

Open

Planning Committee

Agenda

To be held remotely
6pm
Tuesday, 18th May 2021



Planning Committee

Members of Committee:

Chairman: Councillor C Edginton-White
Vice-Chairman: Councillor C J Barnett

Councillor J Aston

Councillor A Coleman

Councillor P Harrison

Councillor L J Jones

Councillor C Rogers

Councillor V Caulfield

Councillor H E Dyke

Councillor M J Hart

Councillor F M Oborski MBE

Councillor L Whitehouse

Information for Members of the Public: -

If you have any questions regarding the agenda or the attached papers, please do not hesitate to contact the officer named below.

The meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting. Where a meeting is held remotely, "open" means available for live or subsequent viewing.

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This meeting is being held remotely online and will be recorded for play back. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. All streamed footage is the copyright of Wyre Forest District Council.

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated prior to the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Delegation - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732766 or email sian.burford@wyreforestdc.gov.uk

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Solicitor to the Council, or Corporate Director: Economic Prosperity & Place before the meeting.
- Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officers to avoid unnecessary debate on such detail at the Meeting.
- Members should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.
- Please note if Members wish to have further details of any application appearing on the Schedule or would specifically like a fiche or plans to be displayed to aid the debate, could they please inform the Development Control Section not less than 24 hours before the Meeting.
- Members are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to the Committee for determination where the matter cannot be resolved by the Corporate Director: Economic Prosperity & Place.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, “background papers” in accordance with Section 110D will always include the case Officer’s written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

To be held remotely

Tuesday, 18th May 2021

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 16 th March 2021.	7
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	12
6.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

7.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	
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Part 2

Not open to the Press and Public

8.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

HELD REMOTELY

16TH MARCH 2021 (6PM)

Present:

Councillors: C Edginton-White (Chairman), C J Barnett (Vice-Chairman), J Aston, V Caulfield, A Coleman, H E Dyke, P Harrison, M J Hart, L J Jones, F M Oborski MBE, C Rogers, and L Whitehouse.

Observers:

Councillors: G W Ballinger, R H Coleman, I Hardiman, K Henderson, A Totty and P W M Young.

The Chairman welcomed Councillor H E Dyke and thanked Councillor J W R Thomas for the contribution he had made during his time on the Committee.

PL.46 Apologies for Absence

There were no apologies for absence.

PL.47 Appointment of Substitutes

No substitutes were appointed.

PL.48 Declarations of Interests by Members

No Declarations of Interest were made.

PL.49 Minutes

Decision: The minutes of the meeting held on 16th February 2021 be confirmed as a correct record and signed by the Chairman.

PL.50 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Management Schedule No. 593 attached). Councillor A Totty joined the meeting at 6:10pm.

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Management Schedule No. 593 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

There being no further business the meeting ended at 6:39pm.

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

16th March 2021 - Schedule 593 Development Management

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Development Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

6:10pm – Councillor A Totty joined the meeting as an observer.

Application Reference: 20/0875/FUL
Site Address: Bewdley Fire Station, Dog Lane, Bewdley, Worcestershire, DY12 2EQ
Delegated authority to APPROVE subject to the following:
<p>a) the signing of a Section 106 Agreement to secure:</p> <ul style="list-style-type: none"> • £9,000 towards the maintenance of the defences and the continued operation of the flood warning system. <p>b) the following conditions:</p> <ol style="list-style-type: none"> 1. 3 Year time limit. 2. Details of building materials including hard surfacing. 3. Implementation of boundary treatment. 4. Details of all external lighting except on shopfront signage. 5. Details of refuse storage facilities. 6. Details of soft landscaping scheme. 7. Implementation of soft landscaping scheme. 8. To prevent the installation of roller shutters to shopfront unless otherwise agreed. 9. To prevent shopfront windows being painted or for vinyl films or obscure glazing being fitted to windows. The shopfront windows shall remain clear glazed, unless otherwise agreed. 10. To prevent roof mounted plant being installed unless otherwise agreed. 11. Details of access control to the communal doors serving the residential flats. 12. Implementation of noise mitigation measures including glazing to all first-floor windows, boundary fences and acoustic enclosure to fixed plant. 13. Maximum size of delivery vehicles to be 10.2 metres and there shall be no more than 4 deliveries by vehicles over 10 metres per day. 14. All deliveries to be taken at or dispatched from the site shall be between the hours of 07:00 – 11:00 Monday to Saturday and between the hours of 08:00 – 12:00 Sundays and Bank Holidays. 15. Details of Delivery Management Plan including Servicing Route. 16. Opening hours to customers between 07:00 and 23:00 Monday to Sunday. 17. Details of access design and layout to include visibility splays on Dog Lane to serve the residential parking, to be submitted and approved. 18. Details of access, turning area and parking facilities including accessible spaces and delivery bay to be provided prior to occupation.

19. Details of the highway signage improvements.
20. Details of residential welcome pack.
21. Details of a construction environmental management plan (CEMP).
22. Details of cycle storage facilities.
23. Details of electric vehicle charging points.
24. Details of low emission boilers.
25. Implementation of all renewable and low carbon energy measures.
26. Implementation of ecological mitigation and enhancement measures and to require a Letter of Compliance to demonstrate that all mitigation measures have been delivered.
27. To require programme of archaeological work including a Written Scheme of Investigation(s).
28. To require all site investigation and post investigation assessment to be completed in accordance with the programme set out in the Written Scheme of Investigation(s) and the provision made for analysis, publication and dissemination of results and archive deposition secured.
29. To require site investigation for potential contaminated land, remedial works and verification report.
30. To require ground finished floor levels to be set no lower than 23.79m AOD
31. To require a flood evacuation management plan (FEMP).
32. Details for the disposal of foul and surface water flows.
33. Details of surface water drainage strategy.
34. Restrict Use to Convenience Retail Store (Class E).
35. Details of the pedestrian route to the front of the building including hard surfacing materials showing tactile paving where the pedestrian route meets the adopted/private road, signage to make pedestrians aware of traffic on the adjoining road and details of any steps, ramps, handrails, bollards and seating.

NOTE

1. Flood Warning System.
2. Duration of potential Flood Risk and recommended mitigation measures.
3. Resistance measures aimed at preventing floodwater ingress into a building.
4. Severn Trent Water advise that there is a public 600mm surface water sewer located within this site.
5. Section 278 Agreement.
6. No permission is given to any shopfront signage and a separate application will need to be made for advertisement consent.
7. The applicant is encouraged to install a defibrillator to the building for use by the public.

Application Reference: 20/0951/OUT

Site Address: Land At OS 373160 274660, Plough Lane, Far Forest, Kidderminster, Worcestershire.

REFUSED for the following reasons;

1. The development would not be in proportion with the size of the adjoining settlement of Far Forest Village, as the application site would exceed the threshold of 1 hectare in size contrary to footnote 33 given in Paragraph 71b and therefore cannot be considered as an acceptable entry-level exceptions site. The proposed development would not accord with the plan led strategy for housing and growth for the area, as it relates to new housing development on non-previously developed land, outside the settlement boundary of Far Forest Village and fails to meet any of the exceptions for new rural or affordable housing. The proposed scheme therefore would be contrary to Policies DS01 and DS04 of the Adopted Core Strategy, Policies SAL.DPL1 and SAL.DPL2 of the Adopted Site Allocations and Policies Local Plan, draft Policies 8B and 8C of the Emerging Wyre Forest Local Plan (2016-2036) and Paragraphs 71 and 77 of the National Planning Policy Framework.

2. The landscape of this part of Plough Lane, in which the application site is situated, forms an integral part of the attractive and high quality landscape in this part of countryside and a clear distinction between the rural character of Plough Lane and the urban development that lies within the adjoining settlement boundary of Far Forest village. The proposed development due to its scale, amount of development and location, would cause substantial visual harm to the character and appearance of the landscape, village setting and the positive characteristics of this landscape character type 'Forest Smallholdings and Dwellings'. As such, the proposals would conflict with Policy CP12 of the Adopted Core Strategy and draft Policy 11C of the Wyre Forest Local Plan (2016-2036) which seek to protect and where possible enhance the unique character of the landscape, including individual settlements. The proposals would also conflict with Paragraphs 127c and 170c of the National Planning Policy Framework, which seek to ensure developments are sympathetic to their landscapes and surroundings and that they contribute to and enhance the intrinsic character and beauty of the countryside.

