether there will be sufficient local farmers willing to take the compost
- this facility would be better suited on a site closer to an 'A' road or motorway
- un-answered questions from the public meeting shows that this new venture and experiment is far too risky to approve

6.2 **Stoke on Tern Parish Council (adjacent parish)** Concerns raised regarding: the amount of traffic leaving the site, and the fact that fields would not be cleared less than 2 weekly intervals. Query whether there would be noise from the extractor fan.

6.3 **Waters Upton Parish Council (adjacent parish within Telford and Wrekin Council area)** Strongly object to the application.

- road layout and the infrastructure in the area includes narrow roads with many bends - most of them severe, blind corners, no footpaths and very poor road conditions; few passing places and nowhere where two lorries can pass without mounting verges or damaging hedges; even the roads of the preferred route are narrow with blind bends and few passing places
- proposed level of traffic is more than roads can cope with
- supporting statement contains many inaccuracies, eg. that the site is relatively central in the country and is close to the M6 motorway which links to most of the major centres of population and industry in the country; easily accessible to customers from Europe through international airports; this proves that Childs Ercall is most certainly not a suitable location for such a facility
- proposal does not comply with Policies P67 or P68 of the Waste Local Plan
- facility could be extended from a demonstration project in the future;
- has been extensive damage to the roads, verges and bridges in the area; concern whether bridges and roads can cope with heavy goods vehicles
- facility would be better suited at a location close to A roads and motorways
- lack of confidence that routing will be adhered to; satellite navigation equipment will send lorries and cars down inappropriate roads
- collection of compost by tractor for distribution on local fields will mean more visits dangerous road conditions and further detrimental effects
- traffic movements underestimated – water tanker; disposal of rubbish; haulage contractors
- odours / air pollution / emissions / foul water management / pests / vermin and water pollution will all have a detrimental affect on the locality and will impact greatly on the quality of life for local residents.
- fields and roads cannot cope with more disposal of foul water
- the alarm proposed may affect the local residents' quality of life and the enjoyment of their property and garden
- will leave little times of peace, with the continuous operation and the deliveries / collections all day and evenings for 6 days a week
- disposal of waste by tractors will take place outside of the above hours so we can expect that this will be evenings and all weekend.
- concern over how packaging from wastes will be dealt with if waste from supermarkets in brought in

6.4 **Environment Agency** No objections. Operations at the site and measures to prevent pollution will be regulated by the Environmental Permit (EP).

Flood risk: The Agency does not consider that flood mitigation measures are necessary given that the development is within Flood Zone 1 ('low probability' risk of flooding).

Part of the access to the site lies within Flood Zone 3 (where there is a 1 in 100 or greater annual probability of river flooding). Any flooding of the access track to the composting facility would be for a short period of time only and unlikely to be to any significant depth. Whilst this is a residual/operational risk the Agency does not raise an objection, especially given that the proposal is defined in PPS25 as 'less vulnerable' development.

Drainage: It is noted that the building will be self-contained and that all waste water will be tankered off site. The Agency requests that the applicant minimises any risk to groundwater and surface water from the impact of organic liquids generated as part of the process or as a consequence of storage of products. There should be no risk of spillage to ground or surface water when waste is transferred from storage to tanker.

The Agency requests that the applicant sites the proposed composting facility on impermeable hard standing and that it is drained to a sealed pump, which is emptied regularly. Should a sump be used to collect composting pad drainage, the applicant must ensure that it is sealed/impermeable and that it has the capacity to contain all the water from the pad in storm conditions.

There should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

The Agency notes that the applicant intends to discharge foul water through an existing septic tank and to soakaway. This is acceptable on the assumption that there is no access to mains foul sewer. It is noted that there will be no additional demand placed upon the existing arrangement.

Odour: The Agency would normally require a bio-aerosol assessment where there is a workplace or dwelling within 250m of any composting site boundary. In this case it is noted that the facility is a considerable distance from any 'receptor' ie. Dodecote Grange 700m to the east, and depots 700m to the west.

Notwithstanding the above the Agency notes that the applicant has put measures in place, including having air within the hangar under negative pressure and passed through a bio-filter before being released in the external atmosphere. Airborne emissions have been afforded the same process.

Pollution prevention: The Agency advises that pollution prevention measures should be incorporated to protect ground and surface water.

Further guidance is provided in relation to the Agency's controls over spreading of composted material onto farmland.

6.5 **Councillor S Bentley, Borough Councillor for Ercall Magna Ward (Telford and Wrekin Council area)** Representation made on behalf of Waters Upton Parish Council, as the elected representative on the Borough of Telford and Wrekin Council. Also Telford & Wrekin's Cabinet Member for Environment and Planning.

- application does not meet with satisfactory justification
- applicant's comments regarding proximity to M6 junctions Birmingham, Liverpool, Manchester airports being accessible needs considerable examination
- Members should be aware of geography of area: rural; basic infrastructure; many major routes no more than narrow lanes; heavy vehicle accessibility difficult

6.6 **Telford and Wrekin Council (TWC) (adjacent planning authority)** No objections.

As the highway authority for part of the proposed vehicle route to the site from the A41, TWC had formerly advised that the application is acceptable subject to the highway between the site access and the A41 being sufficiently improved to accommodate the new vehicle movements associated with the site. TWC stated that its on site measurements and observations identify that passing bays are few, poorly formed at times with little or no hard surfacing and that overall road widths at these points would also struggle to accommodate the comfortable passing of a domestic type vehicle and 28 tonne tipping arctic.

TWC requested that the applicant submits details of road improvements to demonstrate that these are viable and achievable within the public highway. TWC also stated that it would support any planning condition that restricts the material input to the facility of 25,000 tonnes per year.

Following on from the applicant's confirmation that no road improvements are being proposed as part of the application, TWC advised that it is a shame the applicant does not see an opportunity to improve the highway access to the site which would also go some way to mitigating local concerns and provide a better access, particularly as it is proposed as a showpiece demonstration facility.

In conclusion TWC have stated that, considering the extant use of the site these are improvements that TWC as the Highway Authority cannot insist on as part of the planning application and TWC would be in no strong position to defend at appeal if the application is refused on highway grounds. On this basis, TWC confirmed it can make no objections to the proposals.

6.7 **SC Public Protection** No objection in principle to the proposed development, subject to imposition of condition requiring that litter arising from the activities shall be cleared from outside the hanger buildings on a daily basis and more frequently in periods of high winds, in order to safeguard the amenities of the adjoining premises and the area generally.

6.8 **SC Highways Development Control** No objections.

6.8.1 The proposal seeks permission for the adaptation of a former aircraft hangar, weighbridge and office for an In-Vessel composting facility for the composting of

waste materials. It is however understood that the primary aim of the proposal is to function as a demonstration facility to showcase and market the In-Vessel composting technology to the waste industry and potential customers of the equipment.

