

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Rural West York
Date: 28 February 2008 **Parish:** Parish Of Rufforth With Knapton

Reference: 07/02914/FULM
Application at: Harewood Whin Landfill Site Tinker Lane Rufforth York YO23 3RR
For: Construction of 3no. concrete pads totalling 26,900m², site roadways and drainage system including underground storage tanks, for use as a green waste composting and waste wood recycling facility
By: Yorwaste Ltd
Application Type: Full Application
Target Date: 11 March 2008

1.0 PROPOSAL

The Development

1.1 The Harewood Whin Landfill Site has been in use for the treatment and disposal of waste arising in the York area since July 1988. Activities carried out at the site include landfilling, waste recycling and liquid waste treatment. Since March 2000 green waste has been composted at Harewood Whin and waste wood and timber have been shredded in an attempt to reduce the amount of waste going to landfill.

1.2 Currently the green waste and wood recycling activities are restricted to a relatively small area of land to the north-west of a Materials Recycling Facility (MRF) building in the centre of the Harewood Whin site. The quantities of green waste and wood suitable for recycling has risen significantly over the last few years which has resulted in the existing facility becoming much too small for its purpose. This proposal seeks to provide a larger, replacement facility capable of treating the quantities of waste expected to arise over the next 10-15 years. This application does not involve the treatment of any new waste types at Harewood Whin but the relocation of existing operations.

1.3 Space within the application site is limited by the size, scale and requirements of existing practices, therefore opportunities to expand the recycling facilities within the site are limited. The only remaining option is to relocate the activities in an area sufficiently close to the landfill site in order that full use can be made of the site's control facilities. This application proposes to develop an area of land currently in agricultural use lying between the landfill area and the B1224 road for green waste composting and waste wood recycling.

1.4 The application area extends to 12.92 hectares and can be accessed directly from the Harewood Whin site without any need to establish a new access onto the

B1224. The proposed operational site is well screened by existing hedgerows and trees and is well over 300m away from the nearest residential property.

1.5 The application is accompanied by an Environmental Impact Assessment which, among other matters, has considered the development's potential impact in respect of visual impact, noise, bioaerosols and wildlife.

The Site

1.6 The application relates to a site roughly rectangular in shape and comprises mainly agricultural land crossed by small watercourses. The eastern part of the site (making up about 2/3rds of the site area) consists of a single field bounded on three sides by watercourses and on the fourth by the B1224 road; the remaining 1/3rd of the site area forms part of a larger agricultural field bounded by the road to the south, a watercourse to the east and passing directly into further agricultural land to the west. The land occupied by the fields is generally flat.

1.7 Along its northern boundary the application area abuts the perimeter road which serves the landfill site; the site wheel wash together with the liquid waste and leachate treatment facilities are also situated in this area. Along its northern edge the site is characterised by maturing tree planting which serves as a visual screen for views towards the rising landfill feature from the south and south-east. A surface watercourse which forms part of the agricultural drainage system also runs through this part of the site.

1.8 The site's southern boundary is marked by a roadside hedgerow to the south-east and a similar hedgerow backed by maturing trees in the south-west. An overhead power supply line runs approximately west-east across the southern part of the field. Although the application area boundary has been drawn to include the existing roadside tree belt so that a condition could be placed on any grant of permission requiring its future management, the proposed operational area would be set back from this.

1.9 The Foss Dike runs close to the eastern limit of the site; this flows towards the north draining into the River Ouse to the north-west of York. There is a narrow flood plain associated with the Foss Dike in this area and although the application area includes part of this land, the operational area will again be set back from this sensitive boundary so as to allow proper control by planning condition and so as not to reduce the existing flood capacity of the site. More open agricultural land lies to the east of the Foss Dike.

1.10 Other than the B1224 road there are no public rights of way in the immediate vicinity of the proposed facility. A public bridleway does run along the first 200m or so of the main site access road which is also shared by users of a gun club grounds to the north-west of the main landfill site.

1.11 Two residential properties (Little Garth and Rufforth Garth) are located to the south of the B1224 a little to the east of the main site access. The nearest residential property is situated approximately 350m away from the closest point of the proposed development area. A playing field and sports facilities are also situated

south of the road more or less opposite the site access with the associated tennis courts and playground being over 500m away from the development area.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

CYSP2

The York Green Belt

CYSP3

Safeguarding the Historic Character and Setting of York

CYGP4A

Sustainability

CYGB1

Development within the Green Belt

CYGP14

Agricultural land

CYMW5

Landfill/landraising - considered on merits

CYMW1

Areas of search for sand and gravel

3.0 CONSULTATIONS

INTERNAL

3.1 Marston Moor Internal Drainage Board - No Objections - Conditions/Informatives Included.

3.2 York Consultancy (Drainage) - No Objections

"the development is in low risk Flood Zone 1 and should not suffer from river flooding"

3.3 Highway Network Management - No Objections - Comments Received.

3.4 Design Conservation and Sustainable Development (Countryside) - No Objections.

3.5 Environmental Protection Unit - No Objections - Conditions Included.

EXTERNAL

3.6 Rufforth and Knapton Parish Council - Objections

- * The proposals constitute an industrial process in the Green Belt.
- * The proposals are only part of a greater development plan.
- * Village amenity affected by smell, noise and traffic movements.
- * Contrary to previous assurances that there will be no further increase in the working area or lifespan.
- * Tree screening has not been provided in advance of proposed works.
- * Land at the north eastern side of the site has not been considered for use.

Should the application be recommended for approval, the Parish Council would like the following issues to be taken into consideration.

- * Visual - the site should not be visible from the B1224.
- * Noise - all equipment must be effectively silenced in particular penetrating reversing alarms.
- * Smells - from this aerobic process will not cause a nuisance.
- * Traffic - no increase in traffic shall result from the proposals.
- * Working Hours - Monday to Friday - 0800 to 1700, Saturday - 0900 to 12 noon, Sundays and Bank Holidays - No working.
- * Source of Green Waste Material - green waste should be from York and its environs.
- * Drainage - concerns about leachate drainage, run off and the impact of culverting upon the local flora and fauna and global warming.
- * Cycle Track - the proposals shall not obstruct a cycle track project currently being negotiated with CYC and Sustrans.
- * Existing Composting Zone - seek assurances that this area will be reinstated without delay and trees planted to replace those that have died.
- * Site Management - must comply with mitigation measures-site practices set out in Section 13 of the Application Statement.