3. The access to the application site is from Plough Lane and the proposed highway improvement works to mitigate the impact of the development arising from the additional traffic and pedestrian movement on this unadopted private road would not comply with the Adopted Streetscape Design Guide (2020) and the proposals would fail to provide safe and suitable access to the site for all users. There is a lack of certainty that the proposed highway improvement works can be delivered to mitigate the impacts on highway safety given that no evidence has been submitted to demonstrate that Plough Lane is unregistered and there is no guarantee that the required Section 228 Agreement would be granted to enable the adoption of Plough Lane. It would also result in substandard road widths and undermine pedestrian safety. As such, the development would have an unacceptable impact on highway safety and the residual cumulative impacts of the development would be severe, contrary to Policy CP03 of the Adopted Core Strategy, draft Policy 13 of the Wyre Forest Local Plan

(2016-2036) and Paragraphs 108 and 109 of the National Planning Policy Framework.

4. The proposed development would undermine the Public Right of Way, footpath Rock RK-541, as it is likely to result in vehicular traffic being given priority over pedestrians due to an increase in traffic generation as a result of this development and the proposed highway works are likely to have a detrimental impact on pedestrian safety given the substandard width of Plough Lane and the uncertainty that the road improvement works can be undertaken on this unadopted road. As such, the proposed development would fail to protect or enhance the Public Right of Way, contrary to Paragraph 98 of the National Planning Policy Framework.
5. Insufficient information has been submitted to enable the Local Planning Authority to ascertain the full extent of the impacts on biodiversity and to ensure biodiversity net gains can be achieved following the development of the application site, contrary to Policy CP14 of the Adopted Core Strategy, Policy SAL.UP5 of the Adopted Site Allocations and Policies Local Plan, draft Policy 11D of the Wyre Forest Local Plan (2016-2036) and Paragraphs 170d and 175a of the National Planning Policy Framework.

EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

Part A Applications

Ref:	Address of Site	Recommendation	Page No.
20/0758/COUN	The Forge Stourport Road Kidderminster Worcestershire DY11 7QR	No Objections	13

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

18 May 2021

PART A

Application	20/0758/COUN	Date	22.09.2020
Reference:		Received:	
Ord Sheet:	382060 273672	Expiry	13.10.2020
		Date:	
Case Officer	Paul Round	Ward:	Foley Park and Hoobrook

Proposal: Development of an Energy and Resource Park (County Council Consultation)

Site Address: The Forge, Stourport Road, Kidderminster, Worcestershire, DY11 7QR,

Applicant: Mr Damian Courtney

Summary of Policy	Design Guidance SPD National Planning Policy Framework Planning Practice Guidance
Recommendation	No Objections

The Development Manager wishes to seek the views of Members to inform the response to the County Council consultation.

1.0 Planning History

- 1.1 WF.0736/01 - Outline: Erection of office/industrial/warehouse units (classes B1, B2, B8) and estate road with new access following the demolition of Folkes Forge (access not a reserved matter) : Approved
- 1.2 07/000028/CM (407664) [Worcestershire County Council application] (07/0090/COUN) - Change of use of foundry to a Material Recycling facility & associated external sand & aggregate storage areas : Approved
- 1.3 09/000027/CM) [Worcestershire County Council application] - Amendments to planning permission ref 407664 to permit the external operation of mobile crushing plant and external storage of materials : Withdrawn
- 1.4 10/0624/FULL - New means of access material recycling facility and alterations to external elevations of offices, comprising part demolition, alterations of window designs and new parapet fascia : Approved
- 1.5 11/000035/CM [Worcestershire County Council application] (11/0356/COUN) - Deletion of conditions 8, 9 & 10 and variation of condition 11 of planning permission 407664 to read "no operation authorised or required by this permission shall take

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place within the external areas of the application site outside the hours of 05:30 to 22:00 Mondays to Fridays and 05:30 to 17:30 Saturdays with no working on Sundays". External operation of a mobile crushing plant, external storage of aggregates and woodchip, external operation of soil manufacturing using compost and associated development : Withdrawn

- 1.6 11/000036/CM [Worcestershire County Council application] (11/0356/COUN) - External operation of mobile crushing plant, external storage of aggregates and woodchip, external operation of soil manufacturing using compost and associated development : Withdrawn
- 1.7 12/00040/CM [Worcestershire County Council application] (12/0491/COUN) - Variation of Condition of Planning Permission Ref no. 407664 to "within 6 months of the grant of this Planning Permission of the existing junction from the service road to the A451 shall be altered in accordance with Banners Gate drawing no" Proposed Access Improvements P550/573/01 : Approved
- 1.8 14/0466/FULL Change of use from material recycling facility (sui generis) to die-casting forge (use class B2), re-cladding and extension : Approved

2.0 Consultation Comments

- 2.1 As this is a County Matters application, the County Council has carried out the statutory consultations. They have specifically asked for the Districts comments in respect of Heritage, Trees and Economic Development. As such the following internal consultation comments have been received.

Conservation Officer

The application is supported by a heritage impact assessment and a statement of significance which accords with the NPPF at paragraph 189.

This document carefully considers the potential for the development to impact on heritage assets which are located within 1Km of the site, as well as potential to disturb buried archaeology on the site itself. I consider that the main impacts of development, if any, will be on the adjacent Staffordshire and Worcestershire Canal Conservation Area. In this respect at 7.6.11. the heritage statement notes:

“It is predicted that there would be additional glimpsed views of industrial development from the canal and within its setting, in the context of an area that has already been developed for industry. However, this would make the industrial character of this part of the canal slightly more evident, as the proposed facility would be visible, although filtered in views by the topography and existing vegetation. There is no development within the conservation area, and the change to setting would be slight and only in limited views over a short section of this linear asset. The ability to understand and appreciate the canal as a former transportation corridor, within a setting that illustrates its response to the natural landscape through which it passes would remain readily apparent.”

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And at 7.6.12 the heritage statement concludes: “The Proposed Development would result in a low magnitude of effect on how the conservation area is experienced and in turn on its heritage values, resulting in a minor significance of impact. This is equivalent to less than substantial harm and at the lower end of that scale of effects. This effect is not significant in EIA terminology”.

Considering the built form: its location and the geography of the site is best explained by reference to drawing number: 701-31RevD, in which the built form is shown as being set back behind a steep bank which forms a bund between it and the canal. I conclude from this that the visual impact of the development from close-to along the banks of the canal or as seen by those travelling along it on boats will be low. There may be greater impact on the views towards the canal conservation area in the wider landscape, particularly from the east, where the buildings will be seen on the hill behind the canal, but these will also be seen in the present industrial context, not as an isolated visually intrusive structure in the landscape.

I therefore conclude that in terms of the visual impacts on heritage assets overall these will result in less than substantial harm and I agree with the heritage statement in this regard.

The NPPF and WFDC Policy SAL.UP6 both allow the public benefits of development causing less than substantial harm to be considered in mitigation against the level of harm caused, and if such public benefits can be established by the Council then I have no objections to the scheme as proposed.

Arboricultural Officer

I have no objections as no protected trees are directly affected

North Worcestershire Economic Development & Regeneration

No Objections

- 2.2 In addition to these comments the following relevant statutory comments have been received by the County Council (not all comments have been reported here but they can all be viewed on the County Council’s website);

Kidderminster Town Council

Objects to the proposal on the grounds of its adverse environmental impact on the area

Stourport-on-Severn Town Council

No Objection

Bewdley Town Council

Bewdley Town Council would like to object to the proposal on the grounds that there is not a proven need for this facility in Kidderminster. Above all when this Hartlebury Incinerator project was approved within previous years it was stated that as a result there would be no further requirement within Worcestershire for this type of development. There are also concerns about the location to residents within the area.

