

DR/10/14

committee DEVELOPMENT & REGULATION

date 28 March 2014

MINERALS AND WASTE DEVELOPMENT

Proposal: **Change of use from B8 (Storage and Distribution) to a waste transfer (Health Care Waste), storage and associated offices.**

Location: **Fulmar Way, Wickford Business Park, Wickford, SS11 8YW**

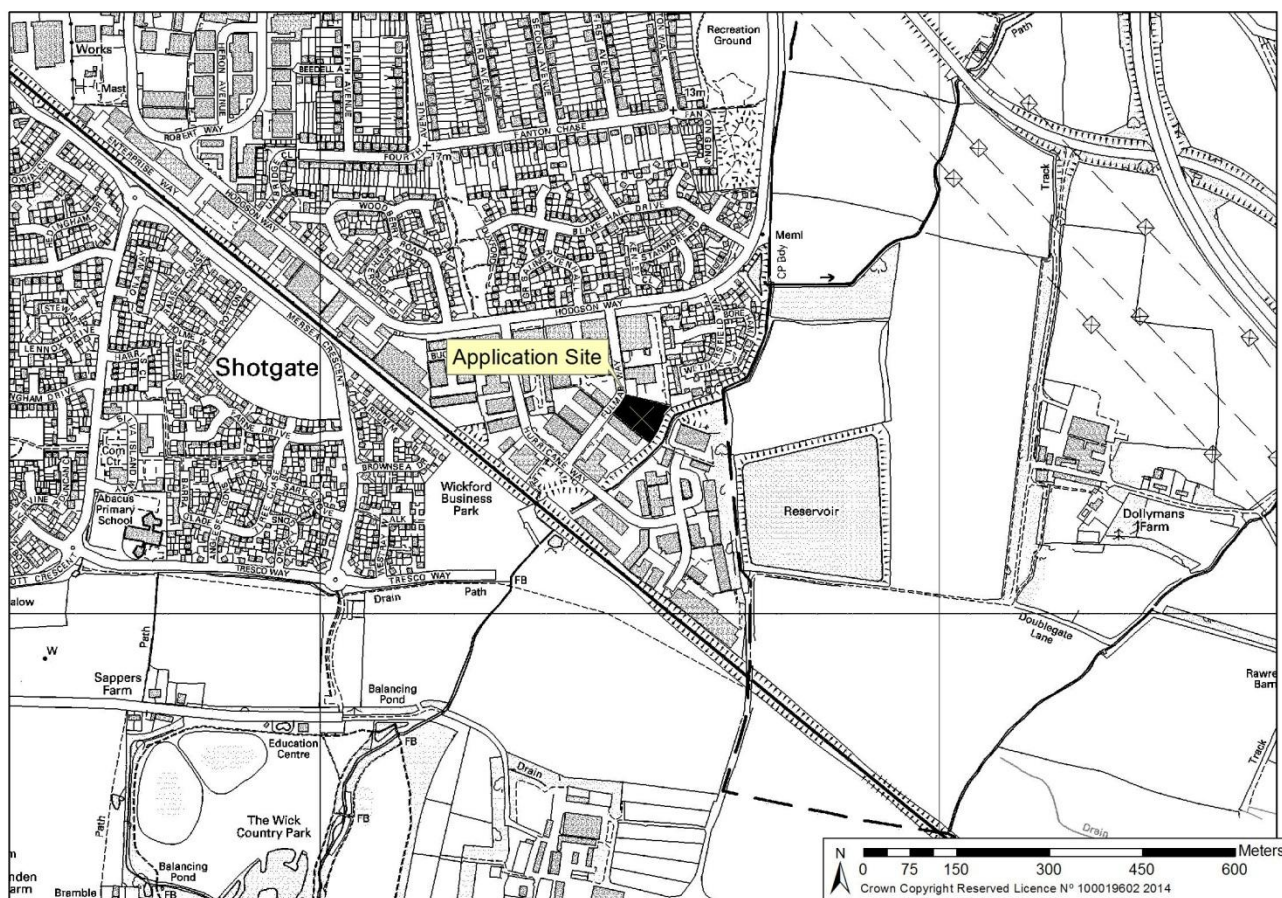
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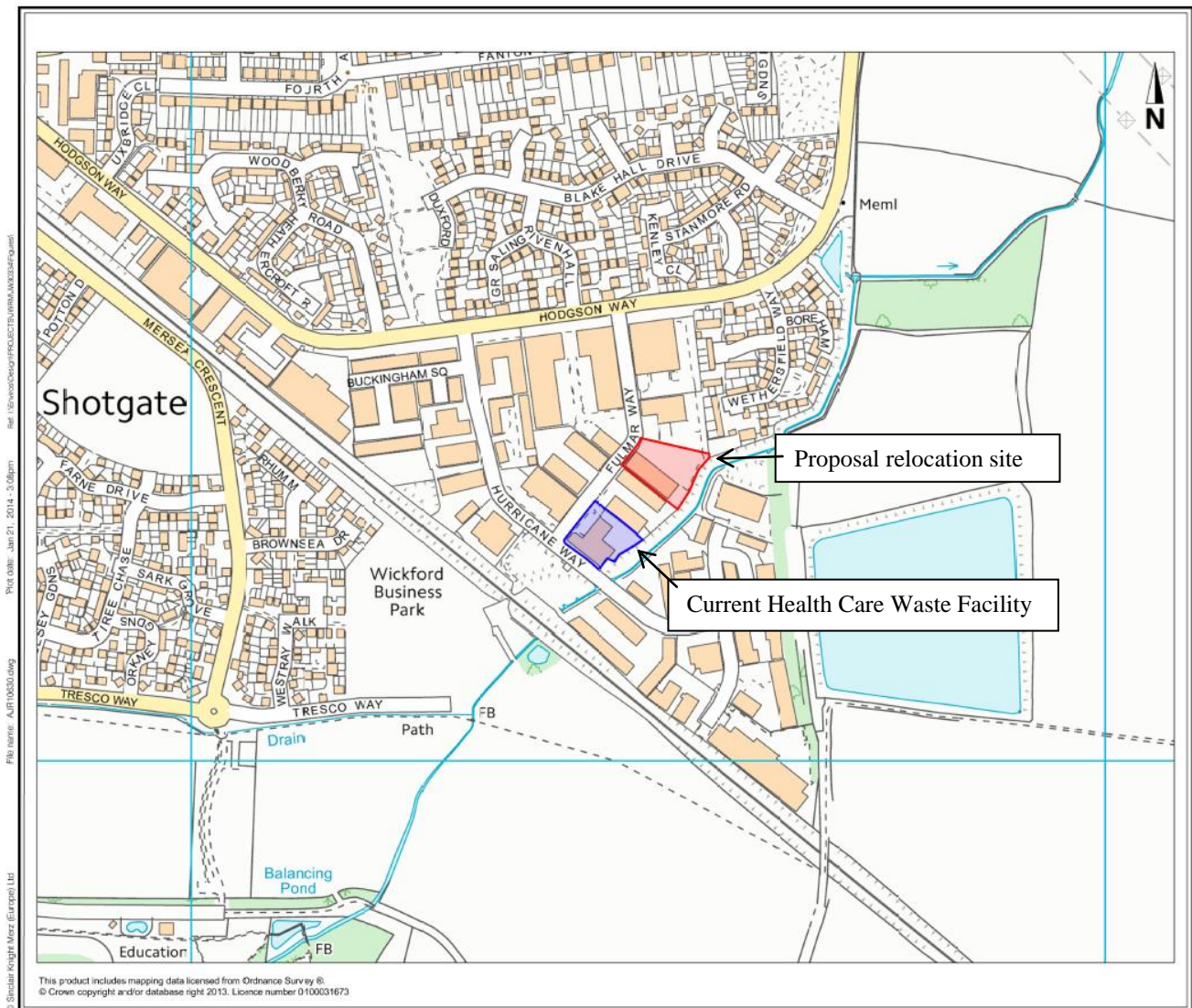
Applicant: **PHS Group PLC**