- 6.8.2 As part of the highway impact assessment of this application it is necessary to have a full understanding of the current and permitted use of the hangar facility as this has a significant bearing and is a material consideration to the highway authority's ability to control the development of the site in its role as advisor to the planning authority. In this regard it has been established and accepted that the building has unrestricted use as a B8 storage and distribution facility. Evidence has been submitted by a number of operators who have at some time occupied the building and this therefore provides further support to the planning status of the building. It is however noted that some of those operators occupied the external storage areas. The current proposal indicates that the composting facility is confined to the building and that the external areas will be used for the parking of vehicles only. This therefore could be controlled by planning condition.
- 6.8.3 Notwithstanding the primary aim of the proposal to establish a demonstration facility the applicant has requested a 25,000 tonnage importation level. This represents a significant waste importation level based upon an operation for which the primary objective is to showcase and market the composting equipment. It is recognised that there are financial running costs which may impact upon the viability of the facility but it does raise the question as to whether this is the appropriate location to establish a composting facility in terms of where the source material is collected. This is difficult to properly assess since contracts would not be established unless or until planning permission is granted
- 6.8.4 It is understood that the waste material is to be brought to the site by the applicant and the matured compost would be supplied to local farms. The applicant estimates within supporting information that, on average, 5.2 heavy goods vehicles (10 vehicle movements) would be generated. This would comprise of lorries first leaving the site and collecting the raw waste material to be brought back to the site for composting. This figure also includes tractor / trailers delivering or collecting compost to be taken to the various farm holdings. Whilst there is no reason to dispute these figures it would be appropriate to impose vehicle number restrictions upon the facility, which is common practise when dealing with waste type operations. On the basis of the 5.2 figure quoted it is suggested that an average daily figure of the 6 vehicles (12 vehicle movements) would be appropriate with a maximum figure of 8 vehicles (16 vehicle movements) on any one day. The average figure could be based upon a monthly recording regime and ceiling level which would be supplied to the planning authority on request.
- 6.8.5 The application has raised significant representations by the local parish council and local residents having regard to the adequacy of the local highway network to cater for the type and volume of vehicles likely to be generated by the proposed composting waste facility. The highway authority fully acknowledges the deficiencies of the suggested route to the site from the A41. There is clear evidence of verge erosion and carriageway damage along the identified hgv

route and the width constraints in places. These issues were raised with the applicant during a public meeting held last year. The applicant has however responded that whilst acknowledging the deficiencies of the local highway network they consider that this is the province of the highway authority in its capacity as the maintenance authority. The applicant supports this assertion on the basis that the current hangar building, with established an B8 storage and distribution use, has no restrictions on the number and type of vehicles that could legitimately be generated by a commercial operator. The highway authority considers this a disappointing response and stance being taken by the applicant. However, as stated previously, the highway authority's ability to require road improvements or maintenance contributions from the applicant, as part of this development proposal, is limited and constrained by virtue of the established planning use of the building. This position has also been acknowledged by highway officers at Telford and Wrekin Council having regard to lengths of the highway network that come under their responsibility as the highway authority.

6.8.6 As part of negotiations with the applicant an alternative access route into the site, from the identified highway route to the A41, has been proposed by the applicant and has, it is understood, been agreed by the landowner. This allows waste collection vehicles routing via the A41 and tractors and trailers delivering compost to neighbouring land holdings to avoid having to travel through the village of Childs Ercall. It is accepted however that there would be occasions where tractors and trailers delivering compost from the site would need to utilise the current access dependant upon where the farm holdings are located. Principally this would relate to land holdings to the west of the site. Again this element could be controlled within a Section 106 Agreement which secured vehicle routing relating both to the importation of waste material and the delivery of matured compost.

6.8.7 Having regard to the foregoing the highway authority does not consider a highway objection to be sustainable in respect of the current development proposal. Moreover it is considered that the established planning status of the site would be likely to be a compelling factor in the event that Members were minded to refuse this application on highway related grounds and the application went to appeal. It is acknowledged also that this application proposal does allow a degree of control to be exercised by the planning authority in connection with the waste activity which currently is not the case. The highway authority therefore does not wish to raise an objection to planning permission being granted subject to the imposition of planning conditions and / or Section 106 Planning Obligation to cover the following items:

- A hgv routing agreement in respect of the delivery of waste material to be composted via the A41 and in addition the routing of compost laden vehicles to and from the site via the 2 identified access points serving the site.
- The submission for approval in respect of the access points serving the site, to include improvements to the access points and future maintenance thereafter.
- To restrict all compost operations to be contained fully within the building and to be no outside storage other than for the parking of vehicles solely connected with the waste facility operation.
- To limit the average daily movements of waste collection vehicles and compost delivery vehicles, over a one month period, to 12 with an upper limit

of 16 on any one day. Daily records shall be kept of vehicle movements connected with the waste operation and these should be made available to the planning authority upon request.

- To submit for approval a Traffic Management Plan which includes a commitment by the waste operator to restricts hgv vehicle movements on the local highway network, connected with the waste facility, to operate outside of the peak morning and afternoon periods.

6.9 **SC Countryside Access Team** Two Public Rights of Way (PROW) run close to this development. FP 0227/23/1, runs to the south of this proposal, and seems to be at a reasonable distance from the hangar to be unaffected.

The vehicular access to the north of the hangar crosses FP 0205/22/2. The public rights take precedence over the private use of the vehicular access, and some measure to warn pedestrians of traffic, and drivers of pedestrians is required, such as signs, road markings, etc.

The developer will be required to maintain the surface of the PROW around the access to keep the PROW safe at all times for the public to use.

6.10 **SC Historic Environment Officer** No archaeological action required.

6.11 **SC Tree Officer** No comments.

6.12 **SC Planning Policy** The Waste Local Plan site allocation policies remain in force following the adoption of the Core Strategy. The site does not fall within one of the 'Broad Locations' for waste management sites in new Policy CS19, but the principle of the proposed use is consistent with many of the key objectives of Policy CS19.

The development of additional capacity to divert Commercial and Industrial waste away from landfill is generally welcome, and dealing with imported waste materials would help us to demonstrate progress towards the principle of 'equivalent self sufficiency' which seeks to establish additional waste processing capacity to offset exports of waste for landfill in eg. Telford or further afield. Consideration of the potential for energy recovery as part of the proposed process, eg. to offset on site consumption or to supply heat to Childs Ercall would demonstrate consistency with CS6 Sustainable Design and Development Principles; surprised no mention of odour control measures.

6.13 **Fire Officer** No comments received.

7.0 PUBLIC REPRESENTATIONS

7.1 The application has been advertised at the site boundary and in the local press in accordance with statutory procedures. In addition, neighbour notification letters were distributed to 36 residential properties and businesses in the local area.

7.2 Arising out of the consultation process, the Parish Council and some residents requested a meeting so that the proposals could be discussed in greater detail. A public meeting was held in Childs Ercall on 16 March 2010. This was attended by representatives of Parish Councils, the local Member, representatives of the

applicant, the applicant's agent, Planning and Highways Officers and approximately 100 local residents.

7.3 107 representations have been submitted, from 80 residents, either objecting or expressing concern over the proposal. In addition a petition has been received, signed by 19 residents who oppose the proposal.