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Highway Authority

No Objection subject to conditions

The Energy Centre is proposed to the east of the existing aluminium foundry, all of which is within the control of the applicant and includes a fuel store to receive and store materials prior to processing and an energy plant which will combust the material to produce energy and heat. The EC will process up to 75,000 tpa of non-hazardous residual waste from a variety of sources in the West Midlands, which will be collected and segregated prior to delivery by HGV. Residual outputs, including bottom and fly ash, will be exported from the site.

The PRP is proposed south of the foundry and will accept approximately 30,000 tpa of end of life, loose plastic packaging from a variety of local sources, which will be collected and cleaned prior to delivery by HGV. Outputs will be up to 21,000 tpa of agglomerated plastics for future use. Unwanted material from the PRP will be used as feedstock at the EC.

The Highway Authority has no objection to the principle of the proposed development at this location, subject to an acceptable layout being provided.

Context The site is located to the east of the A451 Stourport Road, within a predominantly industrial area. The existing Liberty Aluminium foundry borders the site to the north and west, with commercial units to the south. To the east is the River Stour and green fields beyond.

The site is currently vacant but shares access with the foundry building, which has access to a service road that, in turn, forms a priority junction with the east side of the A451 Stourport Road. The site was previously occupied by the Forge Waste Recycling Centre.

The A451 Stourport Road is a well lit, single carriageway road which is subject to a 40mph speed limit. Hatched white markings are provided along the length of Stourport Road with a right turning lane provided to access the service road and subsequently the site. There are joint footway/cycleways on both sides of Stourport Road, providing a continuous route to surrounding amenities and public transport.

Access Vehicular access to the site is proposed via an existing shared access with the Liberty Aluminium foundry. The existing gates to the foundry site will be removed and replaced within the site. A 7.0m wide internal access road will provide access for delivery vehicles serving the PRP and EC, with a turning head provided at the eastern end of the site. The site proposals are seen to be designed in accordance with the WCC Streetscape Design Guide.

Drawing 1057-003 shows vehicle tracking of the site access using a 16.5m long articulated HGV. The drawing shows that the A451/Service Road junction and the site access road can adequately accommodate the proposed vehicle movements. Swept path analysis has also been undertaken for the internal site road layout and is considered acceptable.

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A new 2.0m wide footway is proposed on the northern side of the internal road, commencing near the site access junction and staff parking area, past the PRP and through to the entrance to the EC yard. Access for cyclists will be via the new internal road.

The site access junction with the Service Road provides visibility from an x distance of 2.4m to the south over a y distance of 30m. Visibility to the north is not shown due to an existing access to the immediate north of the site serving other industrial units. The WCC Streetscape Design Guide requests that speed surveys are undertaken to understand the 85th percentile speed of traffic, and visibility splays provided accordingly. WCC have reviewed the proposals and given the proximity of the access to the A451 junction to the north, and subsequently the slow approach speed of traffic on approach to the junction, visibility is considered acceptable.

The horizontal alignment of the A451 in the vicinity of its junction with the existing service road is straight, thereby providing acceptable stopping sight distances and visibility at the junction. It is understood that the service road junction with A451 Stourport Road has been widened previously in accordance with Condition 5 of the planning permission (Ref 14/0466/FUL) for the foundry.

Parking The WCC Streetscape Design Guide states that 'Commercial operators should have a good understanding of the needs of their business.....the applicant should provide a minimum parking provision for each development along with an evidence base to demonstrate the appropriateness of the provision'.

The site proposes 11 car parking spaces in the north west corner of the site, immediately south of the site access. 10 spaces are allocated for staff parking and one a visitors space. A footway linking the parking with the EC and PRP buildings is provided to allow safe access for pedestrians. Two disabled spaces are also provided at the eastern end of the site close to the EC. The TA also states that one further standard parking space is required for the office worker, potentially close to the EC buildings at the eastern end of the site, but this space is not marked on the proposed site layout plan.

The TA states that the development will employ 21 staff working on a shift rota; 0600 to 1400, 1400 to 2200 and 2200 to 0600. 2011 census data has been used to consider the likely number of car drivers to the site. Census data shows that 70% of those living and working in the WFDC area are likely to drive to work. Based on the shift patterns above and a maximum of 7 staff on site and a further 7 arriving at shift changeover, a 70% car driver usage would equate to a short-term demand for a maximum of 10 spaces. The Highway Authority consider the proposals to be acceptable.

It is not clear if the suggested office worker is part of the 21 staff, or in addition. Whilst a formal space for the office worker is not currently shown, there is space beside the two disabled bays that can be used.

The WCC Streetscape Design Guide requires that Electric Vehicle (EV) charging facilities should be provided, to encourage the use of electric vehicles. Initially, this should be 5% of the total parking spaces provided and a further 5% of the total parking spaces at an agreed trigger. The Highways Authority are happy to accept a minimum

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of one space being suitable for EV charging on the site. This will be covered by condition should planning consent be granted.

The TA states that two Sheffield cycle parking stands, providing parking for four cycles are proposed in a secure enclosure directly outside the EC building. However, the proposed site layout plan (drawing no 701-30 Rev C) shows a secure enclosure for 2 bicycles outside the PRP building and a secure enclosure for 2 bicycles outside the EC. Clarification of the proposed location/s is requested, as well as confirmation that the parking will be covered.

Based on 2011 Census, approximately 5% of those living and working in the WFDC area will cycle to work. This would equate to one person on site at any one time requiring cycle parking. The overall parking provision is therefore considered acceptable and subject to confirmation of its location will form a condition should planning consent be granted.

Trip Generation The EC and PRP are proposed to operate 24 hours a day, seven days a week, with deliveries taking place at any time. In order to consider a robust assessment, the TA has assumed that deliveries will take place 15 hours a day, between the hours of 0600 to 2100, seven days a week.

Trip generation has been calculated from first principles, based on the volume of material, vehicle capacity and assuming an even spread of HGV movements. Given the proposed shift patterns, staff would not arrive or depart the site during normal network peak hours.

The TA shows that no more than 4 two-way HGV trips would be generated during the AM and PM peak hours, with a maximum of 74 trips (including 44 HGV's) during any 24-hour period.

Traffic assignment has been assumed to be 50% via the A451 North and 50% via the A451 South, based on a wide catchment area for the incoming materials. This is considered acceptable.

Highway Impact at the time of writing, the United Kingdom is in the midst of the COVID-19 pandemic. As a consequence, the TA has been written on the basis of the available traffic data and without a recent site visit.

Traffic data from the Forge planning application TA (Ref.14/0466/FUL) has been used to consider traffic flows at the site access, the service road and its junction with the A451 Stourport Road and Oldington Lane. To substantiate this further, a 12-hour turning count (January 2017) has been used at the A451 Stourport Road/A4420 Silverwoods Way roundabout junction to the north of the site, along with a number of Automatic Traffic Counts (ATC's) on the A451 Minster Road to the south, undertaken in November 2019.

TEMPro growth factors have been used to consider an opening year assessment in 2022 and a future year assessment in 2027 and 2032. Assessments have been considered during the network peak hours only, as during all other time periods traffic flows (with development) are seen to be less than the daily peaks. The forecast traffic

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flows with and without development traffic have been compared to consider the impact of the development on the surrounding road network.

Given that there will be a maximum of 4 two-way movements from the site during the AM and PM peak, the impact of the development on the A451 Stourport Road/Service Road junction is considered to be low in all future year assessments. Whilst HGV movements are seen to increase by 10% this is due to a currently low number of HGV's using the junction and is not considered severe.

Overall, the proposed development is not considered to have a significant impact on forecast 2022 traffic flows at the junction and no further analysis of the junction is considered necessary.

Further afield, the increases in traffic on the A451 Stourport Road and A451 Minster Road are also seen to be low (0.1%). Any increase is seen to be within normal daily fluctuations and no further assessment is considered necessary.

Network Safety Collision data has been obtained for the last 3-year period using Crashmap (www.crashmap.co.uk). A review of this data (2017-2019) indicates that there have been no reported injury accidents at the site access, on the service road or at the service road junction with the A451 Stourport Road.

One slight injury accident is recorded on the A451 Stourport Road between the service road junction and the traffic signal-controlled junction with Oldington Lane and Walter Nash Road West. No injury accidents are recorded at the traffic signal-controlled junction. Two serious injury accidents are recorded on the A451 Stourport Road north of the service road junction, in the general vicinity of Foley Drive. A fatal accident involving a single vehicle is recorded on the A451 Minster Road, south of the traffic signal-controlled junction with Oldington Lane and Walter Nash Road West. None of these injury accidents involved pedestrians or cyclists and none involved HGVs.