Report by Director of Operations: Environment and Economy

Enquiries to: Paul Calder Tel: 03330 136825

The full application can be viewed at www.essex.gov.uk/viewplanning





(Taken from application submission ref: JW30334)

1. SITE

The application site is located to the east of the main urban area of Basildon, south east of Wickford within the Wickford Business Park. The Business Park is accessed from the A129 and then via a local distributary road, Hodgson Way, which leads onto Fulmar Way.

The application site lies within the eastern side of Fulmar Way, located within an established light industrial estate with a mixture of light manufacturing and distribution activities. The application site itself occupies an area 0.4ha with the existing warehouse building occupying 890m², office building occupying 255m² with associated 2 – 2.4m high palisade fencing around the site boundary. The main yard of the site would be used for the manoeuvring and parking of all commercial vehicles and within the south eastern corner of the site there is parking for 16 cars.

Existing residential properties are located to the north and north west of the site towards the centre of Wickford. The nearest residential property to the application

site would be within 50m of the north east corner of the site boundary. To the south and east of the site are existing industrial units which give way to open countryside beyond the Shenfield to Southend-on-Sea main line railway and a water reservoir.

2. PROPOSAL

The proposal is for a change of use from B8 (storage and distribution) to a sui-generis waste use comprising transfer of health care wastes, storage and associated office use. As this proposal is solely for a change of use, it is not proposed to increase the development area, change the design or external materials of the existing industrial unit.

The applicant currently operates a permitted healthcare waste transfer station facility at Unit E, Wickford Business Park. The current facility not only transfers health care waste but also provides a laundry facility for their 'Besafe' workplace mats and uniform cleaning operations. The existing water and drainage facilities at the current site (Unit E) are more suited to the laundry facility. Therefore, the applicant is seeking to relocate the healthcare waste transfer station facility to the application site.

Healthcare waste collected within Essex would be brought to the facility for storage and bulking up, negating the need for daily trips to a disposal facility in Slough. There would be no treatment or disposal of waste on site. Waste would be stored on site for a maximum of 3 months before being transported to the relevant facility. It is proposed that the waste would be collected from its source in sealed lockable plastic containers, unloaded with the building, to be transferred to the sealed waste containers or sealed compactors which would be contained within the industrial unit itself. This would result in a maximum amount of waste handled onsite to be 6,000tpa including a maximum 9.89 tonnes per day of hazardous waste which is the same as that currently permitted and operating at the existing site (Unit E).

The waste that would be handled on site is classified as 'healthcare waste'. In this case, this would consist of waste collected predominately from feminine hygiene bins, nappy bins from offices and other organisations, 'yellow and orange bag' healthcare waste and sharps from medical. The quantity of hazardous waste to be stored onsite at any one time would not exceed 10 tonnes.

The application proposes that the site would be in use during the hours of 07:30 to 17:30 Monday to Friday, including Bank Holidays. It should be noted that

It is proposed that there would be a maximum daily of 100 (50 in and 50 out) vehicle movements. Each delivery vehicle is fitted with a GPS tracker which allows the application to control the delivery of vehicles to control congestion within the local highway network.

