

DR/20/13

Committee DEVELOPMENT & REGULATION

Date 31 May 2013

MINERALS AND WASTE DEVELOPMENT

Proposal: **The change of use of land and the erection of buildings, hardstanding, roadways, parking and storage areas to enable the use of the site as a waste recycling and materials recovery facility.**

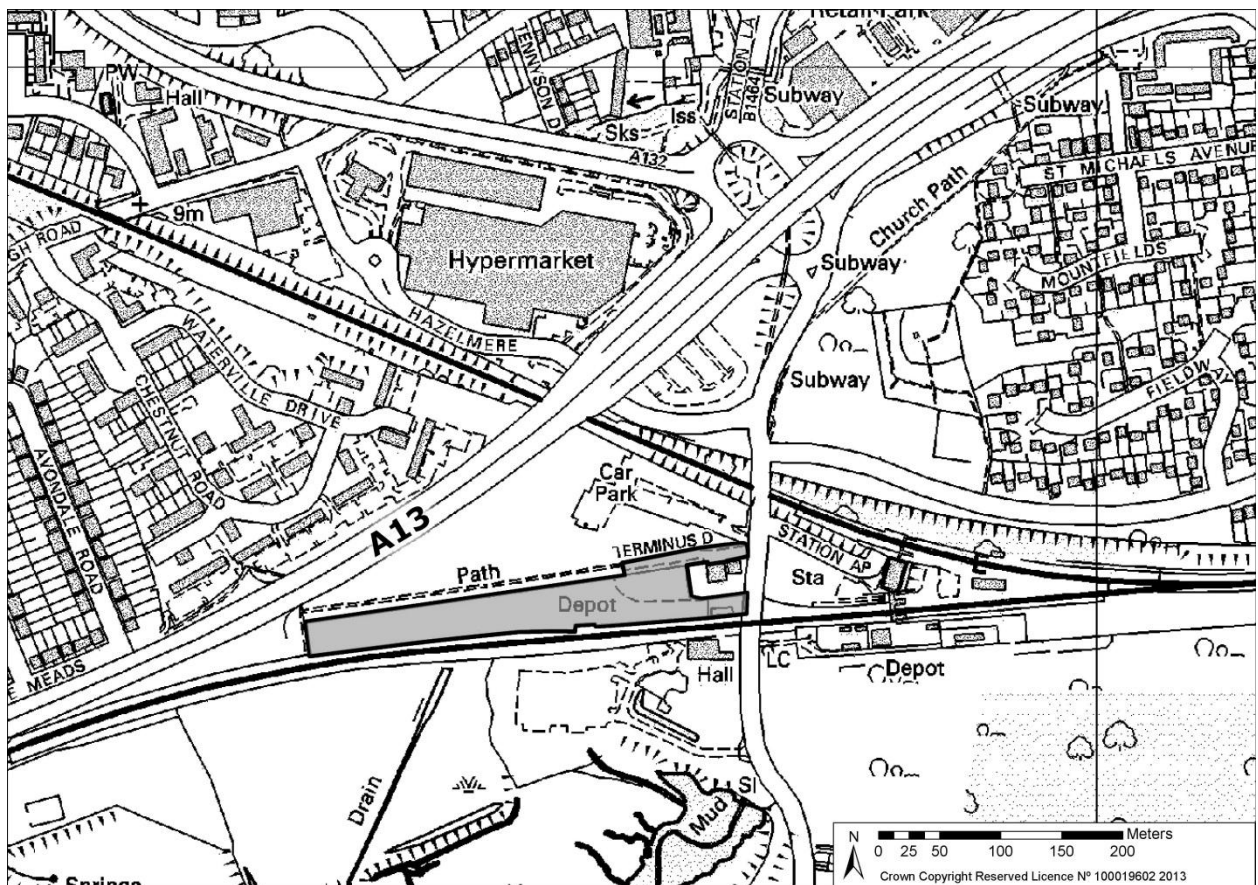
Location: **Land to the south of Terminus Drive, Pitsea Hall Lane, Pitsea, SS16 4UH**

Ref: **ESS/69/12/BAS**

Applicant: **Heard Environmental**

Report by of Planning, Environment and Economic Growth

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1. BACKGROUND

The applicant is currently operating a waste management business in Harvey Road, on the Burnt Mill Industrial Estate, Basildon, which was granted planning permission by Basildon Borough Council most recently in 1988 (BAS/1429/88). This application was for the change of use from storage yard to non-toxic waste handling facilities. On the Burnt Mills site, the applicant is involved with a wide range of activities such as demolition, site clearance and ground works.

The applicant has identified this site at Terminus Drive as being suitable for its needs and if planning permission were granted, would relocate from Harvey Road. The reason for seeking relocation stems from limitations on the existing site in terms of capacity and size, where there is no opportunity to expand within the Burnt Mills Industrial Estate.

2. SITE

The Terminus Drive site was vacant, but has a historical use as a minerals yard, which was involved with the importation of minerals and/or aggregate by road and possibly rail for onward distribution. The area itself had been granted permission in 1994 for car parking associated with proposed retail development (on Old Market Site), High Road, Pitsea (94/00384/BAS), although the proposed retail development did not occur. Within the Basildon Local Plan (1996), the area is designated as a proposed employment area (Policy E2).

The Secretary of State for Transport issued the Safeguarding Direction for Crossrail in 2008 for this site. The Direction requires local planning authorities to consult with Crossrail Ltd regarding planning applications within the limits shown on the safeguarding plans before granting planning approval as they may conflict with the proposed route.

Immediately adjacent to the proposed site in the east (between the application site and Pitsea Hall Lane) is an existing permission (93/00004/FUL) from Basildon District Council, which changed the use of Primrose Villa from residential to offices. There is an existing industrial building located behind Primrose Villa.

In terms of the locality, Terminus Drive is located to the south of Pitsea town centre. The site itself adjoins the London to Shoeburyness railway line, with Pitsea station to the southeast. To the south, beyond the railway line (approximately 10m), is the Vange Creek Marshes (LWS) and Cromwell Manor, which is a Grade II listed building used as a wedding and conference venue, which is also approximately 10m from the site boundary. Terminus Drive is approximately 150m to the north of the existing Pitsea Landfill site, which once restored will also become an RSPB reserve and part of the Wat Tyler country park.

The site is in close proximity to the A13 flyover on the western end of the site, beyond which is a large retail development and residential area, while Pitsea Mount

is located approximately 50m to the northeast. The nearest dwelling is 60m to the northwest of the site.

Footpath Vange 136 is adjacent to the northern boundary of the site and would traverse the site access, which is already used by the existing commercial/industrial activities permitted by 93/00004/FUL.

3. PROPOSAL

The application is for the change of use of land to enable the use of the site as a waste recycling and materials recovery facility. This would include the erection of a building within which waste would be sorted and materials recovered, with associated offices and hardstanding. The site itself covers an area of approximately 1.24 hectares and it proposed that the annual throughput of waste handled at the site would be 49,000 tonnes. Of this total approximately 10% would be household waste, 60% commercial and industrial waste and the remaining 30% would consist of construction & demolition (C&D) waste. The onsite operations would involve the recycling and recovery of materials, which would include waste arising from ground works, demolition and site clearance. All residual waste (up to 15% of the total brought on to site) would need to be disposed of and sent to landfill.

The proposal involves the erection of a single waste processing building on the northern boundary at the eastern end of the site. This building would be constructed from corrugated steel and measure 19m x 30m and 13.1m high at the highest point. The building would face in to the centre of the site, thus meaning the unenclosed entrance to the building would face towards the south/railway line.

The WC/mess cabin and administration offices would consist of two porta-cabin style offices between the waste processing building and the access/visitor car parking. Included in the proposals are the installation of a new weighbridge (on the site of the existing redundant weighbridge) 20 car parking spaces, 2 motorcycle spaces and 5 bicycle spaces.

The central area of the site would consist of storage area for skips and the C&D waste, while in the extreme west of the site would be 20 lorry parking spaces for storing vehicles while not in use.

The access would consist of the existing access on to Pitsea Hall Lane, which is currently used by the occupier of the industrial premises to the east of the proposed site. It is proposed that there would be 100 HGV movements (50 in and 50 out) Monday to Friday and 50 HGV movements (25 in and 25 out) on Saturday. These movements would consist of skip lorries, tipper and roll on/off HGVs and some articulated HGVs. There would be a number of employee cars and vans. To reach the western extremity of the site by HGV the vehicles manoeuvre along the southern boundary of the site, next to the railway line.

Hours of operation stated within the application would be 07:00 to 17:00 (Monday to Friday), 07:00 to 13:00 (Saturdays) with no work taking place on Sundays and/or Bank Holidays.

4. POLICY CONSIDERATIONS

The following policies of the Essex & Southend-on-Sea Waste Local Plan (2001) (WLP) and Basildon District Local Plan Save Policies (1996) (BDLP) provides the development plan framework for this application. The following policies are of relevance to this application

<u>Policy</u>	<u>BDLP</u>	<u>WLP</u>
Country Parks	BAS C2	
Proposed Employment Area	BAS E2	
Untidy Industry	BAS E6	
General Employment Policy	BAS E10	
Waste Strategy		W3A
Need for Waste Development		W3C
Flooding		W4A
Surface & Groundwater		W4B
Access		W4C
Materials Recovery Facilities		W7E
Non Preferred Locations		W8B
Development Management		W10E
Hours of Operation		W10F
Public Rights of Way		W10G

The National Planning Policy Framework (the Framework), published in March 2012, sets out requirements for the determination of planning applications and is a material consideration. It does not contain specific policies on waste, since national waste planning policy will be set out in the future National Waste Management Plan. In the meantime, Planning Policy Statement 10: Planning for Sustainable Waste Management, remains a material consideration in planning decisions.

Paragraph 215 of the Framework states, in summary, that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. The level of consistency of the policies contained within the Basildon District Local Plan Save Policies (1996) and the Essex & Southend-on-Sea Waste Local Plan (2001) is considered in the Appendix to this report.