Review of the collision data does not indicate any significant concerns on roads local to the site. Furthermore, none of the accidents were seen to occur due to highway design and/or safety issues.

Sustainable Travel Internal Layout The site has been designed to tie into existing footways on the surrounding highway network serving the site. Pedestrian access is proposed via the main site access, with segregated footways provided internally to allow safe passage for pedestrians. Cycle access is provided via the main vehicular access and due to low traffic volumes and a wide carriageway is considered acceptable.

Walking and Cycling The site is located within an existing industrial and commercial business area, which is considered to have good walking and cycling provision available. Footway is provided along both sides of the Service Road and Stourport Road, which tie into the site. Pedestrian crossing facilities are provided on the A451 Stourport Road at the traffic signal-controlled junction with Foley Drive some 200m north of the site.

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Traffic free cycle lanes are provided on both sides of Stourport Road. The facilities continue to the north alongside the A415 towards the centre of Kidderminster and nearby residential areas. To the south, the facilities continue on the east side of the A451 to Stourport-on-Severn where they link with the National Cycle Route (NCR) 45. NCR 45 continues to Bewdley to the northwest and to Droitwich and Worcester to the south. Oldington Lane is recorded on the Wyre Forest Walking and Cycling Guide as a route recommended by cyclists. The eastern end of Oldington Lane provides access to NCR 54 which runs alongside the Staffordshire and Worcestershire Canal, continuing north of Kidderminster town centre and south to Stourport-on-Severn.

Public Transport Kidderminster railway station is located approximately 3km north-east of the site. This is considered to be beyond a reasonable walking distance, however it is considered acceptable for cycling. With secure, covered cycle parking provided at the station and segregated cycleway, including NCR54, providing a safe route to/from the site.

The nearest bus stops are located on either side of the A451 Stourport Road to the west of the site. Shelter, timetables and seating are provided at both stops. The southbound stop is positioned approximately 120m from the site and the northbound approximately 170m. Further bus stops (flag only) are provided on Walter Nash Road West, approximately 400m from the site.

Under normal operating conditions it is understood that the Stourport Road bus stops provide 6 daily services (15A and 15C) to Stourport-on-Severn and Kidderminster (including the Railway Station). Whilst the Walter Nash Road bus stops provide 3 services an hour (Mon-Sat) and 1 bus an hour (on Sunday) in each direction, between Kidderminster Bus station and Stourport-on-Severn.

WCC consider that access to/from the site by foot and cycle is good, with suitable provision provided by the development to link into existing routes. Access via public transport for staff living in Kidderminster and Stourport-on-Severn is also seen to be acceptable, however due to the 24-hour shift patterns, certain staff would be unable to use the bus network due to reduced services during off-peak times.

Travel Plan Section 1.4 of the TA states "As the proposed development will employ only a small number of staff, it is considered that the provision of a Travel Plan document is not appropriate". The Highway Authority consider this to be unacceptable. The WCC Streetscape Design Guide is clear, stating that every Transport Assessment or Statement must be accompanied by a Travel Plan. It is therefore a requirement for a Travel Plan to be submitted for approval and will be covered by condition should planning consent be granted.

Construction The construction stage of the development is anticipated to commence in late 2020/early 2021. Works will take place Monday to Saturday, between 0600 to 2000 Mon-Fri and 0700 to 1700 on Saturday.

The initial ten-week period of the construction stage requires the removal of excess material from the site and the importation of top soil and road base via HGV's. Assuming construction takes place over the five-day week (although construction is also proposed for Saturday), this would generate 20 two-way HGVs trips. Routing of

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these vehicles is predicted to be from the north, accessing the site via the A451 Stourport Road.

The remaining construction stage of concrete slab formation will take place over 23 weeks and will generate six to eight two-way HGVs movements. Later stages are forecast to generate fewer HGV's. Further low volume trips are also predicted to be generated by workers and delivery vehicles.

A Construction Environmental Management Plan, setting out the proposed hours of operation, routing, access proposals and site details will form a condition on any successful planning consent.

Worcestershire Regulatory Service (Nuisance)

Construction Noise and Vibration:

The submitted noise and vibration assessment predicts that noise vibration levels at the nearest sensitive receptors, during the construction phase, would be acceptable and not require any specific mitigation measures to be employed. However, the applicant should submit a Construction Environmental Management Plan detailing the measures to be taken to minimise noise, vibration and dust emissions during the construction phase for further comment. The CEMP should be in line with the recommendations of the WRS Demolition & Construction Guidance.

Operational Noise:

The submitted noise assessment appears satisfactory in terms of the methodology used and the conclusions reached. The assessment predicts that with noise mitigation measures applied to the main exhaust stack noise during the operational phase should not adversely impact the nearest noise sensitive receptors in terms of BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound and BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings. However, I would recommend, that if the application is granted, a condition requiring the applicant to undertake post completion sound testing should be imposed and the results submitted for comment and approval. Prior to the post completion sound testing being undertaken the applicant should submit a sound testing methodology for comment and approval. The proposed HGV delivery times of 06:00 – 21:00 are acceptable.

Operational Odour Emissions:

The submitted Odour Risk Assessment / Odour Management Plan appears satisfactory. The risk assessment predicts a low risk of odour emissions from all of the proposed activities with the proposed odour mitigation measures implemented. However, I would recommend that compliance with The Odour Management Plan should be conditioned.

Operational Dust Emissions:

The submitted Dust Risk Assessment appears satisfactory and predicts that, with the implementation of the stated mitigation measures detailed in Table 12, dust impacts at the nearest sensitive receptors will be negligible. I therefore have no objection to the application in terms of operational dust emissions.

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Operational External Lighting:

The proposed external lighting scheme appears acceptable and should not adversely impact the nearest sensitive receptors. I therefore have no objection to the application in terms of light nuisance.

Operational Pests: The applicant should submit a Pest Management Plan for comment and approval.

Worcestershire Regulatory Services (Contamination and Air Quality)

Air Quality:

Chapter 9 (Air Quality & Human Health) of the Environment Statement is satisfactory and concludes that overall air quality, construction, plume and human health impacts associated with the development would be not significant. Therefore WRS have no objection to the application in terms of air quality.

Contaminated Land:

Paragraph 10.7.2 of Chapter 10 (Geo-Environmental) of the Environment Statement states "Prior to development it is proposed to update the existing Detailed Quantitative Risk Assessment (DQRA) for the site. This will then be used to assess the need for remediation." Knowledge of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

Canal & River Trust

Request additional information on landscaping and visual impact, stack height, drainage and lighting.

Environment Agency

Environmental Permitting including emissions to land air and water An Environmental Permit (EP) is required, from us, under the Environmental Permitting (England and Wales) Regulations (EPR). The application would be for a Bespoke Permit 5.1 A(1)(b) – The incineration of non-hazardous waste in a waste incineration plant or waste co-incineration plant with a capacity exceeding 3 tonnes per hour. Further information and application forms are on our website at: <https://www.gov.uk/guidance/a1-installations-environmental-permits> This permit would control amongst others, emissions to air, land and water, fugitive emissions, noise, odour, pests and fire prevention. The permit would implement the requirements of EU Directives on Industrial Emissions and Waste. Operations at the site (relevant to the installation boundary) and measures to prevent pollution will be regulated by the EP.

An application to us for a permit under the EPR has not been submitted to date. We previously advised the applicant could 'twin track' an EP application with the planning application to enable us to provide you with more certainty on some emissions. We would encourage the 'twin tracking' of the EP, with the aim of encouraging more comprehensive submissions and thereby more informed, and speedier decisions i.e. more detailed information should be available to enable sufficient consideration of key land use issues and so assist in your determination of the planning application.