3. POLICIES

The following policies of the Essex & Southend-on-Sea Waste Local Plan (2001) (WLP) and Basildon Borough Local Plan Saved Policies (1996) (BBLP) provide the development plan framework for this application. The following policies are of

relevance to this application:

<u>Policy</u>	<u>BBLP</u>	<u>WLP</u>
Existing Employment Areas	BAS E4	
General Employment Policy	BAS E10	
Development Control	BAS BE12	
Waste Strategy		W3A
Need for Waste Development		W3C
Surface & Groundwater		W4B
Access		W4C
Clinical Waste		W5B
Non Preferred Locations		W8B
Small scale proposals		W8C
Development Management		W10E

The National Planning Policy Framework (the Framework) was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The Framework highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that there are three dimensions to sustainable development: economic, social and environmental. The Framework places a presumption in favour of sustainable development. However, Paragraph 11 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

For decision-taking the Framework states that this means; approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

The BBLP and WLP (both adopted pre 2004 and/or not under the Planning and Compulsory Purchase Act 2004) fall within the remit of consideration according to Paragraph 215. Paragraph 215 of the Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The level of consistency of the policies contained within the WLP is detailed in Appendix 1. The level of consistency of the policies contained within the BBLP is considered further in this report, as appropriate.

With regard to updates/replacements or additions to the above, the Waste Development Document: Preferred Approach 2011 (now known as the Replacement Waste Local Plan (RWLP)) should be given little weight having not

been 'published' for the purposes of the Framework. The Framework states (Annex 1):

From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given), and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The RWLP has yet to reach 'submission stage' and as such it is too early in the development of the RWLP for it to hold any significant weight in decision making.

BBC has produced a Development Control Policies Plan (DCPP) however, at the Full Council meeting on 29 June 2006, the Council resolved to withdraw the draft Replacement Local Plan and to proceed with the Local Development Framework (LDF). At the same Council meeting it was agreed that the Development Control policies contained in the draft Replacement Local Plan Redeposit (RLP), in principle, be treated as a material consideration in the determination of planning applications, until such time as the Core Strategy and Development Control Policies Development Plan Documents were adopted. The DCPP contains policies from the draft Replacement Local Plan Redeposit which was never formally adopted. As a draft of this Plan has not been formally adopted and published it is considered that little weight can be applied especially as objections are outstanding from consultation.

As a note to the above the Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. Until such a time the Waste Planning Policy Statement (PPS 10) remains the most up-to-date source of Government guidance for determining waste applications and as such reference to this Statement, in addition to the Framework, will also be provided, as relevant in the body of this report/appraisal.

4. CONSULTATIONS

BASILDON BOROUGH COUNCIL – No objection.

ROCHFORD DISTRICT COUNCIL – Any comments received will be reported.

ENVIRONMENT AGENCY – No objection.

HIGHWAY AUTHORITY – No objection.

WASTE MANAGEMENT (ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS)

– Any comments received will be reported.

SHOTGATE PARISH COUNCIL – Comments, as follows;

- A one page summary of this application should have gone out with the original letter to residents;

Comment: The County Council as Mineral and Waste Planning Authority is now able to provide web access for all applications. As a result all consultees/ members of the public are now able to view all particulars associated with an application online. This has resulted in the requirement to undertake site summarise to be removed as application details can be found via the Council's website.

- The title of the application is not detailed enough, the website has too much information for most people;
- An application that refers to hazardous material is of interest to all Shotgate residents. Many residents of nearby streets complained that they had not received a letter.

Comment: Under Essex County Council's (ECC) adopted Statement of Community Involvement (SCI) it is noted that the Council will contact properties within a defined radius of a planning application by a direct neighbour notification letter (DNN) as an additional method of involvement (statutory alternative to site notices and press adverts however, ECC currently does both). DNN for Minerals and Waste applications requires that all properties within 250 metres of the site boundary will be sent a letter.

- Despite the number of supporting documents it is still unclear whether this move to another building represents a substantial increase in the volume of waste handled

Comment: There would be no increase in the amount of waste handled by the operator.

LOCAL MEMBER – BASILDON – Wickford Crouch – Any comments received will be reported.

LOCAL MEMBER – BASILDON – Wickford Crouch – Any comments received will be reported.

LOCAL MEMBER – ROCHFORD – Rayleigh North – Any comments received will be reported.

5. REPRESENTATIONS

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

Observation

Comment

Principal of Location

This type of facility should not be located adjacent to a housing development. See appraisal.

Location of site adjacent to a residential estate would have an adverse impact upon residential amenity. See appraisal.