5. CONSULTATIONS

BASILDON DISTRICT COUNCIL - Object on the following grounds:

- Loss of residential amenity through noise vibration and dust
- Does not comply fully with Policy BAS E2
- Absence of landscaping scheme to mitigate visual impact
Surface water issues
- Contrary to Policy BAS E6

- Site subject to Secretary of State Direction

CROSSRAIL LTD - No objection

ENVIRONMENT AGENCY – No objection, subject to the imposition of a condition see appraisal

HIGHWAYS AGENCY – No objection, but requested that the applicant aims to minimise HGV movements at peak times to reduce severe congestion experienced.

NETWORK RAIL - No objection, subject to imposition of conditions – see appraisal

HIGHWAY AUTHORITY – No objection, subject to imposition of conditions – see appraisal

HIGHWAY AUTHORITY - Public Rights of Way - No objection, subject to imposition of a condition – see appraisal

COUNTY COUNCIL'S NOISE CONSULTANT – No objection, subject to imposition of conditions – see appraisal

PLACE SERVICES (Ecology) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection, subject to imposition of conditions – see appraisal

PLACE SERVICES (Urban Design) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection, subject to imposition of conditions – see appraisal

PLACE SERVICES (Landscape) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – Object on the following grounds:

- Landscape proposals do not adequately mitigate from the landscape and visual impact;
- Impacts on views from PROWs and properties, particularly to the south;
- Planting/boundary treatment required to the southern boundary.

PLACE SERVICES (Historic Environment) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – Object on the following grounds:

- Direct impacts on the setting of the grade II listed Cromwell Manor;
- Potential cumulative impacts on Cromwell Manor;
- Potential impacts upon viability of Cromwell Manor and thereby threatening its on-going conservation;
- Minor harm to the setting of St Michaels' church tower by the intrusion into the foreground of far reaching views from Marshland footpaths.

PLACE SERVICES (Trees) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection

SUDS APPROVAL BODY -No comments received

LOCAL MEMBERS – BASILDON – Pitsea - Any comments received will be reported

6. REPRESENTATIONS

362 properties were directly notified of the application. 13 letters of representation have been received. These relate to planning issues covering the following matters:

<u>Observation</u>	<u>Comment</u>
Highways issues: Infrastructure insufficient – particularly the railway bridge Increase in HGVs Access/egress will further complicate junctions Debris on Highway Increased congestion due to the proximity of level crossing Access to Pitsea Mount is restricted due to congestion	See appraisal – Section B
Recent improvements to Wat Tyler Country Park will be in vain, as people will not visit due to a hazardous journey	See appraisal – Sections B, C & D
Loss of the Public Right of Way	See appraisal – Section E
Odour, noise, pollution, light pollution and disruption will arise	See appraisal – Section F
Cause problems for commuters going to Pitsea Railway station.	See appraisal – Section E
Hours of operation	See appraisal – Section F
Local property values will be adversely Affected	Not a planning issue
Inappropriate to have a recycling yard in the midst of modern development	See appraisal – Section A
Affect viability of local business at Cromwell Manor	See appraisal – Section G
Does not accord with the existing or	See appraisal – Section A

emerging Local plans. Also premature to the emerging Waste Local Plan.

Affect the setting of the Grade II Listed Cromwell Manor	See appraisal – Section G
Effects on the Greenbelt, national and internationally designated ecology sites in the vicinity	Site is not within the greenbelt, see appraisal
No consideration of reducing CO ₂ emissions or adaption to climate change	See appraisal – Section B
Proximity to Pitsea Landfill and the Recycling Centre for Household Waste	See appraisal – Section A
There is too much waste development in the Basildon area.	See appraisal – Section A
Ensure access to the currently vacant Homes and Community Agency land is continued	See appraisal – Section B
Adverse impact on health and quality of life	See appraisal – Section F
Increase in vermin	See appraisal – Section F

7. APPRAISAL

The key issues for consideration are:

A – NEED, PRINCIPLE & POLICY CONSIDERATIONS

B – HIGHWAY IMPACTS

C – IMPACTS ON PUBLIC RIGHTS OF WAY

D – DESIGN, LANDSCAPE AND VISUAL IMPACTS

E - IMPACTS ON ECOLOGY

F - IMPACTS ON LOCAL AND RESIDENTIAL AMENITY

G – IMPACTS ON THE HISTORIC ENVIRONMENT AND VIABILITY OF CROMWELL MANOR

H - IMPACTS ON HYDROLOGY

A. NEED, PRINCIPLE & POLICY CONSIDERATIONS

Need for Waste Development

Planning Policy Statement 10 (PPS10) notes that the planning system is pivotal to the adequate and timely provision of the new facilities that will be needed. It provides a framework, which allows communities to take responsibility for their own

waste and ensure provision of waste facilities to meet the needs of their communities. It emphasises that the locational needs of waste management facilities together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determination. It does not require, however, applicants to demonstrate a quantitative or market need for their proposal.

WLP policy W3C (Need for Waste Development), requires significant waste management facilities (with a capacity of over 25,000tpa) to demonstrate a need for the development. One representation has noted that the need of the development had not been satisfactorily demonstrated, in terms of the Waste Capacity Gap Report (2011) and would:

- i. increase capacity directly by approximately 25,000 tpa, and;
- ii. increase capacity indirectly as a precedent had been set at the existing the Burnt Mills site for waste use and any future proposal for waste management on that site would likely be permitted, particularly as policy BAS E6 (Untidy Industry) directs untidy industry to this Industrial estate.

With this respect, at the time of the application, the Capacity Gap Report (2011) noted that there was sufficient recycling capacity. However, as part of the emerging Waste Local Plan a further capacity gap report has been published in 2013¹. This notes that even if all strategic facilities were delivered there would remain a need for a further 170ktpa non-hazardous treatment capacity until 2031². Therefore, it is considered that a need for further capacity within Essex has been suitably demonstrated. There were further representations, which consider there is too much waste development in the Basildon area (namely Pitsea landfill, the Pitsea Recycling Centre for Household Waste and Courtauld Road Integrated Waste Management Facility among others) and this site would exacerbate this. It has been noted in the proposal that the types of waste, which would be handled, are materially different to those handled in the permitted but currently non-operational Courtauld Road facility (notably construction and demolition waste). It is the case, however, that many of the waste developments are correctly located in the Untidy Industry areas, and that despite the number of waste permissions within the Basildon district it is the case that PPS10 requires waste facilities to be located close to areas where waste is produced.

The existing business is long established at Harvey Road, and focuses on its centre of operations in the Basildon area, but has the ability to serve the south of Essex due to the transport links. The applicant has identified a need to find new premises as the existing site is now constrained, creating difficulties with day-to-day operations. The existing site (planning permission ref: BAS/1429/88) is approximately 0.11ha and is constrained on all boundaries and there are currently no vacant larger units within the Burnt Mills Industrial estate. The applicant

¹ Given the early stages of the emerging Replacement Waste Local Plan (RWLP), the Waste Capacity Gap Report has not been 'tested' and therefore very little weight, in accordance with the Framework, should be given to this report at this time.

² For the purposes of the capacity Gap Report (2013), the recycling of non-organic waste falls in to the treatment category, to which this application relates.

considers there is no means of expanding the premises and has identified the Terminus Drive site as suitable for the business's needs as it provides a more functional site, with a greater site area and improved accessibility to the route hierarchy.

In particular, the applicant has stated that the larger site area and capacity would enable new demolition contracts to be established within Essex. As a local employer (employing 15 people), it is noted within the application that the local economy would benefit if the application were granted, as these jobs could be safeguarded with the potential for further job creation. Such a development would have significant economic implications in a time of particular economic austerity.

With regard to this application, the Terminus Drive site is a brownfield site (formally used as a minerals yard, which was involved with the importation of minerals and/or aggregate by road and possibly rail for onward distribution) and therefore development here is preferable to the development of previously undeveloped land (WLP Policy W8B). Terminus Drive is subject to the Basildon District Local Plan (BLP) policy BAS E2, stating that the land at Terminus Drive is allocated for future employment purposes (which must be either B1 or B2 uses). Further to this, BLP policy BAS E10 (General Employment Policy) details that proposals for industrial, business and office development (Use Classes B1 to B8) will be considered with regard to a number of criteria (which will be explored further, later in this report).

It is considered that this proposal is in accordance with PPS10, which requires sufficient and timely provision of waste management facilities to cater for local communities. PPS10 does not require waste management facilities to demonstrate a quantitative or market need for their proposal and therefore the submission complies with these requirements in trying to further address local policy. A need for further waste recycling capacity within Essex has been suitably demonstrated. Furthermore, it is considered that it has been demonstrated that this site is suitable for this use as it is a brownfield site, subject to policy BAS E2 and particularly as much of the applicant's client base is from the local Basildon area and would continue to employ local people.

Principle & Conformity with the Waste Hierarchy

PPS10 remains in force until the National Waste Management Plan for England is produced, as the Framework does not contain specific waste policies. PPS10 encourages waste to be managed as high up the waste hierarchy as possible and that the disposal of waste should be only considered suitable when no other process is appropriate. PPS10 states that proposals should be considered favourably were they are consistent with the policies and criteria set out in PPS10 and the adopted development plan documents, while encouraging waste management facilities to be on previously developed land. Therefore, the proposal is considered to comply with PPS10, WLP policy W8B and BLP policy BAS E2, in so long that the potential social and environmental impacts of the proposal do not outweigh the perceived benefits of developing the site. The identified impacts will be further considered in the following sections of this report.

WLP policy W3A (Waste Strategy) identifies the need for proposals to be consistent with the goals and principles of sustainable development and the proximity principle. It also requires proposals to consider whether it represents the best practicable environmental option (BPEO) for the particular waste stream and at that location or whether the proposal would conflict with other options further up the waste hierarchy. However, the need to consider BPEO has been superseded by PPS10, which no longer requires the consideration of BPEO. In addition, WLP policy W7E (Materials Recovery Facilities) aims to facilitate the efficient collection and recovery of materials from the waste stream by providing materials recovery facilities and supported in appropriate location subject to compliance with other relevant development plan policies.