3.7 One letter of objection has been received. The letter raises the following concerns.

- * Concerned about the increase in traffic, noise and smell, by virtue of their close locality.

4.0 APPRAISAL

- * Policy Context.
- * Principle of the Development.
- * Composting Operations.
- * Mitigation Measures - Site Practices.
- * Environmental/Ecological Impacts.
- * Landscaping and Visual Impact.
- * Restoration and Aftercare (following the completion of works in 2021)
- * Highway Issues.
- * Drainage.

POLICY CONTEXT

4.1 Policy guidance for the development of waste management facilities is contained within Planning Policy Statements (PPSs) at the national level, and in the City of York Local Plan and Regional Spatial Strategy at the local level. The Municipal Waste Management Strategy for the City of York and North Yorkshire also provides background guidance as does the emerging City of York Local Development Framework.

National Policy

4.2 PPS2 Green Belts (1995) - sets out government policy on Green Belts. Almost the whole of the City of York area outside of the urban area itself together with the larger villages is currently designated as Green Belt.

4.3 In outlining the intentions behind the policy contained within PPS2 it is stated at paragraph 1.4:-

"The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development."

4.4 At paragraph 1.5 PPS2 states:-

"There are five purposes of including land in Green Belts:

- * to check the unrestricted sprawl of large built-up areas;
- * to prevent neighbouring towns from merging into one another;
- * to assist in safeguarding the countryside from encroachment;
- * to preserve the setting and special character of historic towns; and
- * to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

4.5 In relation to the control of development within the Green Belt PPS2 states at paragraph 3.1:-

"The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances."

4.6 PPS10 Planning for Sustainable Waste Management (July 2005) sets out the overall objectives of government policy on waste; they state:-

"The overall objective of Government policy on waste, as set out in the strategy for sustainable development, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Through more sustainable waste management, moving the management of waste up the 'waste hierarchy' of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing as a last resort the Government aims to break the link between economic growth and the environmental impact of waste. This means a step-change in the way waste is handled and significant new investment in waste management facilities. The planning system is pivotal to the adequate and timely provision of the new facilities that will be needed"; and,

"Positive planning has an important role in delivering sustainable waste management:

- through the development of appropriate strategies for growth, regeneration and the prudent use of resources; and,
- by providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time."

4.7 The PPS goes on to identify key planning objectives as follows:-

"Regional planning bodies and all planning authorities should, to the extent appropriate to their responsibilities, prepare and deliver planning strategies that:

- * help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- * provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- * help implement the national waste strategy, and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Waste Management Licensing Regulations 1994;
- * help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste to be disposed of in one of the nearest appropriate installations;
- * reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness;

- * protect green belts but recognise the particular locational needs of some types of waste management facilities when defining detailed green belt boundaries and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission;
- * ensure the design and layout of new development supports sustainable waste management."

4.8 In identifying government policy in respect of decision making principles PPS10 states:

"Waste planning authorities should adhere to the following principles in determining planning applications:

- * controls under the planning and pollution control regimes should complement rather than duplicate each other and conflicting conditions should be avoided;
- * work effectively with pollution control authorities to ensure the best use is made of expertise and information, and that decisions on planning applications and pollution control permits are delivered expeditiously;
- * in considering planning applications for waste management facilities before development plans can be reviewed to reflect this PPS, have regard to the policies in this PPS as material considerations which may supersede the policies in their development plan."

4.9 PPS10 also presents guidance which Waste Planning Authorities should adopt when determining planning applications in situations where the development plan has not yet been updated to reflect the provisions of the guidance (as is the case here). It states:-

"Planning applications for sites that have not been identified, or are not located in an area identified, in a development plan document as suitable for new or enhanced waste management facilities should be considered favourably when consistent with:

- (i) the policies in this PPS,
- (ii) the waste planning authority's core strategy."

4.10 Companion Guide to PPS10 (June 2006) - Published in June 2006 gives advice in respect of the implementation of PPS10.

4.11 At paragraph 8.14 the guide states:

"There may be significant changes in, for example, technological impact and land ownership that occur over a short period of time and provide opportunity that was not anticipated. These windfall developments, planning applications that come forward for sites that have not been identified, or are not located in an area identified, in a DPD as suitable for new or enhanced waste management facilities, may help implement the planning for waste strategy and should not be lost simply because they had not previously been identified.

The key test is their consistency with PPS10 and the waste planning authority's core strategy. Where they are consistent they should be considered favourably."

4.12 Paragraph 8.17 offers guidance in respect of site development in green belts stating:

"If the proposal relates to a site in a green belt, it is also likely to be inappropriate development. Criteria-based policies in LDDs need not, however, impose a total, blanket ban on the establishment of such sites in Green Belts. It may still be appropriate to grant planning permission if the applicant is able to demonstrate that very special circumstances exist that clearly outweigh the harm caused by the proposed site being developed in the Green Belt, and any other harm. Each case should be considered on its merits in accordance with the development plan and any other material considerations. But 'very special circumstances' means just that. The decision-maker must be able to point to circumstances which, viewed objectively, are reasonably capable of being described as 'very special'."

Regional Policy

4.13 Regional Spatial Strategy (December 2004)- for the Yorkshire and Humber Region was issued in December 2004; it was based on a selective review of RPG12 which was issued in 2001. A draft revision to the RSS was published for consultation in January 2006 and following that a report of an independent Panel appointed by the Secretary of State to hold an Examination in Public to test the draft RSS, was published on 4 May 2007. The Secretary of State has now considered the Panel report and has published proposed changes to the draft Plan for further consultation; the proposed changes include:-

4.14 Policy ENV 13 relates to the provision of waste management and treatment facilities; the proposed changes (among other matters) are:-

"Waste planning authorities should ensure that adequate sites and facilities are available to manage the quantities of municipal, commercial and industrial, construction and demolition, agricultural, and hazardous waste. Specifically, waste planning authorities should:

Take into account:

- * Capacity of treatment and recovery facilities (including recycling and energy from waste) to deal with municipal and commercial and industrial waste will need to double by 2020 in all sub regions to provide the additional capacity identified .
- * The split between the need to provide facilities to manage the final disposal and recovery/recycling of waste
- * The need to meet, nationally set targets for recycling and recovery
- * The contribution made by new and existing waste facilities and the anticipated lifespan of such facilities."