Site contains the possibility it may contain biological and other hazards to human health. Therefore, should not be located adjacent to residents and children. See appraisal.

Proposal is located opposite a Charity distribution centre. Noted.

Waste type

Assurances should be made that no infections, Hazardous or Radioactive materials are intended to be stored onsite. The site would handle an element of Hazardous waste (sharps from medical uses) and would be required to register with the Environment Agency under the Hazardous Waste Regulations and would require a permit from the Environment Agency to operate. See appraisal.

If Prescription Drugs stored onsite assurances to the community should be made to ensure no authorised entry to the site. No prescription drugs are to be stored onsite.

Storage of surplus prescription drugs on the site has the potential to find their way to the open market. Drug users may target the site therefore becoming a nuisance to local area. See above.

Highways

Proposal would increase traffic along Hodgson Way. See appraisal.

Heavy traffic causing vibration on roads which has resulted in damage to Hodgson Way forms part of the Highway Network in which HGV's are

properties on Hodgson Way.	suitable for Travel. No weighting restriction exists for the road. See appraisal.
Additional HGV's on the highway network will cost the Council major financial outlay in re-constructing roads.	The suitability of roads for vehicular movements and their maintenance is a matter for the Highway Authority. No objection has been raised on highway safety amenity grounds.
With the closure of Bridge Road the additional HGV's would cause greater problems for residents.	See appraisal.
16 car parking spaces onsite however, states that 71 full time employees. Another 50-60 cars parked in nearby roads would have an impact upon traffic flow.	See appraisal.

Noise

Continuous noise from HGVs entering and leaving the site in addition to reversing alarms would be intolerable.	See appraisal
Previous use did not work over bank holidays as this application proposes.	The previous use/operator had no restrictions on their operational hours/working days. See appraisal.
Operations are stated to be between 07:30 – 17:30 Monday to Friday. Experience with previous use is that opening or operating times are arbitrary and not adhered to. If operated outside times would impact upon residents.	See above.
Extractor fans for odour management system, use of the compactor, washing of equipment/HGV's, moving of trolleys and waste containers would create additional noise to the surrounding area.	See appraisal.

Odours

Likely to be odours despite operations being inside the building.	See appraisal.
Extraction of odour from the building	Bioaerosols and odour are controlled

would expel smells into the atmosphere impacting upon the environment and residents.

via the Environment Agency Environmental Permit regime. See appraisal

Negative Atmosphere Pressure System should be used within the proposed facility to stop odour emissions.

An odour management system would be used by the operator within the existing building.

The location of the compactor would be adjacent to where users of the adjacent industrial building take their break. Therefore, they would be subjected to odour.

See above.

Application Details

Application states 6,000tpa of waste a year transferred. This suggested 6,000 in and out equating to 12,000tpa over approximately 261 days. This would be 46 tonnes per day. If permission granted a limitation on HGV and volumes of waste should be imposed.

The total annual tonnage of waste accepted onsite would be 6,000tpa.

Application states that no trees or hedges adjacent to the site however, a hedge was planted to screen the site from residents of Wethersfield Way.

Noted.

2 new houses were built in 2013 directly to the north east corner of the site which are not shown on the OS map.

During the application site visit the case officer noted the characteristics of the surrounding area which included noting the residential properties surrounding the application site.

Should review covenants on the land which may restrict changes of use.

The granting of planning permission does not supersede a legal covenant. Should a covenant existing on the land it is the responsibility of the landowner/operator to review its requirements and ensure that they can implement their consent.

Other matters

Substances have the potential for fire risk. Should this take place further toxic contamination would be realised within the area.

The Health and Safety Executive is the responsible authority for ensuring all health and safety mechanisms are in place in relation to developments. In addition the existing building would

have been required to attain Building Regulations approval which covers fire safety.