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The applicant will not be permitted to operate the Energy from Waste (EfW) plant unless and until such time as a permit is granted, and then only insofar as the conditions in the permit are complied with. During our permit determination we will assess whether the applicant has demonstrated that it will comply with the requirements of both the Waste Incineration Directive (WID) and the Integrated Pollution Prevention and Control Directive (IPPCD). This will require the applicant to demonstrate first that it is using the Best Available Techniques (BAT), and that the EfW plant does not result in significant pollution or harm to human health.

When assessing the application for a permit, if we conclude that a permit should be granted we will set conditions in the permit reflecting the relevant statutory requirements. If the applicant does not demonstrate an ability to comply with such conditions, the application will be refused. In this way we will ensure that all the relevant environmental considerations will be properly addressed by our determination. With regard to this planning application, you should regard the recovery of energy from the incinerator as a significant factor when considering the location of the proposed development. We expect applications for an EP for an EfW plant to include an explanation of how energy recovered from the incineration process will be maximised. Normally, as a minimum, this includes the recovery of energy by raising steam for generating electricity. However, to maximise energy recovery, it would also be desirable for the incinerator to recover the remaining low grade waste heat, e.g. through combined heat and power, district heating or the supply of steam / hot water to neighbouring industrial users. This requires the presence of potential customers for the waste heat reasonably close to the incinerator.

Air Quality - The ES confirms the impacts on local air quality as a result of the construction and operation of the proposed EWF. In line with the above, we will regulate the atmospheric emissions from the plant's main chimney stack. The ES outlines best available techniques and based on the air quality assessment considers a variety of potential stack heights, to consider dispersion of pollutants. The air quality assessment has confirmed that a 50m stack is regarded as being an option that gives acceptable environmental performance. The Air dispersion modelling as submitted indicates emissions from the operations would have negligible effects on air quality. We will be reviewing this, in more detail, with the permit application, which will be assessed against the requirements of European legislation, developments in technology and an appraisal of pollutants released from the site on local air quality.

The permit application will include a screening assessment of relevant conservation and assets e.g. ecological sites including the Staffordshire and Worcestershire Canal LWS, River Stour LWS and the Wilden Marsh and Meadows SSSI; and we would consider this in more detail at that time. The ES confirms that emissions from the proposed operations upon such receptors can be screened out as insignificant.

Noise - Noise modelling submitted indicates no effects during daytime on residential receptors but overnight noise from the site will exceed background noise levels. It is proposed that a 'stack silencer' will be used to ensure the impact is negligible. This could be ultimately controlled via the EP.

Odour - The odour modelling as submitted indicates negligible effects of odour.

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Surface water - We note that the existing mains drainage system will be utilised. The applicant should ensure that this is operating satisfactorily and of sufficient capacity to cater for the proposed use in consultation with Severn Trent Water Limited.

Details of the site infrastructure including fire prevention will be dealt with during the EP application stage. It is however essential from a groundwater quality protection perspective that all areas for waste handling and operations are underlain by impermeable hardstanding, with a sealed drainage to prevent potential discharge of contaminated water to controlled waters. In particular, waste bunkers should be impermeable and regularly maintained to ensure that there is no possibility of groundwater contamination occurring. Appropriate ongoing assessment of the integrity of waste bunkers must be undertaken as well as adequate maintenance. These details are likely to be required and controlled by the permit application.

With regard to fire prevention, the operator will have to submit a fire prevention plan (a likely permit condition) which addresses storage of waste including pile heights, pile sizes, spacing etc which will need to be approved by us.

In summary, without prejudice to any future permit application, based upon the information submitted and the comments above, we have no significant cause for concern in relation to the proposal including surface water quality/management, air quality, and noise and odour considerations.

Contaminated Land and controlled waters

Site Specific Information / Comments This site is located above a Principal Aquifer, Source Protection Zone (SPZ3), WFD groundwater body, WFD drinking water protected area and is within 40m of a surface water course and is 50m from a SSSI. We consider the previous industrial and landfill land use to be potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.

The Environ, Scope for Updated Controlled Waters DQRA (Ref: DJS/MR/UK1520682_1-DQRA Scope 2015; 27 March 2020) recommended further groundwater monitoring (including for heavy metals) and an updated DQRA. It is understood that these recommendations have not been actioned. The Enzygo Phase I Preliminary Risk Assessment (July 2020) recommends updating the DQRA, and acknowledges heavy metals in Table 6 Conceptual Site model; whereas, the ES Ch. 10 Geo-Environmental (August 2020) states "10.6.4 No significant impact from metals has been identified in the groundwater and so risks to controlled waters from general contamination in the Made Ground and landfill foundry sands is dismissed." No further justification is provided and we do not accept this statement at this stage. It is acknowledged that the updated DQRA is proposed to include the canal as a receptor, but for contaminant sources on the Application Site only. We welcome the addition of the canal; however, we have previously commented that in addition to groundwater and the river, the CSM DQRA should also include the SSSI, as it is in part 'groundwater fed'.

We have previously commented that because of the location of monitoring wells any contaminant plume down gradient of the tank farm may not be fully characterised.

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Furthermore, the presence of a buried channel feature may be pertinent and the geological information should be used to create cross sections on which the refined conceptual model can be based as the buried channel may influence the flow directions locally.

It is understood that the landfill permit was not formally surrendered.

Based on the above we will expect further intrusive site investigation works and comprehensive monitoring and analysis to inform the CSM and DQRA including possible remediation and monitoring requirements.

In addition to TPH, further analysis and assessment for heavy metals (including cadmium, chromium, copper, nickel, lead and zinc) should be undertaken. Because the site was subject to the fire incident, which may have mobilised contaminants with fire water run-off, and because of the potential to be present in fire-fighting foams, analysis and assessment should also include the per- and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (PFOA) and perfluorooctanesulphonate (PFOS).

North Worcestershire Water Management

No objection subject to condition. I have now been able to review the revised 9-part Flood Risk and Drainage Management report (Appendix 8, Betts Hydro, Jan 2021) which includes the proposed surface water drainage strategy as an appendix (MCN, Appendix J, July 2020, Ref:TFK-2020-07/D1 Rev P4). The proposed discharge rate is 5 l/s which is acceptable and attenuation storage is proposed to deal with the 1 in 100 year + 40 % climate change allowance event. Betts Hydro's report includes a section on water quality treatment (5.2.11) but does not actually include an assessment. It states that the SuDS Manual has identified the site land-use pollution level as medium and that therefore a two-stage management process is provided using integrated filtration trenches and full retention class 1 rated interceptors, before surface water is discharged into the public surface water sewer. I do not know whether this would be deemed a sufficient assessment, and do wonder whether the Environment Agency has flagged up any concerns. It would be my understanding that detailed design to address any water quality concerns could be sufficiently covered in a future discharge of condition application and would not be a reason to withhold approval of the application. I understand concerns were raised by others regarding overland flows during exceedance events or a pollution incident. The report details in 5.2.12 that an existing bund is located on the site's eastern and southern boundaries which prevents overland flows due to exceedance from the drainage systems onsite from reaching the canal. As part of the proposals this bund will be improved to prevent runoff from discharging overland directly to the canal. The report stated in 5.2.13 that the proposals are to install a shut off/isolation valve on the surface water outlet within the private system prior to the runoff leaving site so that any pollution incident can be managed without the risk of polluting the canal. This valve will be used to seal off and contain any potential pollutants from leaving the site. Depending on the nature of the pollutant the contaminated surface water can then be removed by tanker and treated as controlled waste and disposed of in the appropriate way. Section 8.8 does mention a potential adoption of the drainage system by either STW or WFDC. The Council (WFDC) will definitely not adopt a drainage system and I doubt STW will in this instance as it serves a single site only. This means that the site owner/occupier will

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remain solely responsible for incorporating an appropriate maintenance regime to mitigate the risk of any blockages or other defects within the foul and surface water system. I believe the submitted information has sufficiently answered the queries contained in my original consultation response to remove my original objection.

County Ecology

I am not satisfied that sensitive ecological receptors both locally and further afield are adequately protected. Furthermore the EIA Scoping Opinion (Worcestershire County Council, July 2020) identified some key information to be included within the full application, but these do not appear to be fully addressed. I recommend that further information is requested on the points below before determination, to give confidence that protected species and habitats will be appropriately safeguarded during both the construction and operational phases, and that the HRA screening letter conclusion (Ensafe, ref. 1082289/200807/HRA, dated 07/08/2020) is valid (according to The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act and Wildlife 2006 as amended, and Countryside Act 1981 as amended).