7.4 Areas of support

- potential 'green' initiative to be welcomed, but only if the mechanics and controls of the system work
- proposal is supported if access can be restricted to and from A41

7.5 Reasons for objection / areas of concern

Traffic

- traffic assessment under-estimates traffic levels; does not take into account all traffic including, eg. personnel, contractors, water tanker deliveries and exports, visitors, municipal vehicles delivering waste products, vehicles to designated field sites, service/maintenance vehicles, rubbish collection etc.; estimates should be increased by 33%-50%
- impacts from increased traffic on local residents; children as main route is by entrances to playground where there are no footpaths; equestrian people as local stables in area and use roads to access bridle paths; heavy traffic through Childs Ercall; impact on Listed Building and trees
- narrow access roads with blind bends; damage to roads; unsuitable passing places; dangerous potholes; very slippery when wet or icy
- increased risk of accidents from traffic; and due to inadequate street lighting
- other hangars on airfield only have intermittent traffic whereas proposal would have up to 18 vehicles per day, 6 days per week
- recently built housing and shop in village will elevate vehicle numbers
- foreign drivers using navigation systems will be mis-directed into the village
- creation of dust, disturbance, pollution from lorries and tractors
- some local roads subject to flooding; flood prevention measures required
- road improvements and passing places required; roads not properly maintained or lit
- routing restriction will not be adhered to or properly enforced
- traffic lights required at Standford Bridge crossroads
- has to be a point at which planning committee accept the limitations of the roads and lanes in the area; the argument that "there is a precedent because HGVs already use them" has to be put aside
- bill from any traffic collisions will fall to the Council
- Location:
 - lack of need;; alternative sites available; should be located on landfill site
 - requires location adjacent to primary roads
 - impact on tranquillity
 - previous hangar use irregular only
 - building not fit for purpose; runway should be preserved as memorial to our war years and not eroded by traffic and covered by waste
- Waste types/ technology/ process
 - concern over type of waste to be imported; waste sources not clarified; technology not properly tested; bigger than required for demonstration facility; odour treatment may be ineffective; process time too short to be effective, to

control odour

- unclear how waste will be collected
- concern over security/management of composting wastes/ decommissioning if operation fails
- working hours excessive
- would open up area to future commercial/ industrial development, extensions
- impacts on air pollution, airborne spores and fungi causing respiratory problems; risk of pathogens; nitrate run-off; risks from spillage from lorries; pollution from water run-off/truck washing; impact on water table; increased acidification and eutrophication due to increased nitrogen
- odour impact from waste containing meat and sewage; Childs Ercall downwind of site; ineffectiveness of biofiltration system
- noise from plant and vehicles; Childs Ercall downwind; cumulative noise impact with daily helicopters; constant drone of fans from chicken sheds; daily flying of model aircraft
- flies from storage of product on fields; would attract rats
- Corby Toxic Waste Contamination Ruling (2009) states that proper risk assessment is required to identify and deal with any potential contamination
- domestic water supplies are from boreholes and proposal will increase risk of contamination of groundwater
- impact on Shropshire Groundwater Scheme next to hangar
- concern over fire risk, given recent fire at a composting site at Market Drayton; impact from waste water or fire-fighting water on borehole water on which Eaton on Tern residents depend
- Use of compost
- previous problems from land spreading will continue
- concern over vapours and pathogens from the rotten compost being left by farmers on the fields
- pollution from spreading of waste material that is not properly composted
- uncertainties over where compost will be delivered and spread
- General
- no benefits to local residents, jobs or monetary
- decision maker should sign statement accepting responsibility for decision
- application form has been filled in incorrectly, and that advertisement, publicity and notification procedures have not been undertaken correctly
- no Environmental Impact Assessment has been carried out

8.0 PLANNING POLICY

8.1 The Development Plan for the area in question comprises the Regional Spatial Strategy for the West Midlands, the Shropshire Core Strategy and the saved policies of the Shropshire and Telford & Wrekin Joint Structure Plan, the North Shropshire Local Plan and the Shropshire Waste Local Plan.

8.2 Regional Spatial Strategy

The Government has stated that it intends to abolish Regional Strategies as part of the Localism Bill. A High Court judgment has confirmed that the intended abolition is a 'material consideration' to be taken into account when making planning decisions. It is considered therefore that less weight should be given to the policies of the Strategy in decision making. Policies of the Regional Spatial Strategy of relevance to the proposal include:

- Policy PA14 (Economic Development and the Rural Economy) - supporting

- sustainable diversification and development of the rural economy;
- Policy QE1 (Conserving and Enhancing the Environment) – supporting regeneration including the reuse of redundant and under-used buildings of merit;
- Policy QE2 (Restoring degraded areas and managing and creating high quality new environments) - promoting the reuse of buildings;
- Policy QE3 (Creation of a high quality built environment for all);
- Policy QE6 (The conservation, enhancement and restoration of the Region's landscape);
- Policy QE7 (Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources);
- Policy QE8 (Forestry and Woodlands) – to maintain and enhance landscape character;
- Policy QE9 (The Water Environment) – to reduce the risk of pollution especially to vulnerable surface and groundwater;
- Policy WD3 (Criteria for the location of Waste Management Facilities) – setting out criteria for location of waste management facilities, to have regard to the proximity principle, to consider the potential advantages of small-scale facilities that are more easily integrated into the local setting.

8.3 **Shropshire Core Strategy**

- Policy CS1 (Strategic Approach) – development will be located predominantly in community hubs and clusters. Outside these settlements, development will primarily be for economic diversification and affordable housing
- Policy CS4 (Community Hubs and Community Clusters) – communities to become more sustainable, including: focusing investment in rural areas into community hubs and clusters, not allowing development outside these settlements unless it meets policy CS5
- Policy CS5 (Countryside and Green Belt) – development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specific proposals, including small-scale new economic development diversifying the rural economy (development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where appropriate); agricultural related development; the retention and appropriate expansion of an existing established business; the conversion or replacement of suitably located buildings for small-scale economic development/ employment generating use; conversion of rural buildings which take account of and make a positive contribution to the character of buildings and countryside, with regard to PPS4 and giving equal priority to uses including: small-scale economic development/ employment generating use, and other uses appropriate to a countryside location
- Policy CS6 (Sustainable Design and Development) – development to be designed to a high quality using sustainable design principles; development likely to generate significant levels of traffic to be located in accessible locations; protects, restores, conserves and enhances the natural, built and historic environment, appropriate in scale, density, pattern and design; contributes to the health and wellbeing of communities, including safeguarding residential and local amenity; high quality design with

appropriate landscaping; makes effective use of land and safeguards natural resources; capacity and availability of infrastructure

- Policy CS7 (Communications and Transport) – to reduce the impact of transport; protect and enhance public rights of way networks
- Policy CS13 (Economic Development, Enterprise and Employment) – to develop and diversify the Shropshire economy, support enterprise and seek to deliver sustainable economic growth and prosperous communities; supporting rural enterprise and diversification of the economy, including that associated with agricultural and farm diversification
- Policy CS17 (Environmental Networks) – to protect and enhance the diversity, high quality and local character of the natural, built and historic environment; avoiding adverse impact on environmental assets
- Policy CS18 (Sustainable Water Management) – to integrate measures for sustainable water management; development to include appropriate SUDS to manage surface water, and to enhance and protect water quality
- Policy CS19 (Waste Management Infrastructure) – encouraging proposals for additional capacity to divert waste away from landfill in a way consistent with the waste hierarchy and national, regional and local policies and strategies, including the principle of ‘equivalent self-sufficiency’ and an allowance for cross boundary waste flows

8.4 **Structure Plan (‘saved’ policies)**

- Policy P67 (Environmental Considerations), requiring demonstration that proposals for waste management development will have no unacceptably adverse impact on interests of acknowledged importance, including people and local communities, landscape character, the historic environment, wildlife and water resources

8.5 **North Shropshire District Local Plan (‘saved’ policies)**

The site is unallocated in the North Shropshire Local Plan.