6. APPRAISAL

The key issues for consideration are:

- A. Need & Principle of Development, and;
- B. Impacts upon Local Amenity

A NEED AND PRINCIPLE OF DEVELOPMENT

As noted earlier within this report, the Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. Until then, PPS10 remains in place. However, local authorities taking decisions on waste applications should have regard to policies in the Framework so far as relevant.

The Framework highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that there are three dimensions to sustainable development: economic, social and environmental.

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) states that 'the overall objective of Government policy on waste, as set out in the strategy for sustainable development, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. By more sustainable waste management, moving the management of waste up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort, the Government aims to break the link between economic growth and the environmental impact of waste.'

Need

WLP policy W3A (Best Practicable Environmental Option) identifies the need for proposals to have regard to the following principles:

- 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.

PPS10 also encourages waste to be managed as per the principles set out in the waste hierarchy. The waste hierarchy promotes, in this order; prevention of waste; re-use of waste; recycling of waste and then any other recovery. It states that the disposal of waste is the least desirable solution and only suitable when none of the above is appropriate.

As noted above the applicant currently operates a permitted waste transfer facility at Unit E on the Wickford Business Park. As part of their on-going plans to improve efficiencies in their operation the applicant is seeking to utilise the proposal site which is currently vacant. The applicant has stated that the relocation of the healthcare waste transfer facility from Unit E would allow the existing laundry facility within Unit E to be improved as the existing water and drainage services are more advanced within that unit allowing an economic enhancement of the 'Besafe' division of the company.

The proposed operations/process are, as follows;

- All wastes would be delivered in sealed lockable plastic containers and sealed bags. All delivery vehicles would be 3.5 tonne vehicles (typically vans) and would offload waste through one of the roller doors at the front of the main building;
- pre-acceptance checks with this type of waste are less than those associated with for other wastes because of the low health risks that would arise from opening healthcare waste packaging (opening would only occur within the building);
- Following pre-acceptance checks the waste would be sorted prior to collection by larger (up to 32 tonne) vehicles for transportation to offsite disposal or further treatment;
- All transfer operations will occur inside the building with only bagged sealed waste being transported to the external container and compactor unit;
- Other wastes, such as photographic chemicals, fixer and developer from x-ray development at dental practices, would also be stored on site. All of these wastes will be stored within the building on bunded pallets and checked for integrity on a daily basis by a suitable qualified member of the team, and;
- Additionally, the applicant considers that should planning permission be granted, the business could grow and lead to more staff being employed at the premises (this is in conformity with the economic dimension of the framework).

The only proposed change in terms of waste types and process operations is that applicant proposes to install a separate sealed compactor unit for the compaction of non-hazardous, non-clinical wastes. The compactor unit would have the major benefit of reducing the number of vehicle movements required to remove wastes for off-site disposal or recovery.

It should be noted that all the operations/processes noted above are all currently undertaken within their current site at Unit E which also holds an Environmental Permit from the Environment Agency (EA). The only change

Waste Local Plan policies W3A (Waste Hierarchy) requires applications to be considered in terms of consistency with the waste hierarchy, sustainability and the proximity principle. The proximity principle has been superseded within PPS10 such that the principle is now one of "waste to be disposed of in one of the nearest appropriate installations". Therefore, it is considered that the applicant has demonstrated a need for the proposal, in terms of reducing the need to travel

to the waste receptor sites and would provide and enhanced transfer facility for healthcare wastes. The proposal would reduce 'waste miles', with the benefit of reducing greenhouse gas emissions meeting one of the central aims of the Framework to address climate change.

In relation to the economic role the development would, as noted within the application details employ 71 people onsite and through relocation would allow enchantment of the applicants 'Besafe' division of the company resulting in additional employment opportunities should planning permission be granted contributing to the economic role of sustainable development.

Principle of development location

Concerns have been raised, in summary, that the site is located within an inappropriate area, should not be located close to residents and that resident's health may suffer if the waste is handled incorrectly.

WLP Policy W5B (Clinical waste) states, in summary, that proposals for facilities to manage clinical waste will generally be acceptable within appropriate locations identified within Policy W8B.