The Framework promotes a positive approach to consideration of economic development proposals, with significant weight being placed on the need to support economic growth through the planning system. It is noted by the applicant that the existing site on the Burnt Mills Industrial Estate employs 15 people, who would be retained, safeguarded and transferred to the Terminus Drive site, should permission be granted, with potential for increased employment. Furthermore, the proposal emphasises that there is a significant existing client base within Essex and Southend, and the provision of a larger site with increased capacity, would help the applicant more efficiently process waste and thus potentially allow greater opportunities for the applicant to bid for new demolition contracts.

Given that the proposal is a recycling operation moving away from the disposal of waste, it is considered that the proposal is in compliance with the objectives of PPS10 and WLP policies W3A and W7E. It is also considered to be in compliance with the Framework as 15 jobs would be safeguarded with the potential to increase employment (which would benefit the local economy) and increased capacity would enable more efficient processing, of waste. As such, there would be greater opportunities to bid for demolition contracts. The Framework states significant weight should be given to proposals, which support economic growth.

Site selection in relation to Policy Considerations

The Framework supports the effective use of land by reusing land that has previously been developed, provided that it is not of high environmental value. Furthermore, WLP policy W8B (Non Preferred Locations) states inter alia that waste management facilities will be permitted at locations other than those identified in the Waste Local Plan, where they fall in to the following criteria (among others):

- Existing general industrial areas;
- Employment areas (existing or allocated);
- Areas of degraded, contaminated or derelict land.

This is subject to the proposed facility not having a detrimental impact to the amenity of any nearby residential area. In addition, it notes that proposals in the order of 50,000 tonnes per annum will not be permitted unless it is shown that the

preferred locations within the plan are unavailable or unsuitable for the type of development proposed.

One representation noted that the submission did not contain evidence that the Schedule 1 sites (stated within the waste local plan) are not suitable or not available for this proposal), as required by WLP Policy W8B for proposals in the order of 50,000tpa. Subsequently, the applicant has provided reasons this site was considered the best option as opposed to the Schedule 1 sites contained within the WLP, notably:

- Rivenhall (WM1), Warren Lane (WM2), Courtauld Road (WM5), and Sandon (WM6) are unavailable as these have existing permissions and/or are already operational;
- The operator is locally based, so relocating to either Whitehall Road (WM3) or North Weald Airfield (WM4) are simply and logistically not feasible. This would involve moving an established company, which has significant links to the area, would prejudice job retention and move away from the established waste streams that my client collects. Moving the business to outside the Basildon area would not be a practical or economic option;
- The Schedule 1 sites are for larger scale and integrated schemes, which are a valuable resource for a materially different purpose from that contained within this application and should be safeguarded as such.

It is considered that the applicant has satisfactorily demonstrated that the Schedule 1 sites are either not unavailable or inappropriately located for the proposed development.

One other representation objected, as it was inappropriate to have a recycling yard in the midst of modern development, which is assumed to relate to the housing beyond the A13 Pitsea Flyover.

Policy BAS E6 (Untidy Industry) of the Basildon Local Plan notes that untidy industry (which includes waste proposals, such as this which involve recycling, outside storage and the parking of heavy vehicles) will be directed to the Harvey Road and Archers Field area of the Burnt Mills Industrial estate. However, untidy industry proposals in other locations within the existing industrial areas will be assessed based on their likely effects on nearby uses. Outside of industrial areas, untidy industry will not be allowed. With regard to this policy, the existing site is located within the designated industrial estate, but for reasons listed in section A of this appraisal, does not have the opportunity to expand or relocate to larger premises within the industrial estate. The applicant has therefore, identified this employment area (as designated by policy BAS E2) as their preferred option. Therefore, this proposal must be assessed on the likely effects on nearby uses, which will be discussed later in the report.

The proposal is for a sui generis use, which is not specified in BLP policy BAS E2, which requires proposals for Terminus Drive to be within use classes B1 and B2. However, when also considering BLP policy BAS E10, subject to the proposal meeting number of criteria industrial development may be permitted in areas

allocated for employment purposes. In view of the above it is considered that the proposed use, development and impacts would be akin to a B2 (General Industrial) use and therefore would not conflict with BLP policies BAS E2 and BAS E10.

Emerging Plans & Policies

The Framework (paragraph 216) states that decision takers may give weight to relevant policies in emerging plans. As such, the Basildon emerging core strategy carried out its preferred options consultation 2012 and replacement waste local plan at preferred approach stage was consulted upon in November 2011.

Within Basildon's core strategy there are key areas noted for Primary Areas for Development and Change (PADC). In all three the Spatial Growth Options scenarios, the Terminus Drive area is located within the urban PADC, while the Policy PADC13 relates to the South Essex Marshes (not boundary specific) requires improved and transformed in to a publicly accessible Thameside wilderness, connected to nature reserves in neighbouring districts and boroughs. The policies in combination aim to regenerate and improve the amenity and enjoyment of Pitsea and its surrounding areas, with this area providing a 'Gateway' to Pitsea and the rural environment to the south. Within this document it is also noted that Policy BAS E2 shall be retained until reviewed by Site Allocations DPD.

With regard to the Waste Development Document: Preferred Approach there are a number of locational criteria for inert recycling facilities and materials recycling/recover facilities, in addition to development management criteria. It must be noted that the Terminus Drive site has not been submitted as part of the call for sites for the Waste Development Document: Preferred Approach.

It must be noted that as both of these documents are at preferred approach stage, very little weight should be attached to either, particularly as Basildon's Cabinet on 8th November 2012 heard a report that the Preferred Option would need to be amended in a Revised Preferred Option in 2013.

In conclusion, it is considered that the proposal should be considered favourably within the goals and objectives of the Framework, PPS10 and WLP. The Framework requires significant weight to be placed on the economic benefits of proposals, while PPS10 and WLP policies W3A and W7E, which requires waste to be moved up the hierarchy. It is considered that it has been suitably demonstrated that there is a need to relocate from their existing premises on Burnt Mills Industrial Estate and that further capacity is required for the treatment of non-organic waste (Capacity Gap Report, 2013). As such, the proposal is also in conformity with W8B, as it has been suitably demonstrated that the schedule 1 sites are not available or feasible for a local Basildon company. The proposal is located on a proposed employment area (BAS E2) and an area of degraded, contaminated or derelict land. It therefore complies with the criteria as set out in W8B. Although, policy BAS E6 directs untidy industry to the Burnt Mills Industrial Estate, it has been satisfactorily evidenced that there is no opportunity to expand or relocate to larger premises within the industrial estate. Furthermore, it is considered that Policy BAS E6 is complied with as untidy industry proposals in other locations will be assessed based on their likely effects on nearby uses. The proposal is also in general

conformity with the emerging Basildon Core Strategy as the area is located within the Primary Areas for Development and Change, but must be considered in relation to this area becoming a gateway to Pitsea and the rural area to the south, including Wat Tyler Country Park. This will be considered in the following sections. However, it must be noted that only limited weight can be attached to this emerging policy, as it is not at submission stage. Similarly the emerging Replacement Waste Local Plan bears very little weight as it also remains at preferred approach stage.

B. HIGHWAY IMPACTS

WLP policy W4C (Access) details that access for waste management sites will normally be by short length of existing road to the main highway network, consisting of regional routes, and county/urban distributor, via a suitable existing junction, improved if required to the satisfaction of the Highway Authority.

In addition, BLP policy BAS E2 (Proposed Employment Area), requires any proposal for Terminus Drive to be subject to a Traffic Impact Assessment. Any improvement to the local highway network required to enable the development to take place, will be expected to be provided by the developer. Policy BAS E10 (General Employment Policy) specifically considers proposals against the following highway criteria:

- The surrounding roads must be adequate to accommodate the increase in vehicle traffic generated;
- Developments should relate to the primary road network without using residential estate roads;
- Adequate car parking should be provided in accordance with the Council's Car Parking Standards;
- Adequate servicing and turning areas should be provided on the site in accordance with the Council's Highway Standards;
- Provision for the landscaping and screening of buildings and storage areas with a landscaping strip abutting all highways will normally have a minimum width of 5 metres to be retained at all times.

The access would consist of the existing access on to Pitsea Hall Lane, which is currently used by the occupier of the industrial premises to the east of the proposed site. It is proposed that there would be 100 HGV movements (50 in and 50 out) Monday to Friday and 50 HGV movements (25 in and 25 out) on Saturday. These movements would consist of skip lorries, tipper and roll on/off HGVs and some articulated HGVs. Included in the proposals 20 car parking spaces, 2 motorcycle spaces and 5 bicycle spaces for employees and visitors.

There have been a number of objections made with regard to the traffic and highways implications of this proposal. This includes representations from Basildon Borough Council. The objections specifically relate to the following:

- Does not comply with Policy BAS E2 due to infrastructure requirements and that the site is inappropriate due to the large number of HGVs;
- Local Infrastructure is insufficient (particularly the railway bridge) for any increase in HGVs given Pitsea Hall Lane is the sole access to (and the close proximity of) the landfill and Recycling Centre for Household waste;
- Increased congestion through increased HGV movements in proximity to the level crossing, further restricting access to Pitsea Mount;
- Access is unsuitable as it is narrow, of temporary configuration and used as a Public Right of Way (see below for further consideration in to the PRoW);
- Increased mud and debris on the Highway due to the nature of the site and that the access is not metalled;
- Highways Safety concerns, due to the increased number of HGVs, congestion and access arrangements;
- There has been no consideration of reducing CO₂ emissions or adaption to climate change in relation to this application;
- Access needs to be retained to the currently vacant land to the north of Terminus Drive, to allow access for the maintenance of the A13 flyover and the north of Terminus Drive itself;
- Recent improvements to Wat Tyler Country Park will be in vain, as people will not visit due to a hazardous journey.