- Policy D6 (Control and Design of Extensions) – extensions and alterations of buildings should be subsidiary in scale to the original building and respect the character of the property, its surroundings and amenities of adjoining properties

8.6 **Waste Local Plan (‘saved’ policies)**

- Policy 6 (Preferred Sites for Waste Transfer and Recovery Facilities) – identifying preferred sites for waste transfer and recovery;
- Policy 8 (Alternative Sites) – proposals for waste management development of sites not identified in the Plan will be permitted where developers can demonstrate to the satisfaction of the planning authority that:
 - the proposal would meet a need not provided for by the sites identified in the Plan; or
 - the proposal would not prejudice the development of the sites identified in the Plan where these remain available and suitable for the proposed development; or
 - the site is more acceptable than the sites identified in the Plan; and
 - the site complies with the other relevant policies of the Development Plan.
- Policy 14 (Enclosed Composting Facilities) - stating that proposals for enclosed or in-vessel composting facilities will be permitted in appropriate locations where such proposals comply with other relevant Development Plan

policies. The Policy states that such facilities may be suitable as a re-use of appropriate existing buildings or as part of an integrated waste management facility. The supporting text states that the re-use of existing buildings may be suitable in appropriate locations. In considering appropriate locations, consideration will be given to the end use of the compost and the proximity of the site to the market or users.

- Policy 25 (Development Control Considerations) - particular factors which will be given consideration when determining planning applications include: the protection of surface and underground water and flood risk; the need for foul sewage disposal in non-sewered areas; links between planning development control and other legislative requirements which are implemented by other bodies; proximity to sensitive land uses and any adverse cumulative effect; the likely generation of noise, vibration, odour, fumes, dust, litter, scavengers, and vermin and measures to alleviate these; hours of operation; transport, traffic and access issues; compatibility with adjacent development and visual intrusion; including the scale and design of the development in relation to its location and setting, other relevant policies of the Development Plan;
- Policy 27 (Transport Assessment) - where appropriate, proposals should be accompanied by a traffic impact assessment and will ensure: adequate site access for the volume and nature of traffic generated, no unacceptable safety hazards for other road users, traffic levels would not exceed capacity of the road network; adequate arrangements for on-site vehicle movements and parking, adverse impacts can be satisfactorily mitigated by routing controls or other highway improvements.

8.7 **Central Government Guidance**

8.7.1 Relevant national guidance includes the following:

PPS1 (Delivering Sustainable Development) – setting out key principles to be applied, including: need to take account of environmental issues such as pollution, contamination, and the need to improve the built and natural environment; and the management of waste in ways that protect the environment and human health, including using waste as a resource wherever possible.

8.7.2 PPS4 (Planning for Sustainable Economic Growth) – states that planning authorities should support the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside for economic development (Policy EC6). Local planning authorities should approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of: the potential impact on the countryside, landscapes and wildlife; local economic and social needs and opportunities; settlement patterns and the level of accessibility to service centres, markets and housing; the need to conserve, or the desirability of conserving, heritage assets; and the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion (Policy EC12).

8.7.3 PPS10 (Planning for Sustainable Waste Management) – to drive waste management up the waste hierarchy, address waste as a resource, looking to disposal as the last option; provide a framework in which communities take more

responsibility for their own waste; help implement the national waste strategy; support and complement other guidance and controls such as Waste Management Licensing Regulations; help secure the recovery of waste without endangering human health and without harming the environment; enable waste to be disposed of in one of the nearest appropriate installations; reflect the concerns and interests of local communities, the needs of waste collection and disposal authorities and business and encourage competitiveness; ensure the design and layout of new development supports sustainable waste management.

8.7.4 PPS10 advises that proposals on sites not allocated for waste management should be considered favourably when consistent with PPS10 policies and the Core Strategy. PPS10 site identification criteria include: the physical and environmental constraints on development, including neighbouring land uses; the cumulative effect of previous waste disposal facilities on the well-being of the local community; the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.

8.7.5 In identifying sites, priority should be given to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages.

8.7.6 If the proposal is consistent with PPS10 and the Core Strategy there is no need to demonstrate the 'need' for the proposal.

8.7.7 PPS23 (Planning and Pollution Control) repeats the advice above regarding the planning and pollution control regimes, and sets out matters that may be material pollution considerations in determining planning applications. These include: the possible impacts of development on land use including effects on health, the natural environment or general amenity; the potential sensitivity of an area; the environmental benefits that a development might bring; the economic and wider social need for development; the possible adverse impacts on water quality; the possibility that emissions might be seriously detrimental to amenity; the objective perception of unacceptable risk to the health or safety of the public.

8.7.8 PPG13 (Transport) seeks to integrate planning and transport at the national, regional, strategic and local level. It states that, by design and layout of development, community safety and road safety should be sought.

8.8 **Waste Strategy for England 2007**

The Waste Strategy for England 2007 is a national level document that, together with PPS10, forms part of the system of waste planning in England. One of the key objectives of the Waste Strategy is to increase the diversion of waste from landfill. National targets include the recycling and composting of at least 40% of household waste by 2010, rising to 50% by 2020.

8.9 **Ministerial Statement: Planning for Growth**

8.9.1 In a statement in March 2011, the Minister of State for Decentralisation said that "there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth."

8.9.2 Additionally, the Minister stated:

* Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy

* When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.

9.0 THE MAIN ISSUES

It is considered that the main planning issues relevant to the proposal are:

- type of development proposed
- need for composting facility
- Waste Local Plan policy on 'preferred' sites
- acceptability of proposal in relation to permitted use of building
- site location issues: re-use of building; impacts on visual character
- technical and general residential amenity considerations
- water pollution and flood risk issues
- site access and traffic considerations
- landscape and ecological considerations
- socio-economic benefits

10.0 OFFICER APPRAISAL

10.1 Acceptability of proposed development type – national policy considerations

10.1.1 The proposed development would provide a facility for the composting of a wide range of waste materials, that may otherwise be landfilled, to produce a product for beneficial use on agricultural land. In principle, the composting of waste materials is supported by national and local planning policies as a sustainable means of waste management. In addition, an increase in the diversion of waste from landfill is one of the key objectives of the Government's Waste Strategy for England 2007. National targets include the recycling and composting of at least 40% of household waste by 2010, rising to 50% by 2020.

10.1.2 Additionally Policy 14 of the Shropshire Waste Local Plan gives in principle support for enclosed or in-vessel composting facilities in appropriate locations, subject to compliance with other relevant Development Plan policies. The proposal is also in line with Core Strategy Policy CS19 that encourages proposals for additional capacity that would divert waste from landfill where consistent with the waste hierarchy and other policies and strategies (PPS10; PPS1).

10.2 Justification for proposal in terms of need

10.2.1 Regional guidance identifies waste management capacity targets for different waste streams and indicates that there is a gap of about 150,000 tonnes/year between the capacity that was available at existing waste management facilities in 2007 and that which will be required by 2026. Core Strategy Policy CS19 states that sites will be allocated to address this gap. The Annual Monitoring Report 2008-2009 states that the available capacity to treat both municipal and business wastes currently exceeds regional target levels, but that this trend needs to be sustained if Shropshire is to meet national and regional targets in future years.

10.2.2

The Shropshire Core Strategy estimates that between 6 and 10 additional waste management sites will be required for the period until 2026. In addition the Council's Waste Technical Paper (February 2010) concludes that "significant additional waste management capacity is still required to support the sustainable management of non-municipal waste". The Council's Environment Policy Officer has confirmed that the proposed additional capacity is generally welcome.

10.2.3

The applicant has advised that the facility would be capable of processing a relatively wide range of compostable waste types, including green wastes, catering wastes from households, wastes from food manufacturing, sludge/sewage cake, cardboard and chipped wood. Sources of waste would include schools, utility companies, supermarkets and restaurants. The applicant has advised that it is not possible at this time to provide detailed information regarding the specific premises from which wastes would be transported. Nevertheless, in view of the types and general sources of wastes that could potentially be brought to the site for composting, it is concluded that the proposal would contribute to meeting the recognised demand for additional sustainable waste management facilities in the county. In addition, the Environment Policy Officer advises that the proposal would help to demonstrate progress towards the principle of 'equivalent self sufficiency' which seeks to establish additional capacity to offset exports of waste for landfill out of the county (PPS10; Core Strategy Policies CS5 & CS19).