County Landscape Officer

Having reviewed details of the scheme I have, in principle, no objection on landscape grounds. However, I do share the concerns raised by the Canal and River Trust with regard to the woodland and scrub to the east of the site. While the outline landscape scheme has potential to provide some functional screening of lower elevations it seems, in practice, this will be more of a contribution towards the more effective screening already in place along the canal and river corridor. Its value is noted in the LVIA: (paragraph 8.7.26) Existing woodland on sloping land to the east of the site adjacent to the Staffordshire and Worcestershire canal is a prominent landscape features and provides screening in views toward the development from the surrounding area particularly from the Stour Vale/valley floor to the east and the canal towpath. I understand that we must assess the scheme based on its red line boundary, however, given the vertical scale of the tallest proposed buildings (not the stack) I believe it will be essential to negotiate an undertaking with the relevant landowner/s to secure the long-term maintenance of established soft landscaping. I recognise this is not likely to be straightforward and an effective area of woodland would have to be defined first. Given its proposed height of 50 metres, it will be impractical to attempt screening of the stack, and I agree this will impose the most significant residual effect in terms of visual impact. The canal and river corridor is a major green infrastructure feature that supports a wider multifunctional network in Kidderminster. Therefore, notwithstanding the matter of the adjacent woodland, the landscaping scheme should explore every opportunity, within the context of site constraints, to maximise the screening and softening of the development, and deliver biodiversity enhancements. At this point, I do not consider it possible to separate the matter of new landscaping opportunities from the issue of securing management of the landscape setting. Therefore, I would recommend this matter is addressed prior to determination. If you are minded to grant consent then I would recommend the following condition wording is attached to the decision notice to secure the detailed design, delivery and aftercare of a landscaping scheme that should appropriate ecological enhancements.

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County Public Health

No objections and no comments to make

Natural England

Natural England considers that the proposed development will not have significant adverse impacts on Wilden Marsh and Meadow SSSI and has no objection subject to suitable conditions.

Worcestershire Wildlife Trust

No objections subject to conditions.

Kidderminster Civic Society

Energy from Waste - Although we can anticipate that local health concerns will be scored only moderately (and reliance placed by the authorities on the operator of the incinerator complying with EA standards) we think it would be remiss not to mention such concerns and the specific issue that the area will have three significant incineration facilities (this PGW one, Hartlebury, WFDC crematorium) if this proposal is approved - and the crematorium and this one stand in very close proximity. If the proposal is approved we would expect that the approval sets down conditions to ensure that the operation of the proximity principle is formalised.

Plastic Granulation / Recycling - Some recognition of the need to identify and mitigate risks from micro- and nano particles being generated as a result of this process, and also being a possible health risk, should be part of any approval. This facility will, it would appear, have several hundred tonnes of plastic waste stored on site at any time prior to processing. We are all too well aware of the risks and consequences of plastic fires from the experience of previous operations on this very site. There is a high prevalence of plastic fires on waste disposal sites - three major such fires this year in England- and the Fire Service generally has noted the time and resources such fires demand. We would anticipate that scrupulous attention will be paid to this safe storage of plastic and access of emergency services to the site. Increased traffic to the site needs stipulating as to limits and ongoing monitoring (noting the new road but much increased traffic will surely be where the single lane A449 enters the town). Mention is made of local but this is a flexible word - the applicant should define precisely the area from where they will obtain their waste. This should then be monitored. Waterbeach is known and we can understand their concerns, but that does not detract from the environmental visual aspect of the Stour Valley, river and canal landscape - which itself is something special. Visual impact in this area with a linear Conservation Area adjacent and River Stour and SSSI Wilden Conservation area needs safeguarding. The canal and towpath are part of the town's leisure attraction. Noise emanating from the site needs close monitoring. Stack emissions and their effect on the environment are major issues and any decisions taken must consider the suitability of this location. Some years ago Mercia Waste failed to convince Worcestershire County Council planning committee in a bid to build a large general waste incinerator on the site further down the Stourport Road now containing the Leisure Centre and housing.

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3.0 Site Location and Description

- 3.1 The site lies on the Stourport Road in Kidderminster, located within the Kidderminster Enterprise Park and is surrounded by commercial and industrial premises. The application site, the former Lawrences Recycling Centre, has been used as a die-cast forge since 2015. The approval in 2014 only affected part of the site leaving the remainder for development at a later date, this effectively is the phase 2 development which was anticipated by the former approval.
- 3.2 The site is allocated within the Site Allocations and Policies Local Plan for employment uses and is allocated within the Worcestershire Waste Core Strategy as a retained waste site. Beyond the site to the east at a lower level lies the Staffordshire & Worcestershire Canal, which is a Conservation Area and Wildlife Site. Further to the east is land within the Green Belt and to the north east is the Wilden Marshes SSSI.
- 3.3 The application is submitted in full, the Applicant seeking to develop and operate an Energy and Resource Park which includes, an Energy Centre, and a Plastics Recovery Plant. The Proposed Energy Centre will process up to 75,000 tonnes of non-hazardous residual waste materials from a variety of sources which will be collected and segregated prior to being delivered to the site. The Energy Centre will generate 5MWe of low carbon energy from materials which would otherwise be disposed of to landfill. The Plastics Recovery Plant will accept approximately 30,000 tonnes of plastics which have reached the end of their useful lives. The materials will be sourced from a number of local facilities which will collect and clean the plastics before they enter the site. The plant will be powered by the low carbon energy generated from the Energy Centre to turn plastic waste into pellets for use in the manufacture of new products, such as garden furniture.
- 3.4 The proposal is a County Matter and is to be determined by Worcestershire County Council. The District Council have opportunity to consider the proposal and make a consultation comment to the County. Whilst the response to the consultation can be given by the Development Manager under the Council's scheme of delegations, on this occasion, the views of Members are sought to inform the response that is given.

4.0 Officer Comments

- 4.1 Planning policy at National and County levels seeks to provide waste developments within the County in a sustainable and efficient way for the benefit of existing and future generations. The National Planning Policy for Waste sets the framework for determining these applications. The District Council is not the determining authority in these types of application, which fall to the County Council for determination, although the District has a formal duty to provide a consultation response to the proposal. The application is supported by a comprehensive Environmental Statement that fully considers the proposal and its impacts.
- 4.2 The proposed Energy Centre will process up to 75,000 tonnes of non-hazardous residual waste materials from a variety of sources which will be collected and segregated prior to being delivered to the site. The Energy Centre will generate 5MWe of low carbon renewable energy from materials which would otherwise be disposed of

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to landfill. This energy will be used to support local businesses and add capacity to the national grid. In particular, the Energy Centre would provide sufficient low carbon electricity to directly support a doubling of the output and jobs at the adjacent Aluminium Foundry. The Plastics Recovery Plant will accept approximately 30,000 tonnes of plastics which have reached the end of their useful lives. The materials will be sourced from a number of local facilities which will collect and clean the plastics before they enter the site. The plant will be powered by the low carbon energy generated from the Energy Centre to turn plastic waste into pellets for use in the manufacture of new products, such as garden furniture. The following built elements are proposed;

- An access road and associated weighbridge;
- A Plastics Recovery Plant
- An Energy Plant / Fuel Reception Building
- A chimney stack at 50 metres in height
- Increase to earth bunds to the rear; and
- A retaining wall.

4.3 Paragraph 7 of the National Planning Policy for waste states the following;

When determining waste planning applications, waste planning authorities should:

- *only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;*
- *recognise that proposals for waste management facilities such as incinerators that cut across up-to-date Local Plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the Local Plan, will not undermine the objectives of the Local Plan through prejudicing movement up the waste hierarchy;*
- *consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies;*
- *ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;*
- *concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced...*

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4.4 It is clear that the planning considerations are focused on the impact of the local environment and on amenity. Considerations on health impact should be based on advice from relevant health bodies and not based on other factors, relying on the appropriate authority (Environment Agency and Worcestershire Regulatory Services) for enforcing pollution control. Appendix B of the policy statement provides further focus of the considerations on local environment and amenity, it states that the following factors should be taken in account as part of the determination or consideration of any proposal;

- a. *protection of water quality and resources and flood risk management*
- b. *land instability*
- c. *landscape and visual impacts*
- d. *nature conservation*
- e. *conserving the historic environment*
- f. *traffic and access*
- g. *air emissions, including dust*
- h. *odours*
- i. *vermin and birds*
- j. *noise, light, and vibration*
- k. *litter*
- l. *potential land use conflict*

These factors will form the consideration of the proposal by the District to provide comment to the County Council, along with the principle of development.