4.15 The Secretary of State's proposed changes state that the lead role in securing these objectives will be local authorities, and that one of the main mechanisms by which the objectives will be achieved is by the development control process.

4.16 Policy ENV14 of the RSS relates to strategic locational criteria for waste management facilities. Among others the proposed changes indicate that the following principles should be considered in designating specific sites or areas where criteria based approaches will apply:-

"A. Waste should be managed on the site where it arises, or if not possible at the nearest appropriate location.

E. In all areas, identification of sites for facilities should also take account of the following priority order:

I. Established and proposed industrial sites which have potential for the location of waste management facilities and the co-location of complementary activities, such as "resource recovery" or "sustainable growth" parks". Etc.

4.17 The Secretary of State's indicator for this policy is "appropriately located new waste facilities" and the targets are that 100% of new waste developments should be in compliance with the locational criteria in ENV14 and that 100% of waste planning authorities have LDFs which allocate sites for a sufficient mix of waste facilities in line with policy ENV14.

4.18 On the 28th of September 2007 Baroness Andrews, the Parliamentary Undersecretary of State at the Department of Communities and Local Government, wrote to the Chair of Yorkshire & Humber Assembly advising him of the Government's proposed changes to the RSS, the relevant parts of which are detailed above. In her letter Baroness Andrews stated:-

"Changes are proposed to the waste policies and figures for waste to be managed to reflect more recent information, the Waste Strategy 2007, and to bring RSS more in line with PPS10. These show that achieving targets for reducing the amount of waste that goes to landfill and to increase recycling will require significant new waste management facilities in all parts of the region."

City of York Planning Policy

4.19 Until the Local Development Framework (LDF) supersedes it the Development Control Local Plan (approved April 2005) forms the principal source of local policy guidance. The LDF is currently at a very early stage and to date there are no LDF policies available to qualify the Local Plan Guidance.

4.20 Policy SP2 of the local plan relates to the York Green Belt and it states:-

"The primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York and is defined on the Proposals Map."

4.21 Policy SP3 goes into more detail into the matters to be considered in determining planning applications so that the historic character and setting of York referred to in SP2 is protected; these include:-

- a) The protection of key historic townscape features, particularly in the City Centre, that contribute to the unique historic character and setting of the City.
- b) The protection of the Minster's dominance, at a distance, on the York skyline and City Centre roofscape.
- c) The protection of the environmental assets and landscape features which enhance the historic character and setting of the City. These comprise the river corridors and the green wedges, both existing and extended. They also include areas of open countryside, which provide an impression of a historic city, such as locations which allow good views of the Minster or an urban edge including a Conservation area, and views into the City from a number of main transport routes.
- d) The protection of the main gateway transport corridors into York from development which, cumulatively, could have an adverse impact on the character and setting of the corridor and the surrounding environment. If development is allowed, early and substantial planting of sensitive boundaries will be required."

4.22 GP4a "Sustainability" Policy GP4a states that proposals for all development should have regard to the principles of sustainable development. Those relevant to the proposed development area:

"Development should:

- b) contribute toward meeting the social needs of communities ;
- f) minimise pollution, including that relating to air, water, land, light and noise;
- g) conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth;
- h) maximise the use of renewable resources".

4.23 GB1 - Development in the Green Belt - states that planning permission within the Green Belt will only be granted where:

- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
- b) it would not conflict with the purposes of including land within the Green Belt; and
- c) it would not prejudice the setting and special character of the City of York

AND it is for one of the following purposes:

- * agriculture and forestry; or
- * essential facilities for outdoor sport and outdoor recreation; or
- * cemeteries; or
- * limited extension, alteration or replacement of existing dwellings; or
- * limited infilling in existing settlements; or
- * limited affordable housing for proven local needs; or
- * limited infilling or redevelopment of existing major developed sites; or
- * minerals extraction, provided high environmental standards are attainable;
- * or highway works or other essential operations including waste disposal;
- * or park and ride facilities; or
- * reuse of existing buildings.

All other forms of development within the Green Belt are considered inappropriate. Very special circumstances will be required to justify instances where this presumption against development should not apply.

4.24 Policy GP14 relates to agricultural land and it states:-

"Planning permission will only be granted for development that would result in the loss of the best and most versatile agricultural land (defined as grades 1, 2 and 3a) if an applicant can clearly demonstrate that very special circumstances exist which determine that the proposal can not be located elsewhere."

4.25 The justification for this policy recognises that, like the Green Belt, much of the rural area of York comprises best and most versatile land stating at paragraph 2.41:-

"Of the land in agricultural use in the City of York, the majority is classified as either grades 1, 2 or 3a. It is inevitable, therefore, that proposals will come forward over time for development on agricultural land that will have an impact on this quality. The fact that there may be limited alternative locations for the proposal will be taken into account when assessing applications involving grades 1, 2 or 3a agricultural land. All development proposals involving agricultural land must be accompanied by a site survey, illustrating the quality of agricultural land affected by the development."

4.26 Chapter 14 of the local plan relates to minerals and waste; the objectives identified here include:

- * "To minimise waste disposal; and
- * To maximise potential opportunities for the recovery, transfer, treatment and recycling of waste;"

4.27 Paragraph 14.1 of the accompanying commentary goes on to say:-

"The Local Plan objective is to manage waste in a sustainable way by selecting the Best Practical Environmental Option (BPEO). This approach works in conjunction with a waste hierarchy, which prioritises the relative sustainability of each waste management option. The higher the ranking the more sustainable the option may be. The waste hierarchy is set out below.