10.3

Waste Local Plan policy on 'preferred' sites and alternative sites

10.3.1

The site at Peplow Airfield is not included on the list of 'preferred' waste management sites in the Waste Local Plan. However it should be noted that Peplow Airfield was not a site that was assessed for its suitability for waste management use as part of the preparation of the Waste Local Plan.

10.3.2

Where a proposed site is not identified as a preferred site in the Waste Local Plan, a proposal may be acceptable if it would not prejudice the development of preferred sites or there is a need not catered for by the preferred sites. At the present time there is no indication that either of the two sites identified in the Waste Local Plan for in-vessel composting – Battlefield and Lower Prees Heath - will be developed for such use.

10.3.3

The Waste Local Plan envisages that a network of facilities will be developed to enable progress towards a more sustainable system of waste management. Given the location of the application site in relation to Preferred Sites and the lack of alternative in-vessel composting sites in the area, it is considered that the proposed site at Peplow Airfield would meet a need not provided for by the Preferred Sites and not prejudice their future development. On this basis the proposal is in line with the requirements of Policy 8 on alternative sites.

10.4

Acceptability of proposal in relation to permitted use of building

10.4.1

The hangar has in the past been used for the storage of vehicles, equipment and materials. In addition the hangar was used from 1997 for the storage of meat and bone meal waste. Some weight should be given to the fact that some of the activities proposed – notably the storage of materials and the transport of materials to and from the hangar – can at present be undertaken at the site without restriction. This weighs in favour of the current proposal to some degree.

10.5

Site location issues

10.5.1 General principles

Policy CS19 of the Core Strategy states that specific sites will be identified for additional waste management facilities close to the main urban areas within the 'Broad Locations' identified in the Core Strategy. These include an area in the north-east part of the county that encompasses Whitchurch, Market Drayton and Wem. The Environment Policy Officer has confirmed that the application site lies outside of these 'Broad Locations' for waste management sites [approximately 2.5km from the nearest area], but considers that the principle of the proposed use is consistent with many of the key objectives of Policy CS19.

10.5.2 The Core Strategy gives support for smaller scale waste facilities outside of the 'broad locations' capable of meeting local needs where consistent with criteria of national and regional policy. Whilst the applicant is unable to confirm the specific farmholdings that would receive the compost produced the applicant has advised that it would be offered to the nearest farms. In this respect it is considered that the site is relatively well located in relation to potentially suitable agricultural land (Waste Local Plan Policy 14).

10.5.3 Re-use of existing building, and impact on visual character

Some basic repairs to the building are proposed, together with some internal works to provide improved containment of the process. However the external appearance of the building would not need to be significantly modified, and the size of the building is considered satisfactory to accommodate the scale of the operation. It is considered that the proposal comprises an appropriate re-use of an existing storage building and existing facilities, and is therefore supported in principle by Development Plan and national policies (PPS4; Waste Local Plan Policy 14, Core Strategy Policy CS5). In addition, whilst some upgrading of one of the existing access roads would be undertaken, overall the proposal would not adversely affect the visual character of the area (Core Strategy Policy CS5; Structure Plan Policy P67; Waste Local Plan Policy 25).

10.6 **Technical and general residential amenity considerations**

10.6.1 Type of composting technology; waste types to be composted; compost spreading

Some residents have objected to the proposal on the grounds that the composting equipment that is proposed has not been fully tested and that there are uncertainties regarding the ability of the plant to undertake the composting operation without causing adverse impact. In addition some residents have concerns over the types of waste that would be composted at the site, and the spreading of composted wastes onto farmland.

10.6.2 Whilst the concerns of residents regarding the type of plant being proposed are acknowledged, the technical merits of the composting operation, including the specific details of the processes involved, are matters that will be considered by the Environment Agency as part of the permitting regime. The Permit would control matters relating to the waste types and potential emissions. Spreading of material onto farmland would also be subject to the regulatory controls of the Agency. The facility may also need to be approved by Defra under animal by-products controls, and this would require that the composting plant can achieve the specific treatment standards. National policy (PPS10 and PPS23) is clear that the planning authority should not concern itself with the control of processes which are a matter for the pollution control authorities, such as the Environment

Agency. However the acceptability of the proposal in land-use terms is a relevant consideration and is considered below.

10.6.3 Potential impacts of composting operation on sensitive receptors

Concern has been expressed by local residents that the proposed composting facility would have an unacceptable impact upon residential amenity, creating adverse levels of noise, odour and air pollution, and attracting flies and vermin.

10.6.4 In relation to the location of the site, the surrounding land is predominantly in agricultural use, and the nearest residential property is location some 750 metres from the hangar. The Environment Agency has noted that the site is a “considerable distance” from any ‘receptor’, and has confirmed that a bio-aerosol assessment is not required as there are no receptors within 250 metres of the hangar.

10.6.5 In terms of the composting operation itself all waste processing operations would be carried out within the existing hangar building. A further enclosure would be constructed within the hangar to provide additional containment of the area where wastes would be tipped from vehicles and where shredding and sorting of wastes would be carried out. This internal enclosure would be designed to be vermin and bird proof. The composting of the wastes would be undertaken within sealed vessels. Maturation of the composted material in windrows, and the loading of compost onto vehicles for export, would also be undertaken within the hangar. In addition to the above, further controls over odour emissions include operating the process under negative air pressure and passing the air through a bio-filter. Overall, it is considered that the specific design measures incorporated within the proposals would provide a satisfactory level of containment of the waste materials and also of the composting process.

10.6.6 Notwithstanding the concerns expressed by local residents, it is considered that the location of the facility in relation to sensitive receptors, and the proposed enclosure of the process, both weigh in favour of the proposal development when assessing the potential impacts upon local amenity.

10.6.7 It is noted that there have been no objections raised to the proposals by either the Environment Agency or the Council’s Public Protection team. The recommendation of the Public Protection Officer regarding litter management can be secured through a planning condition. Subject to further specific conditions to control operations it is considered that the proposed composting operation can be undertaken at the hangar without adverse impact on residential or local amenity through emissions such as noise, odour, dust, litter and bio-aerosols (PPS1; PPS10; Regional Spatial Strategy Policy QE3; Structure Plan Policy P67; Waste Local Plan Policy 25; Core Strategy Policy CS6).

10.7 **Effects on water pollution and flood risk**

10.7.1 Water pollution issues

A number of residents have expressed concerns regarding the risk of pollution of surface and ground water from the proposed composting operation. This is a particular issue for some as it is understood that some domestic water supplies are obtained from boreholes in the area.

10.7.2 All waste management and composting operations would be undertaken within

the building, which would be a self-contained unit. Operations that would take place outside the building would be restricted principally to the weighing of wastes whilst they are on delivery vehicles.