With respect to compliance with policy BAS E2, this policy requires a traffic impact assessment, with any resulting improvements to the highway being undertaken by the developer prior to construction and provision of B1 and B2 uses. Basildon Borough Council's objection states that:

- 1) the key restriction is the existing railway bridge cannot be widened thus requires complete reconstruction and realignment;
- 2) the site is inappropriate for storage and distribution due to the large number of HGVs;
- 3) would conflict with the existing vehicles using Pitsea Hall Lane and;
- 4) the developer may be required to make an appropriate make off-site traffic management.

A transport statement was submitted and reviewed by the Highway Authority as required in Policy BAS E2. This notes that the access to the site serving a storage and distribution use does not conflict with the Highway Authority's Policies DM1 or DM4 and that there is good accident record in the immediate vicinity. It also notes that there will be a comparatively low increase in HGV movements over the railway bridge and no overall increase of HGVs using the level crossing; as there would be no greater residual waste being transported to Pitsea Landfill. Importantly the transport statement states that the installation of a pedestrian bridge over the railway (to help alleviate problems on the existing capacity of the railway bridge) is to be provided as part of a legal obligation associated with last planning permission for Pitsea Landfill.

With respect to the comments regarding reducing CO₂ emissions or adaption to climate change in relation to this application it has been noted in the transport

statement that due to the proposed location staff will be encouraged to use sustainable forms of transport, such as cycling (provision of parking is within the application or by public transport). With regards to waste vehicles, it is noted that the relocation of this operation from Burnt Mills Industrial Estate would result in a shorter distance (and therefore a reduction in emissions) for any residual waste being sent to Pitsea landfill.

Within the transport statement it is noted that currently, there is a vehicular and pedestrian gate and concrete blocks impeding vehicular access to the vacant land to the north of Terminus Drive and indeed for maintenance of the A13. These obstructions appear to have been erected to restrict unauthorised access on to the vacant land surrounding Terminus Drive, but their origin is unknown. The proposal would remove the obstructions to enable access to the vacant land and to the A13 for maintenance. To ensure any unauthorised access is still prohibited, the transport statement suggests discussions should be entered into with the current owners of the vacant land to construct a replacement gate as a vehicle barrier, which can be opened for authorised access.

The Highways Agency has no objection to the proposal, but requested that the applicant aims to minimise HGV movements at peak times to reduce severe congestion experienced on the A13. It is not considered that a condition could reasonably be imposed to control movements at busy times, but the operator could be advised of this preference.

Network Rail has no objection to the proposals with regard to the impacts on the level crossing. If permission is granted this would be subject to compliance with the submitted details that access would be as indicated on the plans (in the north east). Network Rail has also indicated that the applicant should get in contact with their asset protection team to discuss the scope of entering an asset protection agreement. The response has been forwarded to the applicant to ensure the issues raised within the response are addressed.

The Highway Authority has reviewed the transport statement submitted as part of the planning application and the comments received during the consultation process. The Highway Authority does not object to the proposal, but in order to maintain highway safety (and address the concerns raised) has required the imposition of conditions to be attached to any granting of planning permission. These conditions specifically relate to the concerns raised during the consultation (as noted above), namely:

- Pre-commencement condition regarding the design of a vehicular turning facility and identification of loading/unloading/reception and storage of associated materials;
- No unbound material would be used surface treatment of the vehicular access from the bellmouth junction of Terminus Drive on to Pitsea Hall Lane for a distance of 12 metres;
- Gated access to the site would be inward opening only and set back 6 metres from the adopted carriageway (Terminus Drive);
- Access and upgrading of the public footpath;

- Parking spaces size to be 2.9m x 5.5m;
- Cycle and motor cycle parking provision;
- Vehicle movement restrictions;
- No occupation of the site prior to the upgrading, surfacing, marking and provision of a 2m wide footway along the northern edge has been provided to the satisfaction of the Highway Authority.

It is considered that subject to the conditions required by the Highway Authority and Network Rail and attaching appropriate informatives, as requested by the Highways Agency, that the proposal is in accordance with WLP policy W4C and Basildon policies BAS E2 and BAS E10. This is because there would be comparatively low increase in HGV movements over the railway bridge and no net increase movements over the level crossing. Granting permission where benefits of development are not significantly and demonstrably outweighed by adverse impacts concurs with the direction of the Framework.

C. IMPACTS ON PUBLIC RIGHTS OF WAY

The Framework requires decision takers to protect and enhance public Rights of Way (PRoWs) and access, by seeking opportunities to provide better facilities. PPS10 remains silent on waste facility impacts on PRoWs.

WLP Policy W10G (Public Rights of Way) states that applications should include measures to safeguard and where practicable improve the Public Rights of Way (PRoW) network. Any works to improve/safeguard the PRoW shall be implemented prior to any development commencing.

Adjacent to the northern and western boundary of the proposed site is PRoW Vange 136. This public footpath follows the line of Terminus Drive, linking Pitsea Hall Lane and the wider Vange Marshes Area. At the western end of the site PRoW Vange 136 joins PRoW Vange 213, which provides access under the A13 to the residential development, particularly Avondale Road and The Glen. The application details that the PRoW would be retained, but the access to the site would be along a portion of the footpath in the east, where it joins Pitsea Hall Lane.

During pre-application discussions, it appears there is no definitive map of the footpath location, so the applicant proposes that the footpath will remain in its current position and a 2 metre wide area will be delineated by signing and appropriate materials on the ground.

Representations have been made which note the loss of a public right of way, the fact that recent improvements to Wat Tyler Country Park will be in vain, as people will not visit due to a hazardous journey and the problems caused by this development for commuters going to Pitsea Railway station. There were also safety concerns of using the current access from this PRoW on to Pitsea Hall Lane, as this area would be used for large vehicles accessing the site.

Currently, the existing industrial development to the east of the application site (and incorporating Primrose Villa - 93/00004/FUL) currently use this part of the PRoW to

access their site and for parking. In addition, there is a vehicular and pedestrian gate and concrete blocks impeding vehicular access, where the PRow meets Pitsea Hall Lane, which appear to have been erected to restrict unauthorised access on to the vacant land surrounding Terminus Drive. The proposal would remove the obstructions to enable access.

However, this proposal would increase the intensity of vehicular use of this part of Terminus Drive, thus potentially affecting the PRow.

Essex Highways (Public Rights of Way) does not object to the proposal as the PRow Vange 136 would be retained, but would like to state that although only a 2 metre wide area is to be delineated as the PRow public access rights to Footpath status will still subsist across the full width of the original path. It is considered that to ensure this delineation and to make both pedestrians and vehicle drivers aware of the access, a condition is attached (if permission is granted) to ensure appropriate signage and demarcation is incorporated and implemented prior to the construction of the waste reception building.

It is considered that subject to the delineation and signage of PRow Vange 136 as submitted in the application, that there would not be significant harm to the existing right of way and that proposal is consistent with WLP Policy W10G, as it safeguards the existing PRow. It would also comply with the Framework as there would be no net loss of PRows and would improve the eastern end of PRow Vange 136 (as it merges with Pitsea Hall Lane), as the proposals would remove the existing obstructions and improve the delineation of the Right of Way where it is currently impacted upon by the existing industrial use.

D. DESIGN, LANDSCAPE AND VISUAL IMPACTS

The Framework emphasises the importance of good design within proposals, which is considered is a key aspect of sustainable development and indivisible from good planning. It requires developments to be of high quality and contribute positively to making places better for people while considering the functionality of the proposals. Similarly, the Framework requires conservation and enhancement of the natural and historic environment, including landscape. Adverse impacts must be addressed with regard to cumulative landscape and visual impacts, particularly in relation to valued landscapes.

WLP policy W10E (Development Management) states that waste management development will be permitted where satisfactory provision is made in respect of the effect of the development on the landscape and the countryside. The supporting text (paragraph 10.12) of the policy specifically notes that landscaping and design (including siting, design and colour treatment of the elevations) can ameliorate impact, and requires a high standard of design and landscaping to minimise visual impact. It also notes that consideration will need to be taken to the metropolitan Green Belt.

Policy BAS C2 (Country Parks) states that development would not normally be permitted which may adversely affect the conservation to landscape value of a

country park, which in this case would relate to Wat Tyler Country Park, which is less than 500m to the south of the development.

Policy BAS E10 (General Employment Policy) specifically considers proposals against the following criteria:

- Provision for the landscaping and screening of buildings and storage areas with a landscaping strip abutting all highways will normally have a minimum width of 5 metres to be retained at all times;
- The design, form, scale, and materials of the development will be expected to be appropriate and sympathetic to neighbouring developments, particularly adjacent to residential areas.

The single waste processing building on the northern boundary at the eastern end of the site. This building would be constructed from corrugated steel and measure 19m x 30m and 13.1m high at the highest point. It is noted that this is a substantial building and if permitted would be the larger than the existing industrial building on the adjacent site, although, the applicant states the design is functional as an industrial building. There would be two porta-cabin style offices between the waste processing building and the access/visitor car parking which would house the WC/mess cabin and administration.

The central area of the site would consist of storage area and the extreme west of the site would be 20 lorry parking spaces for storing vehicles while not in use. The HGVs and skip lorries would need to manoeuvre along the southern boundary of the site, next to the railway line, which at present is not screened from the Grade II listed building or Pitsea Marshes.

There has been a specific objection noting the proposal could adversely affect the visual amenities of the Green Belt (containing the Pitsea Marshes). However, this site is within a designated employment site (Policy BAS E2) and is not located within the Green Belt. It is considered that the proposals at this site would not have a significant impact on the openness of the Green Belt and in this respect complies with WLP policy W10E.

Landscape and Visual Impacts

The submitted landscape and visual impacts assessment suggests there would be little or no impact on the landscape or visual receptors to either the residential areas in the north or publically accessible areas in the south. However as a result, to reduce landscape and visual impacts, site layout has been reconfigured by moving of the main waste building 5m towards the west with some planting to the north of the site. It is noted within the assessment that it is not possible to provide landscaping to the southern portion of the site, due to maintenance issues associated with the railway line which requires this to be kept open and retained for access and vehicle movement only'. Although works adjacent to railway lines can impose risk to the operational railway, damage the railway infrastructure or risks to individuals during the construction and maintenance of proposals, this does not

preclude development adjacent to railway lines and beyond Network Rails boundary.

