

CGP15A
Development and Flood Risk

CYGB1
Development within the Green Belt

CYGB11
Employment devt outside settlement limits

CYMW5
Landfill/land raising - considered on merits

3.0 CONSULTATIONS

INTERNAL:-

3.1 Highway Network Management raise no objection to the proposal;

3.2 Design, Conservation and Sustainable Development raise no objection to the proposal as the level of existing landscaping and also the local topography would effectively shield the proposal in long and medium distance views from outside of the site;

3.3 Structures, Drainage and Engineering Consultancy raise no objection to the proposal;

3.4 Environmental Protection Unit raise no objection to the proposal subject to any permission being conditioned to require the submission of a noise mitigation scheme for prior approval.

EXTERNAL:-

3.5 Marston Moor Internal Drainage Board raise no objection to the proposal subject to any permission being conditioned to require the submission of a surface water drainage scheme for prior approval;

3.6 Rufforth with Knapton Parish Council object to the proposal on the grounds that the proposal has not been adequately justified in terms of the volume of material to be processed or the likely long term future of the building. It is furthermore felt that the proposal would be premature in the absence of a detailed "master plan" for the site and would set a precedent for further substantial increases in material and traffic volumes accessing the site, would significantly increase flood risk to surrounding areas as well as setting a basis for continuous 24 hour working.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

- * Impact upon the open character and purposes of designation of the Green Belt;
- * Impact upon the residential amenity of neighbouring properties;
- * Impact upon the local surface water drainage network;
- * Impact upon the ability of the City to meet nationally derived targets to minimise waste production.
- * Temporary nature of operation.

GREEN BELT IMPACT:-

4.2 Policy GB1 of the York Development Control Local Plan following Central Government planning guidance outlined PPG2 "Green Belts", gives a firm policy presumption that planning permission will only be given in the Green Belt where the scale, location and design of such development would not detract from the open character of the Green Belt, it would not conflict with the purposes of including land within the Green Belt and is for an essential engineering operation including waste disposal. The current proposal comprises a significant but within the scale of the site reasonable extension of 1,275 sq metres to the existing materials recycling building at the western edge of the site. A concrete area of hard standing would be added to the east and south. The extension would be of steel portal frame construction and clad to match the existing.

4.3 The site comprises an active waste management facility dating from the mid 1980s. The materials recycling building itself has been in place since 2004 and would last for the duration of operations at the site. Whilst Policy GB 1 of the York Development Control Local Plan allows in appropriate circumstances for the construction of waste related development in the Green Belt, in terms of Central Government guidance outlined in PPG2 the proposed development is inappropriate. A case demonstrating "very special circumstances" will therefore need to be advanced. The recycling operation at Harewood Whin which the existing building and the proposed extension forms part is effectively co-located with the principal land fill operation and enables waste to be treated at the highest possible point in the waste hierarchy in accordance with Central Government guidance on Planning and Sustainable Waste Management outlined in PPS10. To oblige the operation to relocate outside of the Green Belt would lead to significant increases in traffic movements to and from the site to the detriment of the amenity of the local area and lower volumes of material recycled. It is therefore accepted that suitable "very special circumstances" exist to justify the construction of the proposed extension in the envisaged location.

4.4 In terms of its impact upon the openness of the Green Belt any increase in terms of built footprint would be relatively modest when taken against the scale of the overall development and would be kept to the direct environs of the existing building. The proposed extension and associated hard standing would be largely sheltered in long and short distance views from outside of the site by the substantial quantities of mature landscaping at the site boundaries together with the topography of the previously restored areas of tipping. On balance it is felt that impact upon the Green Belt would be no greater than the existing operation and it is felt that the terms of Policy GB 1 of the York Development Control Local Plan would be complied with.

IMPACT UPON RESIDENTIAL AMENITY:-

4.5 Policy GP1 of the York Development Control Local Plan sets a firm presumption in favour of new development proposals which respect or enhance the local environment, are of a layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area and ensure that residents living nearby are not unduly affected by noise or disturbance. In addition to the proposed extension to the Materials Recycling Building planning permission is sought to vary condition 3 to planning permission 07/02440/FUL to enable working from 06.00 to 22.00 hours each day. The existing permission restricts operations to between the hours of 07.30 and 17.30 each day. The existing operation experiences difficulties with meeting peaks and troughs of materials brought to the site and at the same time there is little in-built capacity to deal with changing market trends. The existing building handles commercial "black bag" waste including materials gathered from public bins together with construction waste which is treated to provide a source of secondary aggregate which can be used in the construction industry. The proposed extension together with enhanced pattern of working hours is intended to enable the facility to more effectively meet the existing demand being placed upon it whilst at the same time giving the necessary spare capacity to cater for future at present unforeseen changes in the waste market. All waste handling processes would continue to take place within the building and no additional movements of waste material would come into the site as a result of the proposal.

4.6 Clear concerns have been expressed in relation to the noise impact upon nearby properties arising from the enhanced pattern of working hours. The applicant has submitted a detailed noise assessment and has undertaken further detailed noise monitoring work. This indicates any noise impact upon nearby residential properties would be minimal as a result of the proposal and that in some cases impact would actually reduce when compared with the existing situation. In order to further safeguard the residential amenity of neighbouring properties a condition is recommended to require the submission of a specific noise management plan for prior approval. The terms of Policy GP1 of the York Development Control Local Plan have thus been complied with in respect of the proposal.