- * Reduction
- * Reuse
- * Recovery (Recycling, Composting, Waste-to-Energy)
- * Disposal

4.28 Policy MW5 "Waste Management Facilities"; states:-

"Development of waste management facilities will be considered on the individual merits and the characteristics of particular sites, taking into account:

- a) the need for the facility, its proposed location, its impact on adjoining land uses and the duration of the proposal;
- b) the proximity principle whereby waste is disposed as close as possible to where it is produced;
- c) the mode of transport to be utilised for carrying waste to the site;
- d) proposed measures for eliminating leakage and gas emissions;
- e) measures to be taken to protect natural water resources;
- f) any adverse effects on important landscape, ecological, historic or archaeological features;
- g) proposed measures to minimise the environmental impact of visual intrusion, noise, dust, odour and wind-blown material;
- h) or landfill arrangements for the site's phased restoration to an acceptable use."

4.29 Policy MW1 identifies the application area has being located at the southern end of an Area of Search for the extraction of sand and gravel.

4.30 York Local Development Framework (June 2006) - is still at an early stage and the Core Strategy is currently being drawn up. As part of this process it has identified key issues and options which were the subject of a public consultation exercise in 2006. Although these cannot at this stage be considered as comprising part of the development plan they do give an indication of the direction in which local policy guidance is likely to move.

4.31 In the 2006 consultation exercise Key Issue 11 relates to waste and minerals and here it proposes that the overall objective of waste policy should be to protect public health and the environment by producing less waste, and by using it as a resource wherever possible.

4.32 In respect of waste the key aim of the LDF is to help meet the national target requirements identified for:

- a. Landfilled biodegradable municipal waste (bmrw)
- b. Recycled or composted household waste.
- c. Recovered municipal waste.

It goes on to say that in addition, the LDF Core Strategy needs to ensure sustainable waste management. To achieve this, a policy approach could be developed based on the following:

- * Maximising the potential contribution to waste minimisation, re-use and recycling;

- * Providing sufficient waste sites so that the City can maximise its contribution to sustainable waste management;
- * Identifying the location of new facilities and waste policies.

4.33 In September 2007 an Issues and Options 2 consultative document was published. This noted that responses made as part of the 2006 consultation exercise suggested that a key aim of the Core Strategy should be to help meet the national target requirements identified for landfilling biodegradable municipal waste, the recycling or composting of household waste, and the recovery of municipal waste; respondents also suggested that York should aim to exceed national targets for recycling.

City of York Non-Planning Policy

4.34 Municipal Waste Management Strategy(May 2006) - was produced by the York and North Yorkshire Waste Partnership and it provides the strategic vision for managing wastes and improving resource recovery in York and North Yorkshire. It contains the policies, aims, objectives, and targets for the partnership area and relates to the period of 2006 - 2026.

4.35 The Partnership has identified the following strategic objectives:

- * "To reduce the amount of waste produced in York and North Yorkshire so as to make us one of the best performing areas in the country by 2013 - (currently York and North Yorkshire residents produce more waste per person than in most other areas). By 2008, we aim to produce less per person than the average for England and Wales
- * To promote the value of waste as a natural and viable resource, by:
 - * Re-using, recycling and composting the maximum practicable amount of household waste
 - * Maximising opportunities for re-use of unwanted items and waste by working closely with community and other groups
 - * Maximising the recovery of materials and/or energy from waste that is not re-used, recycled or composted so as to further reduce the amount of waste sent to landfill"

4.36 The MWMS states that recent studies have shown that a higher level of recycling is the most cost effective long term solution to delivering the Partnership's obligations and those high levels of recycling are also essential for reasons of environmental protection, delivering sustainable solutions and satisfying public expectation.

4.37 Consequently the Partnership aims to achieve the following targets as a minimum:

- * Recycle or compost 40% of household waste by 2010
- * Recycle or compost 45% of household waste by 2013
- * Recycle or compost 50% of household waste by 2020

4.38 Although not comprising planning policy guidance the City of York's contract specification for waste treatment and disposal stipulates that Delivery Points for waste should be located within 10 miles of the City of York (taken to be Micklegate Post Office). This is in order to accord with the Authority's proximity principle.

PRINCIPLE OF THE DEVELOPMENT

4.39 The proposal is considered to constitute inappropriate development in the Green Belt. National, Regional and Local policy requires that in such circumstances "very special circumstances" are demonstrated to justify development proposals.

4.40 Since outdoor composting operations should normally be located over 250m from a residential property or workplace the development of Disposal Points within the Green Belt is almost inevitable if the proximity principle contained within policy MW5 is to be achieved.

4.41 There is a recognised need to provide such a facility in sustainability terms and also to respond to Central Government targets.

4.42 It is considered that these factors could constitute the "very special circumstances" required by PPG2 and policy GB1. The location adjacent to the existing Harewood Whin facility is also considered to be appropriate in land-use planning terms.

COMPOSTING OPERATIONS

4.43 The majority of the green waste to be composted on the site will originate from the York City area, importing green waste from site beyond the York City boundary is considered to be unsustainable by virtue of the high costs associated with road transport.

Composting Operations and Equipment

4.45 The largest of the concrete pads would be used for green waste composting operations. This pad is This position is furthest away from, and down prevailing wind of, the nearest residential property and from the eastern edge of Rufforth village, therefore mitigating the perceived harm from the proposed operations.

4.46 Green waste delivered to the site will be stockpiled to a height of no more than 4m after which it would be fed through a shredder reducing the particle size down to a maximum of 75mm. Following shredding the waste would be placed into windrows where the composting process would take place.

4.47 In order that the composting process can proceed effectively without the risk of a significant odour nuisance the windrows are constructed (approx. 3.5m high) to allow maximum air flow through them to ensure aerobic decomposition of the waste.

4.48 The composting process depends upon the material being composted being kept under oxygen-rich (aerobic) conditions; should oxygen levels fall and the waste become anaerobic then odour problems can occur. The shredding of the waste and

the spacing of the windrows establish the correct conditions for aerobic composting; these conditions are maintained by the regular turning of the compost within the windrows.

4.49 In order for composting to proceed efficiently in all weather conditions the moisture content of the windrows is regularly monitored. The construction and layout of the concrete pad and associated drainage system would ensure that any excessive water caused by heavy rainfall drains away from the compost quickly and is effectively managed. During extended periods of dry, warm weather it may be necessary to 'top up' moisture levels by applying a fine water spray to the windrows; this is carried out by a machine travelling between the rows.