Basildon Borough Council and Place Service (Landscape) object to the landscape proposals on the basis of insufficient landscaping and material harm to visual/sensitive receptors from the proposed development and not compliant with policies BAS E10 or W10E. Both representations consider landscaping should soften the visual impact on surrounding areas, particularly the Pitsea Marshes, PRoWs, the Grade II listed building - Cromwell Manor and the transient views from the Railway line. Despite the inclusion of landscaping along the northern boundary and the relocation of the main building 5m to the west, there remains a concern regarding the visual impacts from the south of the site, where there is no proposed screening measures to protect visual amenity from Cromwell Manor, Pitsea Marshes or the railway line.

Place Services (Landscape) note that if the Waste Planning Authority is mindful to grant planning permission despite objection, then a number of conditions could be required to mitigate the impacts of the proposal. The first condition would require a detailed landscaping scheme, which would build on that submitted as part of the landscape and visual impact assessment, including locations and species mix to be submitted prior to the commencement of the development of the waste reception building. The second pre-commencement condition would consist of implementation of a boundary treatment on the southern boundary of the site. This has been specified as planting (which would consequently need protection from vehicles) This is discussed further below and would be subject to agreement with Network rail. Furthermore it is suggested that the existing perimeter fencing should be painted black or dark green to reduce its visual impact.

Place Services (Urban Design) do not object although do note that the scale of building would result in a highly prominent development without adequate screening. There is concern regarding the design, which is of basic form and grey metal clad, producing an industrial appearance which would visually conflict with the gateway perception of Pitsea from the station/railway. Therefore, recommend imposition of conditions if the proposal is granted planning permission. The conditions required would include the provision of a boundary treatment to the southern boundary (as discussed further below) of the development to protect visual amenity, and that the colour of the main building should be rural in character to complement its surroundings, e.g. recessive green, brown, black or olive.

One representation was made noting that recent improvements to Wat Tyler Country Park will be in vain, particularly as people will not visit due to a hazardous journey. With regard to potential impacts on Wat Tyler Country Park policy BAS C2, notes development would not normally be permitted which may adversely and materially affect its value.

Although the site is adjacent to an existing small waste facility, the Pitsea flyover and its previous use as a minerals yard, this site had been vacant for a number of years and a development of this scale would be significantly different to the open nature of the site. Notwithstanding this, it now must be considered if this harm to

the landscape and visual impacts (including those to Wat Tyler Country Park) are significant enough to refuse the application. This must be considered in the light of the Framework, other local policy and ways to mitigate impacts to a satisfactory and commensurate level.

Following discussions with Network Rail, the consultees who objected and the applicant, it is considered that potential harm to the landscape and visual impacts from the design can be satisfactorily mitigated, by the imposition of a pre-commencement condition. This condition would require a suitable boundary treatment to the southern boundary of the site, which would be adjacent to that owned by Network Rail. Despite the hazards of working adjacent to railway lines, both to the operational railway, railway infrastructure and individuals involved with construction, Network Rail agrees this does not preclude development adjacent to railway lines. Therefore, if permission is granted a pre-commencement condition could be imposed (prior to the development of the waste reception building) requiring the submission of details, including suitable plans and method of operations/implementation regarding the boundary treatment. This would need to be provided to Network Rail and Waste Planning Authority to be agreed in writing. This would need to be implemented as agreed, in full prior to any further development.

The Framework states that there is a presumption in favour of sustainable development, and that in the absence of an up to date local plan, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies. The Framework notes that the government is committed to securing economic growth, and it has already been concluded in Section 1 of this report that granting permission for this site would be good for the local economy as a whole. Furthermore, this site is within a designated a proposed employment site (Policy BAS E2). On balance, it is therefore considered that, subject to suitable conditions regarding design and landscaping, the impacts on the landscape and visual receptors are not significant enough to warrant the refusal of planning permission, when considering the economic benefits in accordance with the Framework.

On balance, it is considered that although the proposal does not fully comply with WLP policy W10E and Basildon policies BAS C2 and BAS E10, it is within a designated proposed employment area (policy BAS E2). Furthermore, because these policies are contained within out-of-date local plans, the policy drivers within the Framework must take precedence. In light of this, it is considered that the proposal (subject to appropriate conditions regarding screening on the southern boundary, material details and landscaping) would not affect the Green Belt, landscape or visual receptors (including Wat Tyler Country Park) significantly enough to warrant the refusal of planning permission when balanced against the economic benefits of this proposal.

E. IMPACTS ON ECOLOGY

One of the three main strands of sustainability (according to the Framework) is environmental sustainability, which considers that the planning system should contribute to and enhance the natural and local environment. As part of this, decision takers must protect and enhance valued landscapes, recognise the wider benefits of ecosystem services and minimise impact on biodiversity. The Framework also supports the effective use of land by reusing land that has previously been developed, provided that it is not of high environmental value.

Basildon Local Plan is silent in this case, as it contains no saved policies other than those of national importance. Similarly, WLP policy W10E only considers ecologically designated sites.

The proposal contained an extended phase 1 habitat survey and a Reptile Survey. In summary, both noted the site consisted of an expanse of bare/disturbed ground bordered by banks of tall grass and ruderal vegetation. It also identified two SSSIs, Wat Tyler Country Park and five Local Wildlife Sites within 500m of the site boundary of the site. It did not identify any areas of importance for protected/notable species or habitats. There was found to be a low population of slowworm and common lizard on the railway embankment due to the proximity of Vange Creek Marshes LoWS 20m to the south of the site. A translocation program was not considered necessary as this area is not proposed for development but did suggest that a temporary (heras fencing) barrier is installed along the length of the bank on the south of the site to prevent vehicle movements in areas of favourable reptile habitat and prior to operation installing reflective bollards.

Place Services (Ecology) has reviewed the submitted information and does not object subject to the imposition of a condition to ensure that development would be consistent with the Framework in protecting biodiversity, while being commensurate with the scale of the proposal. One condition has been recommended that would ensure the proposed hedge along the northern boundary would be composed of species identified in the ECC Tree Planting Palette. Due to the value of the surrounding land for 'Priority' bumblebee species, the hedge-mix should include a high percentage (over 40%) of 'flowering shrubs' such as common hawthorn, common cherry and/or blackthorn. Further planting along the southern boundary is encouraged and would need to be part of the consideration of the condition relating to the boundary treatment to be provided and agreed by the Waste Planning Authority and Network Rail prior to commencement of the construction of the waste reception building as discussed in the section above. This would provide greater protection to the reptiles located in the railway embankment, compared to the reflective bollards as suggested in the Reptile survey.

It is therefore, considered that subject to the imposition of a condition to ensure the correct mix of species to be planted within the hedgerow along the northern boundary, that the development is not contrary to the Framework and commensurate with the scale of the proposal.

F. IMPACTS ON LOCAL AND RESIDENTIAL AMENITY

The Framework aims to prevent unacceptable risks from pollution decisions should ensure that new development is appropriate for its location, in so doing consider whether the development would be an acceptable use of land. It does qualify this by stating that local authorities should consider that pollution regime control regimes will operate effectively. Planning considerations nonetheless need to consider impacts such a noise, light pollution and other adverse impacts on health and the quality of life, while recognising that development will often create some noise and impacts, which should not be unreasonably restricted. PPS10 concurs with the Framework in this respect WLP policy W10E (Development Management) states that waste management development will be permitted where satisfactory provision is made in respect of:

- The effect of the development on the amenity of neighbouring occupiers, particularly from noise, smell, dust and other potential pollutants (including, artificial lighting and vermin);
- The effect on historic and archaeological sites;
- The effect of the development on nature conservation;
- In the metropolitan Green Belt.

Policy W10F (Hours of Operation) within the WLP states that where appropriate the Waste Planning Authority will impose a condition restricting the hours of operation, as appropriate with regard to local amenity and the nature of the operation.

The proposal suggests that the hours of operation would be 07:00 to 17:00 (Monday to Friday), 07:00 to 13:00 (Saturdays) with no work taking place on Sundays and/or Bank Holidays. A condition will be applied, if the proposal is granted to restrict working hours to those stated above. It is also considered that these stated hours would be appropriate during the construction phase of the development.

During the consideration of this application, the applicants have occupied the site, in so doing, erected a grey palisade fence of 2 metres in height and installed a port-a-cabin site office and weighbridge, with some processing of wood. Following discussions between the applicant and the planning authority, it was considered that these operations did not need express planning permission (being 'permitted development'). Although, some of the permitted development rights are time limited it was not considered expedient to take action as the current planning application was being considered which could if permitted, regularise the current activities. As noted in section C above, it is requested that to reduce the visual impact of the fence that this is painted black or dark green.

Notwithstanding this, during the course of the determination of this application there have been a number of complaints with regard to vermin, noise, vibration and unsightliness of the site. However, during a number of unannounced visits it could not be determined that the proposal site was the cause of these complaints, or rather it was the neighbouring industrial operation to the east, (which is beyond the

boundary of this site in question) which have been undertaking significant works, which could give rise to such issues.

Noise and dust

To support the application, there has been a noise assessment and an addendum submitted to the Waste Planning Authority. The proposals include 2.85 metre high barrier on an appropriate section of the northern boundary. ECC's noise consultant has no objection and considers that the predicted noise levels, subject to construction of the noise barrier would not give rise to significant increase in noise levels above permitted guidelines. It was therefore recommended if the application were granted, three appropriate conditions could be attached. The conditions require a barrier of 2.85m to be constructed and noise monitoring measures to ensure the noise levels are within those predicted. If these predictions are exceeded other noise mitigation will need to be proposed and implemented prior to further usage. Finally, further details of the construction of the Waste Processing Building (in particular the sound reduction index of the building), should be submitted for approval prior to construction.