IMPACT UPON THE LOCAL SURFACE WATER DRAINAGE NETWORK:-

4.7 Policy GP15a) of the York Development Control Local Plan sets a clear policy requirement for developers to satisfy the Local Planning Authority that any flood risk from new development can be successfully managed with the minimum environmental effect whilst ensuring that the site can be developed, serviced and occupied safely. The existing site has a controlled system of surface water drainage with uncontaminated surface water ultimately being discharged to a local water course. A detailed scheme illustrating how the proposed extension and hard standing would link into the network has been submitted as part of the application and this demonstrates that the proposal would not pose a significant flood risk to neighbouring properties.

IMPACT UPON THE ABILITY OF THE CITY TO MEET NATIONALLY DERIVED TARGETS IN TERMS OF WASTE MANAGEMENT:-

4.8 Policy ENV14 of the Yorkshire and Humber Regional Spatial Strategy , presently remaining in force, sets a clear requirement for significant quantities of waste to be treated as near as possible to their point of origin. The importance of co-location of waste handling facilities is also clearly emphasised. Central Government planning guidance outlined in PPS 10 "Planning for Sustainable Waste Management" and its associated Companion Guide gives clear encouragement at the same time for Local Planning Authorities to promote activities which push waste treatment up the "waste hierarchy". The Materials Recycling Facility at Harewood Whin is designed to handle waste of primarily commercial origin so that material capable of recycling and re-processing can be separated out and treated elsewhere and not be land filled. Specialist equipment is also in place to process suitable building waste to form a secondary aggregate suitable for reuse in the construction industry. The proposed development would by enabling the existing waste stream to be handled more efficiently help to reduce the amount of waste being land filled fulfilling Central Government targets in terms of waste handling.

TEMPORARY NATURE OF THE OPERATION:-

4.9 The overall waste operation at Harewood Whin has been given planning permission on the basis of a series of on-going temporary consents with the site ultimately restored to agricultural use. Concern has been expressed that the proposed extension would be of a permanent nature in terms of design and materials. The previous permission in respect of the building in 2004 was time limited in line with the extended operation of the wider site.

OTHER ISSUES:-

4.10 Concern has been expressed that the proposed development is premature in advance of the submission of a "master plan" covering future developments at the Harewood Whin site. Whilst it may be desirable in principle no vehicle exists for the Local Planning Authority to require the submission of a "master plan" as such and to do so may not be reasonable in view of the changing commercial pressures facing the operation.

4.11 Concern has also been expressed that the current development may set a precedent for increased materials being brought on site, increased traffic movements and even 24 hour working. The applicant has clearly indicated that the proposal relates solely to the more efficient handling of existing materials being brought on to the site and that this does not presuppose increases in traffic, materials brought in or other alterations to working hours.

5.0 CONCLUSION

5.1 Harewood Whin comprises a substantial mainly landfill based waste treatment facility located within the Green Belt to the west of York. The current proposal seeks planning permission for the construction of a 1,275 sq metre extension to the existing Materials Recycling Building together with an associated concrete hard standing directly to the east. At the same time permission is sought to vary condition 3 to planning permission 07/02440/FUL to allow for operation between the hours of 06.00 and 22.00 each day.

5.2 In terms of its impact upon the Green Belt the proposal comprises a limited expansion of an existing facility co-located with the existing landfill operation. Any impact upon openness would be effectively mitigated by the local topography together with the level of mature landscaping at the site boundaries. The applicant has made it very clear that the proposal is to secure the more efficient processing of materials presently entering the site and that as at present activities will take place solely within the existing building. Additional noise monitoring has been undertaken that demonstrates that the extended operating hours would not have a material impact upon the residential amenity of neighbouring properties. There would not be a material impact upon the level of material or the level of traffic entering the site and the surface water drainage system would remain unaffected.

5.3 If Members are minded to approve the application, the decision will need to be referred to the Secretary of State under the Consultation Direction 2009 because of the size of the extension within the green belt.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve after referral to of Secretary of State

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs:- HAR-PL00-Y0811-001A; HAR-PL00-Y1016-002A; HAR-PL00-Y1016-003; HAR-PL00-Y1016-004.

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

3 VISQ1 Matching materials

4 Prior to the commencement of the development hereby authorised a detailed noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The requirements contained within the approved noise management scheme shall thenceforth be implemented in full prior to the development first being brought into use.

Reason:- To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

5 The materials recycling building and associated plant hereby approved shall only operate between the hours of 06:00 and 22:00 hours daily.

Reasons:- To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

6 The extension hereby approved shall be removed and the site restored in accordance with the timescale and aftercare requirements of condition 4 of planning permission 00/02689/FUL dated 13 May 2004.

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

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 impact upon the open character and purposes of designation of the Green Belt, impact upon the residential amenity of neighbouring properties, impact upon the local surface water drainage network, impact upon the ability of the City to meet nationally derived targets to minimise waste production and the temporary nature of the whole operation. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1,GP15a), GB1, GB11,MW5 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

2. CONSTRUCTION AND DEMOLITION:-

i) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:-

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays

ii) 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".

iii) 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.

iv) 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.

v) 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.

vi) There shall be no bonfires on site.

3. NOISE MITIGATION:-

The following methods should be considered to mitigate noise:-

- i) Consideration of operation times of the site and of individual plant, machinery or equipment;
- ii) Location of noisy plant, machinery and equipment including exhaust locations;
- iii) Implementation of noise mitigation enclosures or barriers;
- iv) Updating machinery, plant and equipment to ensure that the quietest equipment available is used.

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