- 10.7.3 The floor of the building is constructed of concrete. Waste water arising from vehicle washing and from wastes being stored in the reception area would be collected in a bunded sump and directed to a storage tank. This water would be used as part of the composting process as required, with any excess being removed by vacuum tanker. It is therefore not intended that any waste water would be discharged to land or watercourses. Planning conditions would be imposed to require that this waste water management system is maintained.
- 10.7.4 There would be no change to the existing arrangements for foul water discharge from the toilet facilities in the adjacent building. This is currently to soakaway via an existing septic tank and is considered acceptable at this location.
- 10.7.5 It is noted that the Environment Agency has not raised objection to the proposal on the grounds of risk of water pollution, and has confirmed that measures to prevent water pollution would be regulated by the Environmental Permit. Overall it is considered that an acceptable level of control over waste waters arising at the site can be incorporated within the process to prevent pollution to groundwater or surface water. In view of the expressed concerns from local residents and the wider comments of the Environment Agency it is considered appropriate that a condition is imposed requiring the prior approval of a scheme that provides specific details of waste water management controls (Regional Spatial Strategy Policy QE9; Structure Plan Policy P67; Waste Local Plan Policy 25; Core Strategy Policy CS18).
- 10.7.6 Flood risk implications
Parts of Peplow Airfield are located within Flood Zones 2 and 3, denoting land where there is an increased risk of flooding. These areas include parts of the access track to the hangar, and the area where the weighbridge and weighbridge office are located.
- 10.7.7 The hangar building itself is located outside of these Flood Zones. During times of flood, it is therefore not anticipated that floodwaters would enter the hangar building and come into contact with waste materials.
- 10.7.8 The applicant acknowledges that vehicular access to and from the hangar would be impeded in the event of a flood. Whilst this would restrict deliveries of waste to the site and transport of compost from the site, the composting process within the building would not be affected. The Environment Agency has advised that, based on its records, due to the flood flow rate of the local watercourse (Allford Brook), any flooding of the access track would be likely to be short-lived and unlikely to be of any significant depth. Consequently the Agency has not raised any concerns regarding flood risk implications. On the basis of the above assessment it is not considered that the proposal raises significant issues in relation to flood risk (Core Strategy Policy CS18; Structure Plan Policy P67; Waste Local Plan Policy 25).

10.8 Site access and traffic considerations

10.8.1 There have been a significant number of local objections received to the proposal in relation to access and traffic issues.

10.8.2 Proposed site access

Waste delivery vehicles would approach the airfield from the A41 to the east. The applicant originally proposed that vehicles would access the airfield via Eaton Road to the west, which is the main access into the airfield. This would have required vehicles to pass through Childs Ercall village and this was one of the primary concerns of residents.

10.8.3 It is now proposed that waste delivery vehicles would access the airfield using an existing track to the north of the hangar, and this would obviate the need for the majority of vehicles to pass through Childs Ercall. Vehicles using the Eaton Road access would be limited to a small number of tractors (1-2 per day) delivering compost to local farms in that direction, and staff cars. It is acknowledged that this would to some degree replace other local vehicle movements associated with the transport of artificial fertiliser to farms in the area.

10.8.4 Whilst the process would require some deliveries of water, it is accepted that these would not entail significant additional vehicle movements given that the composting operation is essentially a drying process that does not demand the addition of large quantities of water.

10.8.5 It is proposed that traffic and routing matters would be controlled through a Traffic Management Plan. This would be agreed with Shropshire Council and would include: specification of the agreed vehicle route to the airfield, controls over the use of each of the two accesses to the airfield, and time constraints on vehicle access to avoid busy periods. Controls would also be imposed on the total number of heavy vehicles accessing the site.

10.8.6 Fallback position

The level of public concern over the traffic implications of the proposal is fully acknowledged. However, the situation that would subsist if permission is refused, ie. the 'fallback' position, is relevant.

10.8.7 The existing permitted use of the hangar is for Class B8 storage. Details have been provided by the applicant, including previous signed declarations, that the hangar has been used between 1960 and 1995, and more recently, for storage of a range of items. Under this permitted use, there are no restrictions on the number of vehicles that are permitted to access the hangar, the routes that such vehicles can take, or the timings of trips.

10.8.8 It is considered that significant weight should be given to the additional level of control over traffic impact that would be provided as part of the current proposal, including vehicle numbers, timing of deliveries and routing.

10.8.9 Local highway impact issues

It is acknowledged that sections of local roads that would be used by heavy vehicles associated with the proposal are not sufficiently wide to allow two vehicles to pass without hindrance. The applicant agrees that passing places

should be installed, but has confirmed that no highway improvements are proposed as part of the planning application as these should be undertaken by the highways authority. Whilst the applicant is not willing to contribute to localised highway widening works, the Highways Officer considers that given the existing permitted use of the building which could involve heavy traffic to and from the site, a highway objection on the basis of the impacts of the proposal on the local highway network could not be sustained. The ability to impose additional highway controls on the current proposal relative to the existing situation is acknowledged (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policies 25 & 27).

10.9 **Public rights of way considerations**

10.9.1 It is not anticipated that the proposal would adversely affect users of public rights of way in the vicinity of the site, given that the composting operation is a contained process carried out within a building.

10.9.2 The existing access track between the hangar and the public highway to the north crosses a public right of way. Given that there would be an increase in vehicles crossing at this point it would be appropriate to require some measures to be put in place to improve safety, as recommended by the Countryside Access Team. The installation of appropriate signage can be secured by planning condition (Core Strategy Policy CS7; Structure Plan Policy P67).

10.10 **Landscape and ecological considerations**

10.10.1 It is not considered that the proposal for the re-use of an existing building raises significant landscape or ecological issues. Nevertheless it is considered that some landscaping works can be sought at the principal site access point (to the north) in order to improve the appearance of this area, and to replace any trees or vegetation that may be lost as part of the construction of passing places. This can be secured through an appropriate landscaping scheme (Core Strategy Policies CS6 & CS17; Structure Plan Policy P67; Waste Local Plan Policy 25).

10.11 **Socio-economic benefits**

10.11.1 The applicant states that the manufacturing of the composting vessels would be undertaken at Whitchurch and, if the sales of the equipment are achieved, then an extra 20 to 25 fabrication/engineering jobs would be created. The composting facility itself would create four full time jobs. The proposal would also, to some extent, be likely to reduce fertiliser costs to local farms. These economic benefits of the proposal are acknowledged in considering the overall benefits of the proposal (PPS4; Core Strategy Policy CS13).

11.0 **CONCLUSION**

11.1 The local opposition to the proposal is acknowledged. However the proposal would comprise an acceptable re-use of an existing building to provide a facility for the composting of waste materials to provide a beneficial product for use on local farmland. The need for additional facilities of this kind is accepted by the Waste Local Plan and PPS10. It is considered that the site is sufficiently distant from residential properties to avoid adverse impacts on local amenity from the composting process. Additional controls over the composting operation would be imposed as part of the Permit that would be regulated by the Environment Agency. The use of an alternative access to the existing main access to the airfield, together with the implementation of a traffic management scheme, would

provide an acceptable level of control over traffic impacts in relation to the currently unrestricted permitted use of the hangar for storage operations.

Overall, it is considered that, subject to additional controls over the operation to be provided by planning conditions, the proposal can be accepted in relation to development plan policies and other guidance and material considerations.

LIST OF BACKGROUND PAPERS:

The application 09/00292/MAW and supporting information and consultation responses.

HUMAN RIGHTS

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

Environment Appraisal

The specific environmental impacts and wider issues raised by the proposals are considered in this report.

Risk Management Appraisal

Not applicable.

Community / Consultations Appraisal

Details are included in this report.

Portfolio Holder

Councillor Malcolm Price

Local Member

Councillor Andrew Davies

Appendices

None.

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. (a) Not less than three days prior written notice shall be given to the Local Planning Authority of the date for the commencement of the development hereby permitted.
- (b) Not less than three days prior written notice shall be given to the Local Planning Authority of the date for the commencement of the delivery of waste for composting under the terms of this planning permission.

Reason: To facilitate monitoring of the construction works and the development.