In addition, the applicant has submitted a dust assessment. This assessment details that all wastes will arrive at the site in sheeted containers and any issues can be managed by regular mechanical sweeping of the access road or spraying the access road with water, to prevent dust leaving the site. This water would be collected by way of an on-site drainage system to prevent risk of pollution. All waste would be deposited in to the waste collection building at the north of the site, which would be fitted with a mist spray dust suppression system and negative air pressure system to effectively contain dust and filter air leaving the facility. In addition, any crushing activities of oversize material would take place within the waste collection building, and fitted with direct water intake points to reduce potential dust emissions. Any material contained within the storage area outside the building would be dampened down prior to movement in dry conditions.

Basildon Borough Council and other representations object due to harm to residential amenity by reason of noise vibration and dust, while noting the site is approximately 70m from the dwellings to the north of the A13 flyover.

There has been no objection from ECC's consultant with regard to dust. Therefore, it is considered that, subject to permission being granted, an appropriate condition could ensure that dust on-site is controlled and monitored.

There have been representations noting that there would be an adverse impact on health and quality of life and an increase in vermin. In accordance with the Framework, local authorities must assume that pollution control regimes will operate efficiently as these are subject to Environmental Permitting Regulations 2010. The Environment Agency does not object to the proposal, but does specify that the operation would need to be permitted in line with the Environmental Permitting Regulations 2010. This is beyond the remit of the planning system, so the operator will need to discuss this further with the Environment Agency. The response has

been forwarded to the applicant to ensure the issues raised within the response are addressed.

It is considered that in accordance with the Framework, planning permission should not be refused, subject to the imposition of appropriate conditions to ensure noise and dust can be effectively mitigated and controlled to ensure compliance with policy W10E and BAS E10. In addition, conditions restricting the hours of operation will further protect amenity and in so doing comply with policy W10F and the Framework, which supports sustainable development where the adverse impacts do not significantly and demonstrably outweigh the benefits of proposals.

G. IMPACT ON THE HISTORIC ENVIRONMENT & VIABILITY OF CROMWELL MANOR

Impact on the Historic Environment

The Framework states that heritage assets are an irreplaceable (and therefore finite) resource and should be conserved in a manner appropriate to their significance and notes that any harm or loss should require clear and convincing justification. It requires applicants to describe the significance of heritage assets including any contribution made by their setting. Importantly it does note that when a proposal would lead to a less than substantial harm, this should be weighed against the public benefit of the proposal, including securing its optimum viable use. PPS 10 concurs with (but with less detail than) the Framework in this respect.

The Basildon Local Plan is silent on this issue, as it contains no saved policies other than those of national importance. Similarly, WLP policy W10E states that development would be permitted where satisfactory provision is made in respect of the resultant effects on the historic Environment.

The proposal is approximately 10 metres to the north of a Grade II Listed building, Cromwell Manor. Cromwell Manor (formally known as Pitsea Hall) is a Grade II Listed building which is south and separated from the proposal site by the Fenchurch street to Shoeburyness railway line with overhead power cables and level crossing sign also for Pitsea Hall Lane. It is likely to be a 16th century redevelopment of an earlier Norman manor, damaged by fire in the 1980s before full rebuilding and change of use from residential dwelling to restaurant in 1991. As such, any potential impacts on the setting of this historic asset must be considered in accordance with the NPPF (section 12). There has been no specific report considering the importance of this historic asset, although visual impacts from the location were considered in the landscape and visual impact assessment.

Basildon Borough Council and Place Service (Landscape) object as the proposals as submitted would not effectively screen Cromwell Manor from the development. Furthermore (and more specifically) Place Services (Historic Environment) object to the proposal on several grounds. These consist of as this would adversely impact on the setting of the Grade II asset, through amenity impacts (as discussed in section E) scale and cladding material of the building thus dominating all existing adjacent buildings. This in combination with the scale of the potential stockpiles would be of particular importance to Cromwell Manor as the objection considered

that the proposal would be seen as a backdrop in views of the façade of Cromwell Manor. It also notes that it would have an impact on foreground of views from the marshland footpath to the tower of St Michaels Church, which is also grade II listed. Importantly the representation does note that the existing surroundings do not make a positive contribution to its significance; however, these existing impacts would be exacerbated by this size, style and character of this proposal, particularly when considering cumulative impacts. It notes there is little intervening screening of the proposed site from Cromwell Manor other than the close boarded boundary fencing of Cromwell Manor and the railway infrastructure.

The owner of Cromwell Manor also objects on the grounds that no assessment has been provided of the significance of the Grade II listed building Cromwell Manor, which is contrary to the Framework. The objection considered the proposals would likely result in significant harm to Cromwell Manor and gardens due to the impacts on amenity (as considered in Section F), in their view negligible benefit and the impacts on the setting of Grade II Listed building from this development resulted in conflict with the Framework.

Despite the landscaping scheme and the noise assessment addendum (as discussed in Sections D and F respectively) submitted during determination period, the objector considers that there has not been consideration of the impact of the development on the external areas of the venue, used extensively for the core business (e.g. weddings).

These objections must be considered in context with the existing situation and local policy. Firstly, the gardens of Cromwell Manor where it is acknowledged that are frequently used for weddings and other functions are located to the south of the Manor itself, which would effectively screen the gardens from development. Other than the Manor itself, it is the car parking area that is approximately 10m to the south of the proposal site. Secondly, immediately to the north of Cromwell Manor & gardens (and between this venue and the proposal) is the Fenchurch Street to Shoeburyness railway line, which consists of dual track. In both directions, there are trains approximately 15 to 20 minutes during weekdays. This results in noise and vibration and is exacerbated by the fact that the venue is adjacent to the level crossing which (including warning acoustics and lights), which requires trains to either accelerate from or slow down for. Additionally there is an existing industrial use and building immediately to the north of the Manor. All of three considerations affect the setting of the listed building. Finally, as noted in section A the proposal is located within policy BAS E2, which promotes the area for employment uses (B1 – Business and B2 – General Industrial uses), which would enable development of this currently open area. In some cases due to this policy, B2 uses would not require planning permission on this site so would not be regulated through the planning system and therefore may affect more significantly than this proposal.

Furthermore, as described in section C, if permission were to be granted a condition could be implemented to require the applicant to provide details of a suitable boundary treatment to be provided and agreed by the Waste Planning Authority and Network Rail. This could be a pre- commencement condition, requiring the applicant to submit details and implement the agreed boundary

treatment prior to any construction of the waste reception building. Furthermore there are a number of conditions relating to amenity (discusses in section F). It is considered that the sum of these conditions would further reduce the impact on Cromwell Manor.

On balance with the Frameworks presumption in favour of sustainable development, and in the absence of an up to date local plan, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies. Therefore, it is considered that subject to the imposition of appropriate conditions regarding the southern boundary treatment, materials landscaping and amenity, the impacts on Cromwell Manor are not significant enough to warrant the refusal of planning permission, when considering the economic benefits of the development, in accordance with the Framework.

Viability of Cromwell Manor

In addition to the consideration of the impacts of development on the historic Environment, the Framework requires local authorities to consider the potential economic impacts of development.

The owner of Cromwell Manor and Place Service (Historic Environment) objections highlight how noise, vibration, light pollution, landscaping, design and the setting would potentially impact upon the viability of Cromwell Manor. It is used a function suite for weddings, funerals, private parties and corporate events. Place Services (Historic Environment) refers to national guidance, which may require authorities to consider the implications of cumulative change and the fact that developments that materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation. This consideration is echoed by the owner of Cromwell Manor.

With regards to national policy, section A concludes in that it has been satisfactorily demonstrated that there is an economic need for the relocation of the premises from Burnt Mills. This section also states that local policy supports development of this area for employment areas (policy BAS E2) and in all three options of the Basildon Preferred Approach documentation. It has been established that this sui generis proposal is akin to this type of development.

It has also been considered in sections D and F, that it has not been possible to substantiate that any of the complaints received regarding noise and vibration were actually caused by the permitted development operations on this site, or if it was the redevelopment of the premises between the proposal site and Pitsea Hall Lane. It was conclude in both of these sections that with appropriate conditions any impacts on amenity can be reduced and mitigated

Furthermore, it has been concluded above that in the absence of local planning policies and following pre-commencement conditions requiring mitigation for materials, landscaping and amenity, the southern boundary treatment and

materials, that adverse impacts would not significantly and demonstrably outweigh the benefits of this development, when assessed against the Framework policies.

It is therefore considered that the location is suitable for development as it is designated as a proposed employment area (policy BAS E2). This policy designation promotes this area for development of business and general industrial (which is akin to this sui-generis proposal) which would result in the loss of the currently open character. It has also been judged that due to the proximity of the dual track railway line and supporting infrastructure and existing industrial use to the north that potential impacts on Cromwell Manor would not significantly and demonstrably outweigh the benefits of this development. It is further considered that in line with the Framework and the presumption in favour of sustainable development that permission should not be refused, where there are no significant or demonstrably greater impacts of the development than the benefits. This is supported through the use of appropriate conditions regarding design, landscaping, minimising amenity impacts including lighting.

H. IMPACTS ON HYDROLOGY

WLP policy W4A (Flooding) states inter alia that development would only be permitted where there would not be an unacceptable risk of flooding or has an adverse effect on the water environment. This is supported by policy W4B (Surface & Groundwater) which states that development would only be permitted where there would not be an unacceptable risk to the quality of surface and ground water, or of impediment to ground water flow.

In support of the application a Flood Risk Assessment (FRA) has been prepared as the development would be on an area of greater than 1 hectare. This FRA states that the development is in flood zone 1 (the low risk zone), and states that the proposed development would be operated with minimal risk from flooding and not increase flood risk elsewhere. The Environment Agency has no objection to the proposals or conclusions stated within the FRA, but do note that the design of the final drainage scheme has not been finalised. Therefore, the EA do not object, subject to the imposition of a prior commencement condition. This would require a final scheme for the provision and implementation of surface water drainage and an assessment of the hydrological/hydrogeological context. This must be agreed in writing with the Waste Planning Authority, prior to the construction of the waste reception building.

It is therefore considered that subject to the imposition of an appropriate pre-commencement condition to approve in writing the final drainage scheme and hydrological/hydrogeological context that the development would comply with policies W4A, W4B and the Framework.