4.50 As the composting process progresses the height of the windrows would slowly reduce and the waste assume more the appearance of compost rather than green waste, on average this takes between 6 and 12 weeks and throughout the aerobic conditions are maintained and the composting process was proceeding satisfactorily.

4.51 On completion composted material will (during the summer months when turnover is high) be transported immediately off site for final use. During the colder months when compost usage may not keep pace with compost generation, the composted material will be stored in the maturation area where its allowed to settle as it awaits transportation off-site. The maturation heaps will also not exceed 4m in height.

4.52 The following equipment would be used in support of the composting operation:

- * Mobile shredder 3860 Beast (20 tonnes per hour capacity);
- * Front-end Loader;
- * Dump truck;
- * Water bowser/spray;
- * 3600 excavator.

4.53 Compost exported from the site would meet a nationally recognised standard set by The British Standards Institute. This standard ensures that the compost product is fit for its stated use.

4.54 Compost products have a wide range of uses in the public and commercial markets; however some will be used in the restoration of the main Harewood Whin site. End users would be located in the City of York area; thus completing the virtuous circle of the waste producing authority recycling the waste close to its point of origin and accepting the recycle back to fulfil a useful role. All compost will be transported away from the site as bulk loads; there will be no retail sales from the site and no direct sales to members of the public.

Wood & Timber Recycling and Equipment

4.55 Waste wood and timber shredding are to take place on the more westerly of the two concrete pads

4.56 All import materials will be delivered to the site via the new internal access link and placed into stockpiles prior to treatment. These stockpiles will be no more than

4m high. Unlike the aforementioned composting process the waste wood would undergo only limited physical treatment and changed into a condition suitable for further recycling to be carried out as follows.

- * initial shredding by which process large contaminants such as metal would be removed.
- * a secondary shredding process to reduce the particle size down to <50mm.
- * a proportion of this treated wood waste would then be transferred to the composting pad and mixed with the green waste to be composted.
- * the remainder would be transported off-site for thermal treatment in an energy from waste plant.

4.57 The equipment used in the wood treatment process would be:-

- * AMobile shredder 3860 "Beast" (20 tonnes per hour capacity);
- * front end loader;
- * 3600 excavator.

4.58 As in the case of the compost the shredded wood would be transported off-site in bulk carriers some of it being returned to the York area.

Sweeper Waste Recycling

4.59 In order to extend the types of waste delivered to the site which can be recycled an area dedicated to the receipt of road sweeper waste has been incorporated into this proposal.

4.60 Road sweeper waste will be mixed with green waste with a view to producing compost suitable for use as landfill cover. This operation entails the mixing of sweeper waste with green waste at a ratio of 1:1 in a purpose built bay located in the northern part of the pad; this is then be composted separately from other compost products.

Waste Reception and Transport

4.61 All vehicles delivering green waste and waste wood and timber, together with road sweeper vehicles would first stop at the main weighbridge and waste reception area at Harewood Whin for processing. On completion of the necessary formalities, drivers continue to the appropriate waste treatment area and the loads discharged onto the appropriate concrete pad where they would be inspected by site staff.

MITIGATION MEASURES - SITE PRACTICES

Operating Hours

4.62 The proposed operating hours (07.30 to 17.00 Mondays to Sundays, 7 days per week) replicate those conditioned in approval 00/02689/FUL for the existing landfill and green waste activities within Harewood Whin.

4.63 Large waste management sites like Harewood Whin which serve large concentrations of population respond to waste arisings whenever they arise.

Household Waste Recycling centres are generally busier at weekends and don't often have the capacity to store a full weekend's arisings, therefore it is considered essential to continue the operations as existing. As no extension to the aforementioned times are proposed the overall impacts are considered to be negligible.

Noise

4.64 Potential noise impacts associated with the proposal have been assessed by independent specialists (Section 12.0 of the Environmental Statement); in consultation with the City of York Council. Measurements of typical daytime ambient noise levels at selected receptors have been taken, for use in assessment of predicted noise impacts of the proposal. The study concluded that suitable noise mitigation measures have been provided for, namely a screening bund, which would reduce noise levels in the long term, mitigating any perceived nuisance. The study also concluded that noise levels predicted during the construction phase for Little Garth and Rufforth Garth will be well below the criterion level that could give rise to nuisance. This is also the case at Wellgarth House to the west in Rufforth village, and Woodstock to the south-east.

Dust

4.65 The main sources of "fugitive dust" will arise from the passage of vehicles along the access road and across the concrete pads, if these are not maintained free of mud and debris and from loads of waste wood and timber discharged onto the concrete pads. Fugitive dust generally arises in dry, windy conditions.

4.66 It will be the responsibility of the site manager to maintaining the full length of the access in a clean condition using sweepers and water bowsers as necessary to clean the road and prevent dust from arising. The assessment of weather conditions monitoring together with routine daily inspections will ensure that any need for sweeping or water sprinkling is identified and necessary action take. The applicants' have placed an emphasis on anticipating potential dust hazards rather than waiting for them to arise before taking action. Water sprays will be available to treat any loads being discharged onto the concrete pads should the potential for nuisance arise.

Vermin

4.67 As no putrescible waste is treated on site, vermin is unlikely to be attracted by the proposed processes. However, as the application site is located close to the landfill site and open farmland, any issues arising (e.g. insect infestation/gulls) will be addressed as part of normal site management operations. These matters will be controlled through the Waste Management Licence.

Litter

4.68 Litter is not perceived to be a problem. However, it is recognised that some paper or card could be attached to the wood waste and some of the lighter elements of the green waste could be subject to windblow albeit over limited distances.

4.69 Any windblown waste will be collected on a daily basis and confined within a closed skip pending its transport to the adjacent landfill site. The applicant has stated that no windblown waste will be allowed to accumulate in nearby hedgerows or trees or collect in the vicinity of the Foss Dike.

Odour

4.70 As the proposals involve the provision of increased space for composting operations. This increased space facilitates improved handling of material, namely smaller more spread out windrows that are easier to turn regularly. The regular turning of windrows maintains aerobic conditions that significantly reduce the potential for odours, which are usually associated with anaerobic decomposition. The potential emissions to air have been assessed in the Environmental Statement. All emissions to air and odour will be monitored and managed appropriately should any nuisance arise.