3. This permission shall relate only to the area edged red on submitted drawing no. 08-125c (Location Plan) [received February 2010], hereinafter referred to as the "Site".

Reason: To define the Site and permission.

4. Except as otherwise required by the conditions attached to this permission, the development hereby permitted shall be carried out strictly in accordance with the details as contained in the following:-

(i) application form dated 27 March 2009, and amendments submitted in letter dated 5 February 2010;

(ii) Planning Statement entitled "Development of in-vessel composting demonstration facility at Hangar 3, Peplow Airfield, Childs Ercall", dated 5 February 2010;

(iii) Appendices of Planning Statement dated 27 March 2009;

(iv) drawings:

- no. CE/WTN/01, entitled "Site Location Plan";
- no. 08-125a, entitled "Existing Layout";
- no. 08-125b, entitled "Proposed Layout";
- no. 08-125c, entitled "Location Plan" [submitted with letter dated 5 February 2010];
- no. 08-125d, entitled "Block Plan";
- no. 08-125e, entitled "Operating Plans";
- OS Plan, scale 1:10,000, [submitted with letter dated 5 February 2010].

(v) letters from Christal Planning Services Limited dated 27 March 2009, 5 February 2010 and 11 October 2010;

Reason: To define the Site and permission.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

5. (a) No development hereby permitted shall commence until details of the external refurbishment works of the hangar have been submitted to and approved in writing by the Local Planning Authority.

(b) No waste materials shall be imported to the Site until the external refurbishment works approved as part of condition 5(a) above have been completed.

Reason: To ensure that the composting operation is undertaken within a satisfactorily contained building to prevent pollution and protect local amenity (Core Strategy Policy CS6; Waste Local Plan Policy 25).

6. No building works hereby permitted shall take place until details of the internal layout and design of the reception building, including internal walls and layout of plant and structures, have been submitted to and approved in writing by the Local Planning Authority. Composting operations shall thereafter not be undertaken other than in accordance with the approved internal layout details.

Reason: To ensure an acceptable Site design and layout in order to protect local amenity and prevent pollution (PPS10; Structure Plan Policy P67; Waste Local Plan Policy 25).

7. (a) No development hereby permitted shall take place until details of the design specification for improvements to the junction point of the Site access with the Howle Road public highway have been submitted to and approved in writing by the Local Planning Authority.

(b) No development hereby permitted shall take place until details of the location and specification of passing places to be constructed along the access road to the hangar from the Howle Road have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a satisfactory means of access to the hangar in the interests of highway safety and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policies 25 & 27).

8. (a) No development hereby permitted shall take place until details of the layout of the external yard adjacent to the hangar have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall confirm the proposed location of designated vehicle parking areas, the proposed arrangements to avoid conflicts between vehicles using the composting facility and other vehicles gaining access to adjacent buildings, and any resurfacing works proposed.

(b) The development hereby permitted shall not take place other than in accordance with the external layout approved as part of condition 8(a).

Reason: To provide a satisfactory means of access to the hangar and to avoid conflicts with adjacent land users (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

9. No development hereby permitted shall be undertaken other than in accordance with a scheme for waste water management that has received the prior written approval of the Local Planning Authority. The submitted scheme shall provide details of measures to ensure that waste waters arising within the hangar are satisfactorily managed to prevent discharge from the hangar or into groundwater. The submitted scheme shall include details of:

- surfacing of hangar floor to provide an impermeable surface;
- the waste water drainage and collection system;
- any bunds to contain wastes and waste water;
- storage tanks, and calculations to demonstrate that these are of a satisfactory capacity to deal with the quantity of waste water arising;
- arrangements for the emptying of storage tanks and removal from the hangar of surplus waste water.

Reason: To protect the water environment and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

10. No development hereby permitted shall be undertaken other than in accordance with a scheme detailing procedures for managing any wastes at the Site that are not permitted to be composted by virtue of condition 16. The submitted scheme shall include: measures to minimise the quantity of non-permitted wastes that are brought to the Site; the procedures for separating non-permitted wastes from permitted wastes; specification and location of storage containers to store non-permitted wastes; arrangements for removal of non-permitted wastes from the Site.

Reason: To protect the water environment and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

11. No development hereby permitted shall take place other than in accordance with a Site security plan that has received the prior written approval of the Local Planning Authority. The submitted plan shall include measures proposed to prevent unauthorised access to the hangar.

Reason: To provide a satisfactory appearance of the development and to protect the visual character of the area (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

12. No waste shall be imported to the Site until the junction improvement works and access road works approved under conditions 7(a) and 7(b) above have been completed in full.

Reason: To provide a satisfactory means of access to the hangar in the interests of highway safety and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policies 25 & 27).

13. No waste materials shall be brought to the Site until measures to avoid conflict between users of the public right of way that crosses the access track between the hangar and Howle Road and vehicles associated with the composting operation have been put in place in accordance with written details that have received the prior written approval of the Local Planning Authority. The submitted details shall include the location and specification of signs and road markings at the junction between the access track and the public right of way. The approved measures shall thereafter be maintained for the duration of the use of the hangar for the development hereby permitted.

Reason: To maintain safety of users of the public right of way (Core Strategy Policy CS7).

14. (a) No composting operations hereby permitted shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of tree/hedgerow

- planting adjacent to the access track from the Howle Road to the hangar, or other areas as appropriate, and:
- (i) details of species to be planted, including deciduous species of local provenance as appropriate,
 - (ii) the proposed method of planting,
 - (iii) measures for their protection and management.
- (b) The approved landscaping scheme shall be implemented during the first available planting season following the approval of the scheme.
- (c) Following the completion of landscaping works, such date to be notified in writing to the local planning authority, the landscaping shall be subject to five years aftercare during which time any plants which die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To protect and enhance the visual qualities and landscape character of the area, in particular adjacent to the site access junction with the Howle Road; to compensate for tree and vegetation removed as part of the construction works, to improve biodiversity, to ensure the successful establishment of landscape planting in the interests of visual amenity, and to comply with Section 197 of the Town and Country Planning Act 1990 (Regional Spatial Strategy Policies QE1, QE6 & QE8; Structure Plan Policy P67; Core Strategy Policies CS5 & CS6; Waste Local Plan Policy 25).

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

15. Except for routine monitoring of composting wastes and maintenance works,
- (a) no operations associated with the development hereby permitted, including the delivery and transport of waste or compost to and from the Site, and the loading, unloading and movement of waste or compost at the Site, shall take place other than between the following hours:
0800 – 1800 hours, Mondays to Fridays, and
0900 – 1300 hours, Saturdays

(b) no operations shall take place on Sundays, or Bank or Public Holidays.

Reason: To protect local amenity (Core Strategy Policies CS5 & CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

16. No waste materials shall be composted or otherwise added to composting vessels other than biodegradable or organic wastes including green waste, catering waste, food waste, sewage and sludge cake, paper and cardboard, chipped wood.

Reason: To control the types of waste to be composted at the Site in order to protect local amenity and prevent pollution (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the provisions of any Order amending, replacing or re-enacting that Order, no plant or machinery, building and structures in

addition to those specified in the planning application or in plans/documents approved under conditions of this permission shall be erected, extended or installed at the Site.

Reason: To maintain satisfactory layout, appearance and management of the development in the interests of protecting local amenity and visual character of the area (Core Strategy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

18. Waste tipping from vehicles, waste sorting, loading and shredding shall not take place other than within the hangar within an enclosed area.