PRINCIPLE OF DEVELOPMENT

4.5 The site is located within an established allocated area for employment with the District's Site Allocations and Policies Local Plan and within the Kidderminster Enterprise Park, an area where strategically the Council would expect to see employment growth and the location of industrial processes. In addition, in view of the previous use of the site as waste recycling site, the County's Waste Core Strategy allocates the site as a waste site within the District. The proposal for an energy centre that deals with waste is an employment generating use that utilises industrial processes. Such uses are acceptable in principle, in this location and would accord to strategic policies within the development plan, subject to detailed considerations.

FLOOD RISK AND LAND SUITABILITY

4.6 The application has been supported by a Hydrology and Flood Risk Assessment and Slope Stability Study. The site is not at risk of flooding although it is located above a sensitive groundwater area. The comments of the Environment Agency and North Worcestershire Water Management are critical, both raising no objections on flooding or drainage subject to suitable conditions. In additional it is noted that an appropriate assessment of slope stability has been submitted, which appropriately identifies the site as being stable and not subject to slope instability. It is considered that the proposals have fully addresses, flooding, drainage, and slope stability.

LANDSCAPE AND VISUAL IMPACT

4.7 The immediate setting of the site is seen in the context of Stourport Road corridor and the surrounding industrial and business developments. The area is characterised by large industrial scale buildings, some of which have tall chimney stacks. The site is on

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the elevated section of Stourport Road, the land form falling to the rear towards the Staffordshire and Worcestershire Canal and then to the open land of the Green Belt that runs to Wilden Lane. The main elements of building structures will be detached but close enough to appear as joining, but lower than, the existing Liberty Castings building. The buildings are proposed to be located to the side and rear of the existing building. The largest visual element of the development is the 50m stack that is required as part of the pollution control requirements.

- 4.8 It is fully appreciated that the existing site will be seen from within the Green Belt and the countryside setting from Wilden Lane. However, a substantial tree belt punctuates the view when looking towards the Stourport Road. The addition of the Energy Centre, and store will not be readily visible, from the main public views from the East, although a view of the flank of the building will be seen from the Bridleway that runs between Wilden Lane and Canal. Subject to the use of the correct materials, the impact of the additional buildings will be negligible and will be seen in the context of the existing building and the surrounding industrial setting of the Stourport Road. Whilst the chimney stack at 50m in height is tall, when viewed from Wilden Lane, it will be masked by tree line and will be seen in the context of Burlish Top Transmitter, in this context the chimney stack will not look out of place or unusual. From the Bridleway, the chimney will be more visible on the skyline, but again it is seen in the context of the wider industrial area and would not limit any distinctive views. Due to the position and topography surrounding the canal and its towpath, no distinct view will be able to be achieved, although there may be glimpses. When viewed from the Stourport Road, the side building and chimney stack will be seen as part of the industrial setting of the building and will not impact on the limited views into the Green Belt.
- 4.9 The proposals include the increase of height of existing earth bunds and substantial landscaping across to the rear and sides of the building. This will supplement the existing screening providing a suitable landscaping arrangement when viewed from the rear and provide a robust mature green edge in future years.
- 4.10 The no objection comments of the County's Landscape Officer are fully noted as is the need to secure the maintenance of the landscaping long term through appropriate conditions. I would fully agree with this conclusion for the reasons set out above.

NATURE CONSERVATION

- 4.11 Whilst there is no direct ecological or nature conservation impact in respect of the building on the site, Wilden Marshes SSSI lies in relative close proximity. Natural England and the Worcestershire Wildlife Trust have fully considered the proposal, asking for additional information as part of the process. The addendum to the Environmental Statement has provided additional clarity in respect of the impact on the SSSI and wildlife sites, through direct and indirect impacts. These have been fully considered and mitigated as part of the proposal, resulting in the relevant consultees offering a no objection response subject to conditions. It is evident, that the additional industrial process will not result in adverse harm to nature conservation as any harm can be suitably mitigated.

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CONSERVING THE HISTORIC ENVIRONMENT

- 4.12 The Council’s Conservation Officer agrees with the Heritage statement that the minor visual harm of glimpses of the proposal amount to less than substantial harm to the heritage asset of the Conservation Area. I agree that there will be a change visually, although this will be minor, and taking the wording of the National Planning Policy Framework precisely, this will be classed as less than substantial harm. Such harm is at the lower end of the scale and it described by the Heritage Statement as of low magnitude. Paragraph 196 of the Framework allows non substantial harm to be outweighed by public benefits. Given the minor level of the harm, the level of public benefits needs to be of low magnitude. It is accepted that benefits will be presented later within this report, but for the purposes of this consideration it is concluded that there are benefits that are sufficient to outweigh this minor harm to heritage assets.

TRAFFIC AND ACCESS

- 4.13 The surrounding highway network has been designed and improved to accommodate high volumes of industrial and commercial traffic. The improvements in providing Silverwoods Way and the ongoing improvements to the A449 all provide a network suitable for this important employment area. The proposals seek to enhance the existing access arrangements, which are accessed from the service road that runs parallel to the Stourport Road. Access within the site will be separated from the existing use at Liberty Castings. Staff parking and service areas can be provided wholly within the application site.
- 4.14 The Highway Authority have fully considered the submitted Transport Assessment, which fully details proposed additional traffic generation and access arrangements, and models it against 2022 traffic projections. It is concluded that proposal will not result in any adverse impact on highway safety or traffic congestion in the locality. Taking into account the context in which the application site sits, I would agree that scale and nature of the proposal can accommodated within the existing highway network without resulting in adverse harm and that parking and access are appropriate to the use.

AIR EMISSIONS, ODOURS AND NUISANCE

- 4.15 The Environmental Statement has considered in detail the impact of the pollution and nuisance of the proposal, including noise. It will be seen from a number of the responses, particularly Kidderminster and Bewdley Town Council’s that there are concerns over the impact on residents and the surrounding area due to the environmental issues associated with this use, with the Civic Society highlighting concerns over health. As highlighted previously, the National Planning Policy on Waste focuses the consideration on health to relevant consultees, with the decision makers required not to concern themselves with the pollution control processes, this is a matter for Worcestershire Regulatory Services (WRS) and the Environment Agency as the pollution control and licencing authorities. Both consultees have evaluated the details contained within the Environmental Statement and concluded that there are no objections on pollution or odour grounds.
- 4.16 Lighting will be controlled to the access roads and service areas, which will mirror other premises in the locality. The lighting design shows that lighting will be directed and not result in light spill beyond the site. In this respect the lighting proposed is acceptable.

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4.17 A Noise Assessment has been considered by WRS and found to be acceptable subject to HGV delivery hours. This will restrict large vehicle journeys from and to the site on the surrounding network beyond 21:00hrs. There are no residential properties in close proximity to the site, although residential properties are within the locality. Any noise generated will be in the context of the existing industrial environment and as such there will be greater impact on residents than the existing situation. I would agree that restricting HGV movements will be needed to avoid any additional disruption of residents along the main transport routes.

4.18 In respect of these specific matters, it should be noted that the Environmental Permitted regime, which is controlled by the Environment Agency is rigorous and can be heavily enforced. In this respect, confidence be given that these matters will be also fully considered in greater detail and regulated as part of this process. Considering the advice contained with the Planning Policy Statement for Waste, it is therefore concluded that in respect of these matters than no objection can be raised.

CONFLICT OF OTHER USES

4.19 The nature and type of use sits well with surrounding businesses and will not result in conflict or restrict other operations. In particular, careful thought has been given to enable the Liberty Casting operation and the new Energy Centre to operate together without conflict. The proposed use sits comfortably in its situation and will not prejudice the continuation of commercial or industrial use as expected within this industrial area.