ENVIRONMENTAL/ECOLOGICAL IMPACTS

Water Environment

4.71 The potential impact of the development on the water environment is dealt with in the accompanying Environmental Statement. Reference is made to the fact that the site is currently crossed by two surface water courses and that the adjoining agricultural land is equipped with a sub-surface drainage system. In addition Foss Dike runs close to the site on its eastern side. Measures will be incorporated (condition included) into the site construction to ensure that no materials handled there will be able to spread onto adjacent land or any leachates from the waste handled at the site contaminate any water feature.

4.72 The full extent of the applicants' mitigation measures are included in the Environmental Statement; and would include the culverting of the water courses that cross the site, the effective sealing of a disused well located on the site, the provision of spill remediation equipment on the site, the retention of all leachate draining from the site in sealed collection tanks and the maintenance of a 15m standoff from the Foss Dike to the east of the site.

4.73 The operatives of Harewood Whin will be responsible for the periodic monitoring of the site and its surroundings to ensure that all pollution control mechanisms are fully functional and that all waste is being handled in accordance with correct procedures. The effectiveness of the agricultural drainage systems on adjoining land will also be monitored regularly as would the condition of the Foss Dike and the strip of land separating it from the operational area. No liquid wastes are to be dealt with at the site, therefore the likelihood of water pollution arising from imported waste is considered to be limited.

Ecology

4.74 With respect to protected species, no records of badger, water vole, bats and reptiles were made during recent surveys, although suitable habitats for water vole,

reptile and bats have been identified. The freshwater invertebrate survey of existing watercourses showed there to be little diversity. Other interesting habitats identified were broadleaved woodland, mature trees and species-rich grassland. The arable land within the site has some ornithological interest.

4.75 Disruption to some existing habitats is inevitable as part of the construction phase, however the applicant has shown a willingness to introduce mitigation measures wherever possible. Where adverse impacts can not be avoided, the nature conservation value of the site will be enhanced through the creation of compensatory habitats appropriate to the locality.

4.76 Conditions will be included, requiring the applicant to provide information in relation to the protection, mitigation and replacement measures of the following features and species; unnamed ditches, broadleaved woodland, broadleaved plantation, hedgerows, mature trees, grassland, bats and breeding birds.

LANDSCAPE AND VISUAL IMPACT

4.77 The following factors are key components in the assessment of the proposals overall visual impact:-

- * Site construction - including soil stripping works.
- * The removal of vegetation.
- * The use of mobile plant operating at ground level (loading shovel, shredder, dump truck); and
- * The demolition of the facility following expiration of its use and the movement of soil to produce the final post-restoration landform.

4.78 Key receptors in this instance are considered to be neighbouring residential properties (Little Garth and Rufforth Garth), public rights of way, users of the Rufforth Airfield and the B1224 road.

4.79 The proposals will require the removal of 20 metres of existing hedgerows and field trees; some thinning works to the adjoining landfills planting and the direct loss of 11.5 hectares of agricultural land. On opening approx. 5 hectares (the western half of the site) will be available for pastoral use and all soils will be stored on site for reuse.

4.80 A soil bund (using stripped soil from the site) is to be created as part of the first phase of works in order to provide screening between the B1224 and the development. The mound will be seeded and planted with hedgerow and woodland species; the maturation of which will ultimately screen and soften the visual impact of the site on the main receptors..

4.81 Although resulting in the direct loss of agricultural land and some of the existing vegetation, a comprehensive restoration and aftercare programme is proposed, following the completion of works in 2021.

RESTORATION AND AFTERCARE

4.82 This application seeks to maintain the proposed facility so long as the associated MRF and landfill site are operational; it is therefore a long-term development. Nevertheless it is assumed that at some juncture the facility will cease to be operational at which point (unless otherwise agreed with the planning authority) it would be removed and the site restored.

4.83 Restoration would involve a number of elements namely:-

- * clearance from the site of all moveable installations and equipment;
- * the breaking out and demolition of the concrete pads;
- * the removal of the leachate storage tanks;
- * the removal of all culverts and the re-instatement of open surface water drains;
- * the removal of all services including water and electricity supplies (unless required for subsequent use);
- * the removal from the site of all debris resulting from the above works;
- * the grading and cross-ripping of the exposed restoration surface; and
- * the spreading of the soils stored in the perimeter screening mound.

4.84 The after use of the site will almost certainly be determined by circumstances at the time however the main aim is to restore the site to its current condition and use as agricultural land. Approval of a detailed restoration scheme will be required; to be implemented on the cessation of operations allowing the site to be restored in a manner and to standards appropriate to the time.

4.85 An aftercare scheme will be submitted for the approval of the planning authority either at the same time as the detailed restoration scheme is submitted or shortly after the approval of such restoration scheme. The aftercare scheme will include details of the steps to be taken to ensure that the specified restoration (whether agriculture, amenity or woodland) is developed and maintained in a good condition commensurate with the after use.

HIGHWAY ISSUES

4.86 The existing green waste composting and waste wood treatment operations at Harewood Whin would cease as soon as the proposed facility came into use with all existing traffic diverted to the new recycling facility. Other than this minor change to on-site vehicle movements there would therefore be no change to the existing vehicle movement pattern.

4.87 Currently there are approximately 205 daily vehicle movements associated with the existing Harewood Whin facility. 190 of these movements comprise heavy goods traffic including fixed 3-axle vehicles, skip wagons, articulated wagons, pick-ups etc. The balance of 15 movements relate to staff at the site. The 190 HGV movements equates to approximately 21 loads per hour.

4.88 The recycling activity for green waste and waste wood is estimated to peak in 2-3 years time, resulting in an increase of approximately 12 additional loads per day delivering green waste. Overall this increase is considered to have a negligible impact upon the B1224 and the amenities of neighbouring receptors and should alleviate relevant concerns raised in objection letters.

4.89 Vehicles involved in the delivery of waste to the site will continue to include articulated lorries, fixed 3-axle wagons, rear end loaders and pick-ups; articulated lorries of 42 tonnes gross weight would be used to transport compost and treated wood waste away from the site. Vehicle loads will be sheeted or suitably enclosed to avoid any potential impact from fallen debris.

4.90 Much of the green waste and waste wood delivered to the site at the moment originates in the York City area and this will continue for the duration of the operation.