Reason: To ensure that such operations take place within an enclosed environment and to minimise noise, dust and odour emissions in order to protect local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

19. Not more than 25,000 tonnes of waste materials shall be delivered to the Site per calendar year.

Reason: To limit the intensity of the operation and amount of waste being processed and transported in order to protect local amenity and prevent pollution (Core Strategy Policies CS6 & CS7; Structure Plan Policy P67; Waste Local Plan Policy 25).

20. No waste shall be burned at the Site.

Reason: To safeguard the amenities of adjacent land and land users from visual intrusion and the adverse effects of emissions of odour, smoke and particles (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

21. No waste, compost or other materials shall be stored or deposited outside of the hangar building.

Reason: To protect the visual qualities of the area, and to prevent pollution and minimise dust and odour emissions (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

22. No waste materials shall be imported to the Site until repairs to the access tracks to the hangar have been undertaken in accordance with a schedule that has been submitted in writing and received the prior written approval of the Local Planning Authority. Thereafter the access tracks shall be cleaned as necessary in order to prevent the trafficking of mud onto the public highway and control levels of dust.

Reason: To ensure that the access tracks are repaired to a satisfactory condition and thereafter maintained to prevent the trafficking of mud onto the public highway and control levels of dust in the interests of highway safety and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

23. No vehicular access shall be gained to the hangar other than via the two access points as shown on drawing 08-125c.

Reason: To define the access to the Site in the interests of highway safety and local amenity (Core Strategy Policies CS6 & CS7; Structure Plan Policy P67; Waste Local Plan Policy 25).

24. Records of the number of waste deliveries to the Site and the tonnage of waste imported to the Site per calendar month shall be made, and made available to the Local Planning Authority upon request. Within one month of the end of each calendar year, a written report of the total number of vehicles that have delivered waste to the site that year and the total tonnage of waste imported to the Site that year shall be provided to the Local Planning Authority.

Reason: To facilitate the monitoring of the development hereby permitted in the interests of highway safety, pollution prevention and local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policy 25).

25. Any litter arising from the development hereby permitted shall be cleared from external areas of the Site on a daily basis and more frequently in periods of high winds.

Reason: In order to safeguard local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policies 25 & 27).

26. There shall be no discharge of foul or contaminated drainage from the Site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent the pollution of the water environment (Core Strategy Policies CS6 & CS18; Structure Plan Policy P67, Waste Local Plan Policy 4).

27. The Site shall not be used as a reception point for waste delivered by householders.

Reason: To maintain control over the operation and restrict vehicle movements to the Site in the interests of local amenity, highway safety and pollution prevention (Core Strategy Policies CS6 & CS7; Structure Plan Policy P67; Waste Local Plan Policy 25).

28. There shall be no retail sale of compost or other materials directly from the Site.

Reason: To maintain control over the operation and restrict vehicle movements to the Site in the interests of local amenity, highway safety and pollution prevention (Core Strategy Policies CS6 & CS7; Structure Plan Policy P67; Waste Local Plan Policy 25).

29. The number of waste collection vehicles and compost delivery vehicles to or from the Site in connection with the development hereby permitted shall not exceed:
- (i) an average of 12 movements per working day calculated over a calendar month; and
 - (ii) a maximum of 16 movements on any working day.

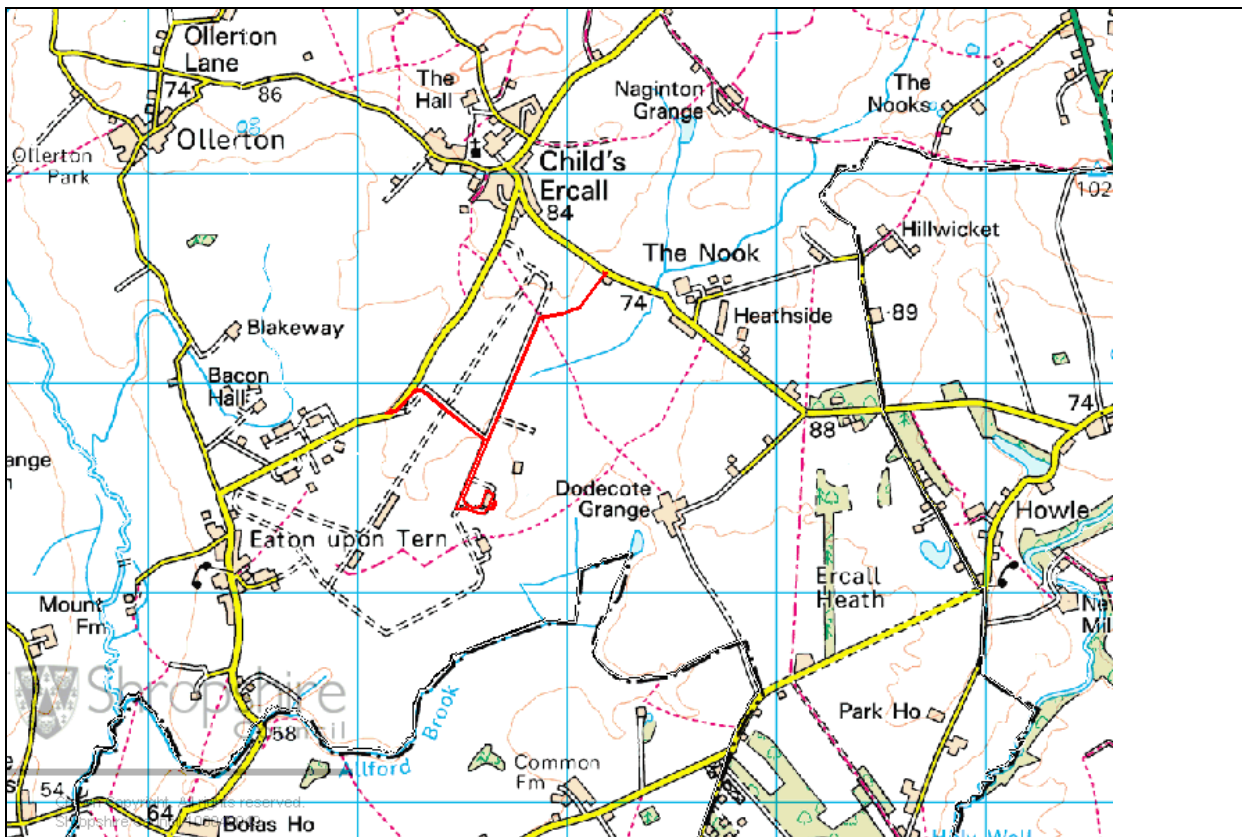
Reason: In the interests of highway safety and local amenity (Core Strategy Policies CS6 & CS7; Structure Plan Policy P67; Waste Local Plan Policy 25).

30. Within six months of the permanent cessation of composting operations at the Site, all waste shall be removed from the Site.

Reason: To minimise the risk of pollution and adverse local amenity (Core Strategy Policy CS6; Structure Plan Policy P67; Waste Local Plan Policies 25 & 27).

Informatives

1. In order to protect the Public Right of Way:
 - a. No materials are to be stored or spilled on the path.
 - b. There is to be no reduction of width or encroachment onto the path.
 - c. No barriers, gates or other furniture are to be erected on or across the path without the written consent of the Countryside Access Team at Shirehall, Shrewsbury.
 - d. There is to be no damage or alteration to the surface of the path without the written agreement of the Countryside Access Team.
 - e. If the path is to be adopted, it should be constructed to adoptable standards, available from the Countryside Access Team.
 - f. If any path needs to be diverted or extinguished to allow development to take place, then a Public Path Order is required. Contact the Countryside Access Team on 01743-255068 to arrange this.



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