8. CONCLUSION

It is considered that the proposal should be considered favourably within the goals and objectives of the Framework, PPS10 and WLP. The Framework states “the planning system is to contribute to sustainable development” and requires

significant weight to be placed on the economic benefits of proposals, while protecting the environmental and social strands of sustainability.

The need and general suitability of the site comply with the Framework, PPS10 and WLP policies W3A and W7E, which requires waste to be moved up the hierarchy. The proposal is in conformity with W8B, through demonstration of a need to both relocate the business (this being the most suitable and feasible option, despite Basildon local policy BAS E6 directing untidy industry to the Burnt Mills Industrial Estate) and for increased non-organic waste treatment capacity. Additionally this site was an area of degraded and derelict land and designated as a proposed employment area policy BAS E2. Despite, the site being considered to be generally acceptable for such a proposal, further consideration of issues raised within the consultation, was required to ensure that this proposal would not create significant adverse harm to the local area, in accordance with the Framework.

The first of these considerations was highway impacts, which primarily focused on local infrastructure impacts and increased HGVs worsening congestion. However, following assessment by the Highway Authority and Highways Agency, it is considered that suitable conditions and an informative could be attached if planning permission were to be granted. These could ensure the proposal would not result in a significant and demonstrably negative impact, so it is considered to be in accordance with WLP policy W4C and Basildon policies BAS E2 and BAS E10. Similarly, impacts on ecology and hydrology could also be suitably mitigated by imposing appropriate conditions to ensure the proposal would comply with WLP policies W4A, W4B, W10E and the Framework, thus would be commensurate with the scale of the proposal.

Further concerns raised within the consultation period related to design, landscape and visual impacts. The issues primarily focused on the scale and colour of the building itself and that landscaping proposals do not adequately mitigate the impacts on the views from PRow and properties. The proposal would include the construction and operation of a large (13m high) building, which is required to be fit for purpose and functional. Due to the size, the proposal does not fully comply with WLP policy W10E and Basildon policies BAS C2 and BAS E10. However, this must be considered against the fact that it is located within a designated proposed employment area (policy BAS E2) which means the policy drivers within the Framework must take precedence. In light of this, it is considered that the proposal (subject to appropriate conditions regarding screening on the southern boundary, material details and landscaping) would not affect the landscape or visual receptors (including Wat Tyler Country Park) significantly enough to warrant the refusal of planning permission when balanced against the benefits.

Amenity impacts to the public using the adjacent to PRow and local residences were raised as a concern during the consultation and also those specifically relating to the Grade II Cromwell Manor, which is used as a function suite, primarily for weddings. The objections in relation to the adverse amenity impacts on Cromwell Manor concluded that the proposal may make the business unviable, resulting in the degradation of the Listed Building, due to the costs of upkeep. The impacts of concern focused on the hours of operation, the impacts on the PRow and the noise

and dust resulting from the proposal so compliance with policies W10E, W10F, W10G, BAS E10 and the Framework was considered. It must be noted that the proposal is located within a as a proposed employment area (policy BAS E2) and would not result in closure or diversion of the PRoW. Indeed it seeks to improve the PRoW by improving it at its eastern extremity (where it merges with Pitsea Hall Lane), as it is currently impacted upon by the existing industrial use by improving its demarcation and remove obstructions. With regards to the other issues of concern, the Framework embodies a presumption in favour of sustainable development and states “in the absence of an up to date local plan, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies”. On balance (and to be in accordance with the Framework), it is therefore considered that subject to the imposition of appropriate conditions, the impacts on general amenity to users of the PRoW, local residences and specifically amenity of Cromwell Manor are not significant enough to warrant the refusal of planning permission.

9. RECOMMENDATION

That planning permission be granted subject to conditions covering the following matters:-

1. COM1 – commencement of the development within 5 years from the date of this permission.
2. COM3 - Compliance with submitted details
3. COM2 – Notification of commencement within 7 days of implementation
4. WAST1 – Definition of waste materials to be imported
5. WAST5 – Restricting waste to areas as approved
6. HIGHWAYS - Bespoke
Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Waste Planning Authority shall be constructed and maintained free from obstruction within the site at all times for that sole purpose.
7. HIGHWAYS - Bespoke
Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of associated materials and manoeuvring shall be provided clear of the highway and retained at all times for that sole purpose as approved in writing by the Local Planning Authority.
8. HIGH13 – surface materials of access
9. HIGH14 – Access gates
10. HIGHWAYS - Bespoke
The Public's rights and ease of access over the public footpath shall be maintained free and unobstructed at all times.
11. HIGH7 – erection of warning signage for PRoW Vange 136
12. HIGHWAYS - Bespoke
Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
13. HIGHWAYS - Bespoke
The powered two wheeler/cycle parking facilities as shown on the approved

plan are to be provided prior to the first occupation of the development and retained at all times.

14. HIGH5 – restriction to 100 HGV movements [50 in and 50 out] per day (Monday to Friday) 50 HGV movements [25 in and 25 out] per day (Saturdays)
15. HIGH1– improvement to Terminus Drive access
16. HIGH2 – All Access to be via Terminus Drive
17. DET1 – Requires submission of details regarding material, colours and finishes for the waste processing building and acoustic barrier
18. LAND1 – Requires submission details regarding a landscaping scheme
19. LAND2 – Requires replacement of trees/and shrubs (if necessary) within 5 years of commencement
20. DET5 – Requires submission of details regarding the southern boundary treatment
21. HOUR1 – Restricts construction times to 07:00 to 18:30 hours Monday to Friday and 07:00 to 13:00 hours Saturdays
22. HOUR5 - Restricts hours of operation times to 07:00 to 18:30 hours Monday to Friday and 07:00 to 13:00 hours Saturdays
23. NSE3 – Requires noise monitoring to be undertaken and submitted within one month of commencing operations to validate predictions.
If measured noise levels exceed those detailed proposed mitigation measures shall be submitted to and approved in writing by the Waste Planning Authority within 1 month of the monitoring being carried out.
24. NSE4 - Requires submission details regarding the sound proofing of the waste processing building
25. DUST1 – Implementation in accordance with approved dust suppression measures
26. LGHT1 - Requires submission details regarding any proposed lighting on site
27. ECO1- Implementation in accordance with approved Reptile Mitigation Measures
28. POLL1 - Requires submission details regarding surface water drainage and an assessment of the hydrological and hydrogeological context of the development.

INFORMATIVES

1. The Highways Agency requests that the applicant aims to minimise HGV movements at peak times to reduce severe congestion experienced on the A13.
2. Although only a 2 metre wide area is to be delineated as the PRoW public access rights to Footpath status will still subsist across the full width as shaded pink on KAB 11.
3. Network Rail requests the applicant should contact Asset Protection at AssetProtectionAnglia@networkrail.co.uk to determine the scope of entering an asset protection agreement.
4. The Environment Agency requests the applicant to discuss with the Environment Agency the requirements of the Environmental Permitting Regulations 2010.

BACKGROUND PAPERS

Consultation replies
Representations
Ref: P/DM/GemmaSkillern/ESS/69/12/BAS
LOCAL MEMBER NOTIFICATION
BASILDON – Pitsea

The Conservation of Habitats and Species Regulations 2010: The proposed development is not located within the vicinity of a Special Area of Conservation (SAC) or Special Protection Area (SPA) and is not directly connected with or necessary to the management of those sites. Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 is not required.

Equalities Impact Assessment: The report only concerns the determination of an application for planning permission and takes into account equalities implications. The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the body of the report. The application has been considered in line with the Equalities Act 2010 and suitably appraised with regard to relevant equality issues, implications and/or needs.

Statement of how the local authority has worked with the applicant in a positive and proactive manner:

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner by identifying matters of concern within the application (as originally submitted) and based on seeking solutions and acceptable amendments to the proposal to address those problems. This has been achieved by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary.

As a result, the Waste Planning Authority has been able to recommend granting planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

CONSIDERATION OF POLICIES

APPENDIX 1

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
Essex & Southend-on-Sea Waste Local Plan (2001)		
<u>W3A</u>	<p><u>Waste Strategy</u> The WPAs will:</p> <p>In determining planning applications and in all consideration of waste management, proposals have regard to the following principles:</p> <ul style="list-style-type: none"> • Consistency with the goals and principles of sustainable development; • Whether the proposal represents the best practicable environmental option for the particular waste stream and at that location; • Whether the proposal would conflict with other options further up the waste hierarchy; • Conformity with the proximity principle. <p>In considering proposals for managing waste and in working with the WDAs, WCAs and industrial and commercial organisations, promote waste reduction, re-use of waste, waste recycling/composting, energy recovery from waste and waste disposal in that order of priority.</p> <p>Identify specific locations and areas of search for waste management facilities, planning criteria for the location of additional facilities, and existing and potential landfill sites, which together enable adequate provision to be made for Essex, Southend and regional waste management needs as defined in policies W3B and W3C.</p>	<p>Paragraph 6 of the Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development.</p> <p>PPS10 supersedes 'BPEO'.</p> <p>PPS10 advocates the movement of the management of waste up the waste hierarchy in order to break the link between economic growth and the environmental impact of waste.</p> <p>One of the key planning objectives is also to help secure the recovery or disposal of waste without endangering human health and without harming the environment, and enable waste to be disposed of in one of the nearest appropriate installations.</p> <p>Therefore, Policy W3A is considered consistent with the Framework and PPS10.</p>
<u>W3C</u>	<p><u>Need for Waste Development</u> Subject to policy W3B, in the case of landfill and to policy W5A in the case of special wastes, significant waste management developments (with a capacity over 25,000 tonnes per annum) will only be permitted when a need for the</p>	<p>Paragraph 3 of PPS 10 highlights the key planning objectives for all waste planning authorities (WPA). WPA's should, to the extent appropriate to their responsibilities, prepare and deliver planning</p>