4.91 Rufforth with Knapton Parish Council raised concerns regarding the routing and potential impact of the vehicles associated with the site. The applicants' have confirmed that all vehicles will access and exit the site from and towards York and have therefore pre-empted the concerns of the Parish Council.

DRAINAGE ISSUES

Surface Water Management

4.92 Although no part of the development will take place within an area subject to flooding as defined on the Environment Agency's published flood maps, two small surface watercourses cross the site and the Foss Dike runs close to its eastern boundary. In addition the two agricultural fields affected by the proposal are equipped with an agricultural drainage system discharging into the surface watercourses.

4.93 The development will involve the interruption of the agricultural drainage system and will also include the construction of three joined concrete pads on which rainwater will collect were they are not adequately drained. It is therefore necessary to provide for the drainage of the operational area during its use, and also to ensure that the surrounding land is appropriately drained.

Drainage of Operational Land

4.94 For the purposes of drainage the operational area is taken to comprise the three concrete pads, the new internal access road and all associated hardstandings together with land upon which any operations (including vehicle parking) will take place.

4.95 The whole of the operational area will be equipped with an integral, sealed drainage system. This will collect all water accumulating on the site (including run-off from the compost), its interim storage in a number of underground leachate storage tanks and its movement to the nearby leachate treatment facility.

4.96 The construction of the composting pad and the adjoining wood shredding pad will provide for surface falls leading to a perimeter drain. Leachate collecting on the pads will flow towards and into the perimeter drain from where it will pass by gravity flow into one or more of the underground storage tanks which act as holding

reservoirs until liquid levels in the tanks rise to a point where automatically activated pumps transfer the leachate to the nearby leachate treatment plant.

4.97 An abandoned well is located towards the centre of the operational area and prior to the construction of the concrete pads this will be sealed so that no surface water or leachate could percolate down the well and pose a potential threat to groundwater resources. The sealing of the well will take place in accordance with a scheme to be agreed with the planning authority and the Environment Agency.

Adjoining Land Drainage

4.98 The application area is crossed by two linked drains which serve the existing agricultural land within the application area and also agricultural land extending to the west. The land to the west would continue in agricultural use during the operation of the site and is considered necessary to ensure the continued effectiveness of the drainage system serving this area. This will be achieved by installing a cut off drain along the eastern edge of the remaining agricultural area to collect uncontaminated rainwater.

4.99 To the east of the composting pad there will be a minimum 15m standoff to the nearby Foss Dike and with the intervening land being subject to periodic flooding it will be necessary to ensure that the flood capacity of that area is not prejudiced.

4.100 To the south of the operational area it is proposed to erect a screening mound, this will take up much of the space between the edge of the concrete pads and the highway hedgerow. The mound itself is self-draining, however it will be necessary to ensure that there are no adverse drainage consequences resulting from the presence of the mound both in terms of possible ingress of floodwater onto the concrete pad and the flood capacity of the Foss Dike flood plain.

4.101 The eastern limit of the composting pad will abut, but not overlap with, the area liable to intermittent flooding shown on the Environment Agency's flood map. The development itself will not therefore lead to any reduction in the area's flood retention capacity. No operations will be carried out on the area liable to flood and no obstructions are to be positioned in this area. Other than maintaining its current open nature, the applicants' are not proposing to carry out any specific drainage works in this area.

5.0 CONCLUSION

5.1 The applicants' proposals are considered to be acceptable in this instance for the following reasons:-

5.2 The application involves waste treatment activities that are already being carried out on the existing Harewood Whin Landfill Site but for which insufficient space is available to allow for increasing amounts of green waste.

5.3 The green waste, wood and sweeper waste to be handled at the new facility would continue to be delivered to the site via the existing access and weighbridge checkpoint.

5.4 The potential environmental effects of the proposal have been evaluated by an Environmental Impact Assessment which has found that, providing suitable mitigating measures are put in place, the development would have a minimal impact upon the environment or the amenity of neighbouring properties and villages.

5.5 The proposals are consistent with national and local waste planning policies and guidance and the applicant has demonstrated that "very special circumstances" exist to justify the proposal in terms of its location within the Green Belt.

5.6 If permitted the proposal would have the following benefits:-

- * It would assist in reducing the amount of waste being disposed of to landfill;
- * It would increase the amount of waste being recycled;
- * It would enable the City of York to treat the relevant components of its own waste arisings within the Authority area in accordance with the proximity principle;
- * It would take advantage of the existing infrastructure at Harewood Whin thus obviating any need to replicate those facilities elsewhere.
- * It is sustainable in that any impacts on the environment can be easily mitigated and following site restoration the site's landscape and biodiversity values would be enhanced.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Delegated Authority to Approve

1 TIME2 Development start within three years

2 This permission shall be limited to a period of 13 years from the date of commencement of the development (the date of which shall be notified in writing to the local planning authority) after which time the site shall be restored in accordance with a scheme to be submitted to and approved in writing by the local planning authority the scheme shall include details of the number, species, height and position of all trees and hedging and shall be implemented during the first planting season following the ceasing of operations unless otherwise approved in writing by the local planning authority. The approved scheme shall include details of maintenance and aftercare for a period of five years following the completion of the restoration scheme.

Reason: to provide for the completion and progressive restoration of the site within the approved timescale in the interest of the amenity of residents and as need for a waste disposal facility for this period of time has been proven.

3 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

HW2 - Application Area.

HW3 - Site Layout and Planting Proposals

HW4 - Proposed Cross Sections
HW5 - Final Restoration and Landscape

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

4 Prior to the commencement of development on site, a detailed landscaping plan, showing the number, species, height and position of all trees and hedging, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

5 Prior to the commencement of development on site, a detailed drainage plan for both the proposed concrete pads and the surrounding agricultural/landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

6 Notwithstanding the provisions of Part 4 and (where relevant) 21 24 and 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order);

(a) no fixed plant or machinery, building, structures and erections, or private ways shall be erected, extended, installed, or replaced within the site without the prior approval in writing of the Local Planning Authority;

(b) no additional lights or fences shall be installed or erected at the site unless details of them have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that uncontrolled development does not harm the openness of character and appearance of the Green Belt or the amenity of residents

7 No waste vehicle shall enter or leave the site and no working, except for landfill gas combustion plant and leachate treatment plant or working in the case of emergencies or by prior approval in writing by the Local Planning Authority, shall take place except between the hours of 07.30 and 17.00 Mondays to Sundays. There shall be no working on Christmas Day, Boxing Day and New Years Day.