OTHER CONSIDERATIONS

4.20 The application proposal sets out 'other considerations' as benefits to the scheme under the Economic, Social and Environmental dimensions of sustainable development as set out within the Framework.

4.21 The planning statement sets out the following additional benefits to add to the planning balance;

- An Economic objective:
 - £30 million investment in the local area
 - The proposed development will provide sustainable waste management infrastructure which will provide Worcestershire and the wider area with the ability to manage their own waste in accordance with the proximity principle.
 - The proposed development also produces secure, low carbon and partially renewable energy which will be used by neighbouring businesses and the national grid.
 - Heat offtake will also be used by the neighbouring Liberty Aluminium Plant, helping to support this business' future operation.
- A Social Objective:
 - The proposed development will provide both temporary construction and 21 permanent operational jobs. These jobs will provide neighbouring service industries with greater footfall providing a wider social benefit.

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- The provision of secure energy will also enable local business to prosper and expand, knowing that they are not restricted to market changes in energy supply and costs. This is particularly relevant within the existing global crisis created by COVID19. It is estimated that this provision will allow Liberty Casting to expand to create approximately 100 additional jobs.
- In addition, a programme of education visits will be provided. Teaching school children and other interest groups about waste management and the need to sustainably manage resources.
- An Environmental Objective:
 - Central to achieving sustainable development is the effective management of a community's waste. The proposed development seeks to provide recycling capacity for plastics and extract energy from the fractions of waste which cannot be reused or recycled in accordance with the principles of the waste hierarchy.
 - Produce a new plastic pellet product from old plastics which will supply new manufacturing activities in the region.
 - Generate a new reliable local, low carbon electricity supply to sustain and promote the growth of local businesses and to supply the wider national grid.
 - Move the management of waste up the waste hierarchy through recovery of renewable, low carbon energy from waste left over after recycling, which would otherwise be landfilled or exported abroad
 - Reduce the need to landfill or export end of life/single use plastics, to help reduce the rise in plastic waste pollution across the globe.
 - Provide new jobs at the Energy and Resource Park and support more jobs locally, reducing travel to work journeys across the region.

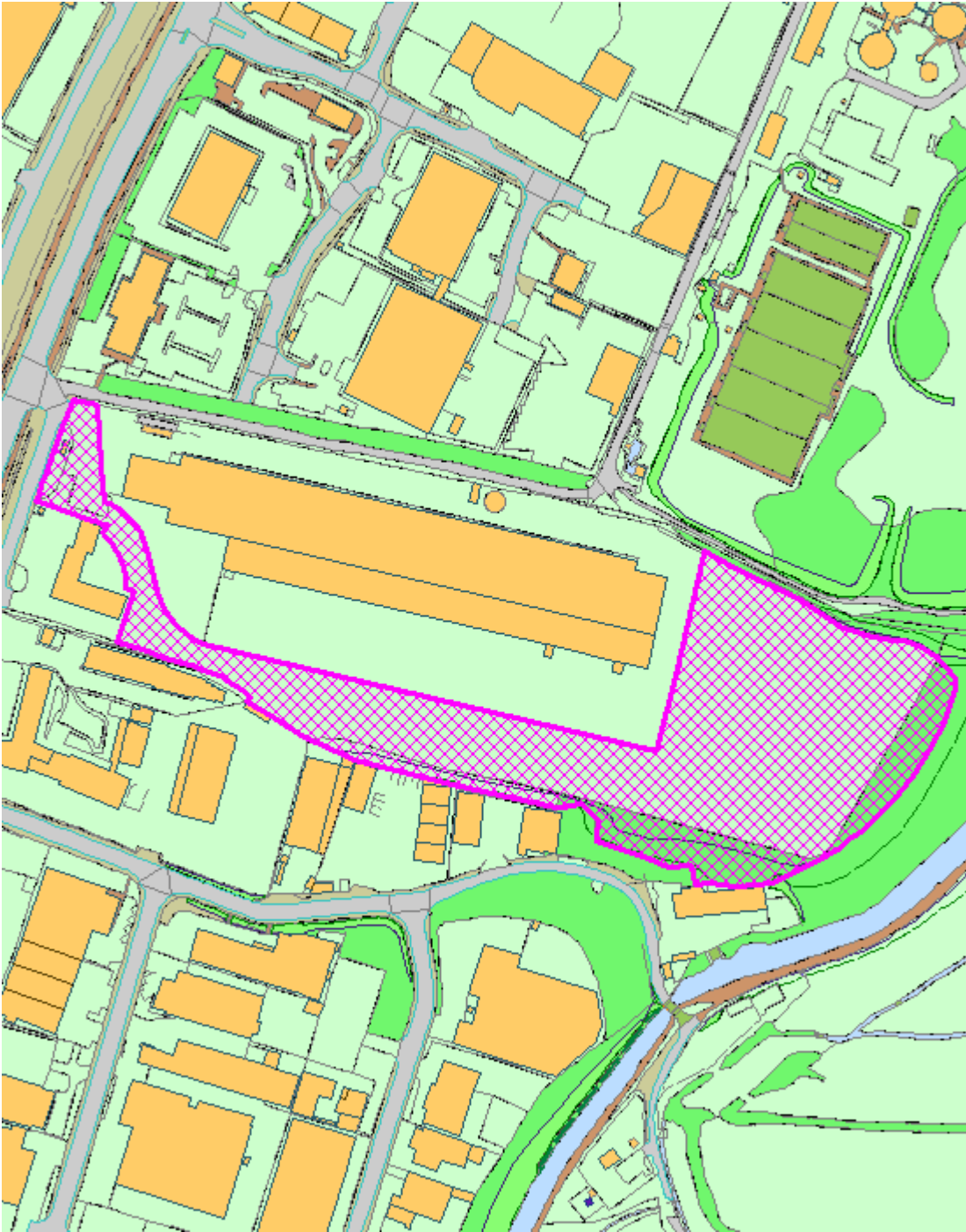
4.22 In addition to this the proposed development contributes towards the Government's renewable energy and low carbon targets whilst providing infrastructure to address the waste management capacity deficit within Worcestershire, in accordance with the National Planning Policy for Waste and the Worcestershire Waste Core Strategy.

5.0 Conclusion and Recommendation

5.1 The application site is previously developed land that is allocated for employment use and specifically as a waste site within the District. It will contribute the strategic waste management across the County and provide low carbon energy for the locality and the wider national grid, as well as recycling plastic materials. The site is well located and has been designed so as to minimise any visual impact on the immediate area and, whilst there will be some change to long range views from the east, any visual change will be seen in the context of the industrial setting in which the site sits. Therefore, any impact visually, including impact on the Conservation Area will be minor and can be outweighed by the public benefits of the scheme.

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- 5.2 Full consideration has been given to the environment impacts of the scheme, taking account of the environmental statement and the comments from technical consultees. The technical advice is that the proposal will not result in any environmental impacts that cannot be mitigated or adequately controlled within appropriate guidelines. In particular, the Environment Agency's Environmental Permitted regime provides a robust control of the development, throughout its construction and operational phases. In line with Government advice, there are no outstanding concerns that would allow the District to raise any concerns in Environmental terms.
- 5.3 The proposal will bring a number of benefits to the area, including financial investment, job creation, education and support for other businesses. It will be an important employment generator for the District, which has the potential for encouraging re-location to the area and expansion of existing employment generating uses.
- 5.4 Overall, the proposal complies fully with the development plan and the Governments aspiration for dealing with waste as set out with the National Planning Policy Statement for Waste. The detailed consideration has been fully considered and found to be acceptable, and the benefits of the scheme fully set out. There are no aspects of this proposal that warrant an objection being made by the District Council. Whilst the response to the consultation can be given by the Development Manager under the Council's scheme of delegations, on this occasion, the views of Members are sought to inform the response that is given.
- 5.5 It is therefore recommended that the Planning Committee agree that the Development Manager exercise delegated authority to provide **NO OBJECTION** response to the County Council on application 20/000034/CM, subject to appropriate conditions.



Economic Prosperity and Place Directorate

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