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	<p>facility (in accordance with the principles established in policy W3A) has been demonstrated for waste arising in Essex and Southend. In the case of non-landfill proposal with an annual capacity over 50,000 tonnes per annum, restrictions will be imposed, as part of any planning permission granted, to restrict the source of waste to that arising in the Plan area. Exceptions may be made in the following circumstances:</p> <ul style="list-style-type: none"> • Where the proposal would achieve other benefits that would outweigh any harm caused; • Where meeting a cross-boundary need would satisfy the proximity principle and be mutually acceptable to both WPA5; • In the case of landfill, where it is shown to be necessary to achieve satisfactory restoration. 	<p>strategies one of which is to help implement the national waste strategy, and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Waste Management Licensing Regulations 1994.</p> <p>Therefore, as Policy W3C is concerned with identifying the amount of waste treated and its source the policy is considered consistent with the requirements of PPS10.</p>
<u>W4C</u>	<p><u>Access</u></p> <ol style="list-style-type: none"> 1. Access for waste management sites will normally be by a short length of existing road to the main highway network consisting of regional routes and county/urban distributors identified in the Structure Plan, via a suitable existing junction, improved if required, to the satisfaction of the highway authority. 2. Exceptionally, proposals for new access direct to the main highway network may be accepted where no opportunity exists for using a suitable existing access or junction, and where it can be constructed in accordance with the County Council's highway standards. 3. Where access to the main highway network is not feasible, access onto another road before gaining access onto the network may be accepted if, in the opinion of the WPA having regard to the scale of development, the capacity of the road is adequate and there would be no undue impact on road safety or the environment. 	<p>Paragraph 21 (i) of PPS10 highlights that when assessing the suitability of development the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.</p> <p>Furthermore, Paragraph 34 of the Framework states that 'Decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'.</p> <p>Policy W4C is in conformity with paragraph 34 in that it seeks to locate development within areas that can accommodate the level of traffic proposed.</p>

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	4. Proposals for rail or water transport of waste will be encouraged, subject to compliance with other policies of this plan.	In addition, the policy seeks to assess the existing road networks, therefore being in accordance with the Framework and PPS10.
<u>W7E</u>	<p><u>Materials Recovery Facilities</u> To facilitate the efficient collection and recovery of materials from the waste stream, in accordance with policy W3A, the WPAs will seek to work with the WDAs/WCAs to facilitate the provision of:</p> <ul style="list-style-type: none"> • Development associated with the source separation of wastes; • Material recovery facilities (MRF's); • Waste recycling centres; • Civic amenity sites; • Bulking-up facilities and waste transfer stations. <p>Proposals for such development will be supported at the following locations:</p> <ul style="list-style-type: none"> • The waste management locations identified in Schedule 1 (subject to policy W8A); • Other locations (subject to policies W8B and W8C); • In association with other waste management development; • Small scale facilities may be permitted at current landfill sites, provided the development does not unduly prejudice the agreed restoration timescale for the site and the use ceases prior to the permitted completion date of the site (unless an extension of time to retain such facilities is permitted). <p>Provided the development complies with other relevant policies of this plan.</p>	See explanation notes for Policy W3C and W8B as these are relevant and demonstrate conformity with the Framework and PPS10.
<u>W8B</u>	<p><u>Non Preferred Locations</u> Waste management facilities (except landfill to which policies W9A and W9B apply) will be permitted at locations other than those identified in this plan, provided all of the criteria of policy W8A are</p>	Policy W8B is concerned with considering locations for sites that have not been identified within the Plan as preferred sites for waste related developments.

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	<p>complied with where relevant, at the following types of location:</p> <ul style="list-style-type: none"> Existing general industrial areas; Areas allocated for general industrial use in an adopted local plan; Employment areas (existing or allocated) not falling into the above categories, or existing waste management sites, or areas of degraded, contaminated or derelict land where it is shown that the proposed facility would not be detrimental to the amenity of any nearby residential area. <p>Large-scale waste management development (of the order of 50,000 tonnes per annum capacity or more, combined in the case of an integrated facility) will not be permitted at such non-identified locations unless it is shown that the locations identified in Schedule 1 are less suitable or not available for the particular waste stream(s) which the proposal would serve.</p>	<p>By setting criteria for non-preferred sites, this policy allows for the protection of the natural environment in conformity with the third strand of the three dimensions of sustainable development.</p> <p>Additionally, in conformity with paragraph 17 of the Framework, the policy contributes to the conservation and enhancement of the natural environment. The Framework goes on to state that 'Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.</p> <p>It is therefore considered that policy W8B is in conformity with the principles and requirements of the Framework.</p>
W10E	<p><u>Development Management</u></p> <p>Waste management development, including landfill, will be permitted where satisfactory provision is made in respect of the following criteria, provided the development complies with other policies of this plan:</p> <ol style="list-style-type: none"> The effect of the development on the amenity of neighbouring occupiers, particularly from noise, smell, dust and other potential pollutants (the factors listed in paragraph 10.12 will be taken into account); The effect of the development on the landscape and the countryside, particularly in the AONB, the community forest and areas with special landscape designations; The impact of road traffic generated by the development on 	<p>Policy W10E is in conformity with the Framework in that the policy is concerned with the protection of the environment and plays a pivotal role for the County Council in ensuring the protection and enhancement of the natural, built and historic environment.</p> <p>The policy therefore, is linked to the third dimension of sustainable development in the meaning of the Framework.</p>

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	<p>the highway network (see also policy W4C);</p> <ol style="list-style-type: none"> 4. The availability of different transport modes; 5. The loss of land of agricultural grades 1, 2 or 3a; 6. The effect of the development on historic and archaeological sites; 7. The availability of adequate water supplies and the effect of the development on land drainage; 8. The effect of the development on nature conservation, particularly on or near SSSI or land with other ecological or wildlife designations; and 9. In the Metropolitan Green Belt, the effect of the development on the purposes of the Green Belt. 	
<u>W10F</u>	<p><u>Hours of Operation</u></p> <p>Where appropriate the WPA will impose a condition restricting hours of operation on waste management facilities having regard to local amenity and the nature of the operation.</p>	<p>Paragraph 123 of the Framework states that planning decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new developments, including by conditions. Furthermore, paragraph 203 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.</p> <p>It is considered that as policy W10F is concerned with the protection of amenity, while seeking to impose conditions to minimise this adverse effects, policy W10F is in conformity with the requirements of the Framework.</p> <p>Also see above regarding PPS10 and conditions.</p>
<u>W10G</u>	<p><u>Public Rights of Way</u></p> <p>Applications for waste management</p>	<p>Paragraph 75 requires planning</p>

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	facilities should include measures to safeguard and where practicable to improve the rights of way network, which shall be implemented prior to any development affecting public rights of way commencing.	<p>policies to protect and enhance public rights of way and access. As such, opportunities for improvement and incorporation of better facilities for users should be sought.</p> <p>It is therefore considered that Policy W10G which seeks to safeguard and improve the Public Rights of Way network is in conformity with the requirements of the Framework.</p>
Basildon District Local Plan Save Policies (1996)		
<u>BAS C2</u>	<u>Country Parks</u> The Council will not normally permit development, which may adversely and materially affect the conservation or landscape value of a Country Park.	<p>Country parks are considered to be significant places that contribute to the UKs accessible natural green space. These provide opportunities for recreation, tourism, health, education and improve the quality of life for their local communities.</p> <p>In this respect, it is considered that policy BAS C2, complies with all three strands of sustainability noted within the Framework and specifically paragraphs 109 and 123</p>
<u>BAS E2</u>	<u>Proposed Employment Area</u> 3.5 hectares (8.6 acres) of land is allocated for employment purposes in Terminus Drive, Pitsea, subject to the following criteria:- <ul style="list-style-type: none"> i. The proposal must be subject to a Traffic Impact Assessment. Any improvement to the local highway network required to enable the development to take place, will be expected to be provided by the developer; and ii. The site shall provide for B1 and B2 uses. 	<p>Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 furthers this argument by noting planning has an economic role by in part ensuring that sufficient land of the right type is available in the right places.</p> <p>It is considered that policy BAS E2, which seeks to safeguard the Terminus Drive area for employment uses, is in conformity with the Framework.</p>
<u>BAS E6</u>	<u>Untidy Industry</u> The development or expansion of untidy	Refer to response for BAS E2.

REF:	POLICY	CONSISTENCY WITH Framework AND PPS10
	<p>industry sites will be permitted in the Harvey Road and Archers Field area of the Burnt Mills Industrial estate, as identified on the Proposals Map. Untidy industry proposals in other locations within the existing industrial areas will be assessed on the basis of their likely effects on nearby uses. Outside of industrial areas untidy industry will not be allowed.</p>	<p>It is considered that policy BAS E2, which seeks to safeguard the Terminus Drive area for employment uses, is in conformity with the Framework.</p>
<p><u>BAS E10</u></p>	<p><u>General Employment Policy</u> Proposals for industrial, business and office development (Use Classes B1 to B8) will be considered with regard to the following criteria:-</p> <ol style="list-style-type: none"> i. the surrounding roads must be adequate to accommodate the increase in vehicle traffic generated. A Traffic Impact Assessment may be required; ii. Developments should relate to the primary road network without using residential estate roads; iii. Adequate car parking should be provided in accordance with the Council's Car Parking Standards in Appendix Three; iv. Adequate servicing and turning areas should be provided on the site in accordance with the Council's Highway Standards; v. Provision for the landscaping and screening of buildings and storage areas with a landscaping strip abutting all highways will normally have a minimum width of 5 metres to be retained at all times; vi. The design, form, scale, and materials of the development will be expected to be appropriate and sympathetic to neighbouring developments, particularly adjacent to residential areas; and vii. Adequate controls should be installed to limit the emission of noise, pollutants, discharge and smells which could be associated with the proposed use. 	<p>Policy BAS E10 is in conformity with the Framework in that the policy is concerned with the protection of the road network, visual amenity, design, landscaping and protection of the environment and ensures the protection and enhancement of the natural, built and historic environment.</p> <p>The policy therefore, is linked to all three dimensions of sustainable development in the meaning of the Framework and therefore in conformity to it.</p>