Reason: In the interest of the amenity of residents.

8 No waste other than those waste materials defined in the application shall enter the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: Waste materials outside these categories raise environmental and amenity

issues which may require consideration afresh

9 All access to and egress from the site shall be via the existing site access. No other access shall be used by traffic entering or leaving the site.

Reason: In the interests of highway safety

10 Prior to commencement of the development a sign shall be erected and thereafter maintained at the site exit, advising drivers of vehicle routes agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of local residents.

11 Prior to the commencement of development a scheme to ensure that all vehicles leaving the site are in such conditions as not to emit dust or deposit mud, slurry or other debris on the highway shall be submitted to and approved in writing by the Local Planning Authority. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site.

Reason: In the interests of highway safety and to prevent mud and dust getting on the highway.

12 No development shall be commenced until a scheme to minimise the emission of dust from the development hereby authorised (including measures to monitor emissions) has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include (the water spraying of access and haul roads to suppress dust in periods of prolonged dry weather), and shall be implemented in full and the suppression equipment thereafter maintained in accordance with the manufacturers instructions for the duration of the permission, unless with the prior written approval of the Local Planning Authority to a variation.

Reason: To protect the amenities of local residents

13 Prior to the commencement of the development hereby permitted a Noise Management Protocol scheme for the management and minimisation of noise shall be submitted to and approved in writing by the Local Planning Authority. The approved Protocol shall include:

1. A protocol for the regular monitoring of noise levels from the site by site operators to ensure compliance with these conditions and/or other statutory noise limits.
2. A protocol for the use of audible reversing alarms and their alternatives.
3. Proposals for the siting, silencing, enclosure and screening of fixed plant and machinery.
4. A protocol for the use of portable acoustic screens around temporary plant.
5. A protocol for the use of quieter plant and machinery nearer to noise sensitive locations.
6. A protocol for the recording, investigation and reporting of noise complaints to City of York Council.

Reason: to minimise noise in the interest of the amenity of residents and the area generally.

14 Prior to the commencement of the development a scheme for the erection of acoustic screening and earth bunds shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and in place prior to the commencement of any operations and shall remain in place thereafter in accordance with the approved scheme.

Reason: to minimise noise in the interest of the amenity of residents and the area generally.

15 No development shall take place until (a) the applicant has secured the implementation of an agreed programme of archaeological work (archaeological evaluation to include geophysical survey and trial trenching) which has been agreed in writing by the LPA and submitted a report on the evaluation to the LPA and these have been agreed in writing by the LPA and (b) the applicant has secured the implementation of an agreed programme of archaeological mitigation measures (such measures to record any archaeological features and deposits which will be destroyed or damaged by the approved development) which has been agreed in writing by the LPA.

Reason: This development may have an effect on archaeological deposits which may be preserved within the site and this effect must be kept to a minimum.

16 Before the development hereby permitted is commenced details of all external floodlighting and other illumination proposed at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include: height of the floodlighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate light spillage to the rear of floodlighting posts (in metres), any measures proposed to minimise the impact of the floodlighting or disturbance through glare (such as shrouding), and the times when such lights will be illuminated.

Reason: in the interest of the appearance of the site.

17 All drainage routes through the Site shall be maintained both during the works on Site and after completion of the works. Provisions shall be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

Informative

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows".

The affect of raising Site levels on adjacent property must be carefully considered and appropriate measures taken to negate influences.

18 No deliveries of imported bulk construction materials to the site shall be from the B1224 via the village of Rufforth.

Reason: In the interest of the amenities of the residents of Rufforth and highway safety.

19 No deliveries of imported green waste/waste wood to the site shall be from the B1224 via the village of Rufforth.

Reason: In the interest of the amenities of the residents of Rufforth and highway safety.

20 A noise management scheme shall be submitted to the Local Planning Authority for written approval prior to development. The requirements contained in the approved noise management scheme shall be fully implemented prior to the use hereby permitted.

Reason: For the protection of the amenity of local residents from noise.

21 An odour management scheme shall be submitted to the Local Planning Authority for written approval prior to development. The requirements contained in the approved odour management scheme shall be fully implemented prior to the use hereby permitted.

Reason: For the protection of the amenity of local residents from odour.

22 The noise management scheme shall be reviewed 1 year after the first use of the development. This review must be submitted in writing with any amendments to the noise management scheme to the local planning authority for written approval.

Reason: For the protection of the amenity of local residents from noise.

23 The odour management scheme shall be reviewed 1 year after the first use of the development. This review must be submitted in writing with any amendments to the odour management scheme to the local planning authority for written approval.

Reason: For the protection of the amenity of local residents from odour.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the designated green belt, environmental issues,

drainage and traffic. As such the proposal complies with PPG2, PPS7, PPS10 and Policies SP2, SP3, GP4a, GB1, GB14, MW5 and MW1of the City of York Development Control Draft Local Plan.

2. WATERCOURSE CONSENT - GENERAL

Under the terms of the Land Drainage Act. 1991 and the Board's Byelaws, the prior written consent of the Board is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any watercourse.

3. RIPARIAN MAINTENANCE RESPONSIBILITY

Any watercourse adjacent to/within the site and/or affected by this development is not maintained by the Board.

The responsibility for the continued maintenance of any such watercourse and its banks rests ultimately with the riparian owners.

4. MAINTENANCE RESPONSIBILITY - GENERAL

The proposed development is within the Board's area and is adjacent to the Foss Beck, which at this location, is maintained by the Board under permissive powers within the Land Drainage Act. 1991.

However, the responsibility for maintenance of the watercourse and its banks rests ultimately with the riparian owner

5. DEMOLITION AND CONSTRUCTION - INFORMATIVE

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

a. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

b. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

c. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

d. All reasonable measures shall be employed in order to control and minimise

dust emissions, including sheeting of vehicles and use of water for dust suppression.

e. There shall be no bonfires on the site.

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