Specific locational criteria policies for small scale waste facilities are set out within policies W8B (Non Preferred Locations) and W8C (Small Scale Waste Facilities). When a proposal is not located within preferred locations (as described in WLP policy W8A) suitable locations are defined as within industrial estates and where the use can be located within existing buildings not requiring significant adaption or extension.

The site is located within an existing established industrial/employment area. BBLP Policy BAS E4 (Existing Employment Areas) states that 'Subject to the criteria set out in Policy BAS E10, planning permission for new business and general industrial buildings, extensions to existing buildings and changes of use of existing buildings to business and general industry (Use Classes B1 and B2), will normally only be permitted within those areas proposed or shown as existing industrial estates as identified on the Proposals Map. Subject to the criteria set out in Policy BAS E10, elsewhere within the urban area proposals for new business (Use Class B1) buildings, extensions to existing buildings or the change of use of buildings to business, will only be permitted where there is no adverse impact on residential amenities. All planning applications storage and distribution (Use Class B8) will be considered with regard to Policy BAS E8'. It should be noted that Policy BAS E8 has not been saved.

The supporting text to Policy BAS E4 states "By being flexible in the use of industrial buildings the Council can encourage vacant buildings to be brought back into use, thereby creating new jobs and avoiding the potential dereliction of the building." The applicant has highlighted within their submission that the application site is currently vacant and has been for a number of years. The relocation of the healthcare treatment facility to the application site would bring a vacant building back into operational use.

Policy BAS E7 of the BBLP goes further by stating that 'The development of land or buildings, allocated or in use for business, general industry, and storage or distribution purposes (Use Classes B1-B8) for a use falling within any other use class, with the exception of retail (Use Class A), may be permitted provided the following criteria are met:-

- i. there is adequate land and premises available elsewhere in the district to meet the district's business, industrial and storage or distribution needs;
- ii. the new use shall not lead to a significant net loss of employment;
- iii. there is adequate car parking; and
- iv. there is no adverse impact upon the amenities of the area;

Planning applications for retail development on land or buildings allocated for business, industrial and storage or distribution purposes will be considered with regard to Policies BAS SH1 and BAS SH6'.

The applicant in support of their application has stated, in summary that there would be no material difference in level of activity or the general nature of the use compared with the existing use (located at Unit E). Employment would be retained and car parking would be unaffected. There will not be adverse impacts resulting from the use by the operator therefore, it is considered that the proposal is consistent with BBLP Policies.

In appraisal of WLP Policy W8B the applicant has stated that the Wickford Business Park is an identified Employment Area within the BBLP. The current operations at the Unit E have taken place within the estate for over 10 years. There have been no particular issues associated with this activity with respect to the effects on neighbouring businesses on the Business Park or in terms of proximity to nearby residential development. The type and intensity of use is entirely consistent with what would have been anticipated when the estate was established.

In addition, the social role of the proposed development would be achieved through the prevention of middle journey for the operator, from the job location to the landfill site, as the waste could be bulked up prior to being taken for further recycling/disposal which in turn would lead to social and environmental benefits through the reduction in CO² emissions and traffic on the highway network.

It is considered that the principle for the proposed development exists given the site's history, the context of the surrounding area being industrial and the site itself being located within the Wickford Business Park in compliance with Policies W5B, W8B and W8C of the WLP. It is acknowledged that residential land uses are in close proximity of the site and therefore, the environmental role of the proposal will be considered further in the report.

B IMPACT UPON LOCAL AMENITY

The Framework seeks to always secure a high standard of amenity for all existing and future occupants of land and buildings.

WLP policies W5B and W8B both seek, in summary, to protect existing amenity, particularly from noise, smell, dust and other potential pollutants.

In addition WLP Policy W10E (Development Management Criteria) states that '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:

1. 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);
2. The effect of the development on the landscape and the countryside, particularly in the ANOB, the community forest and areas with special landscape designations;
3. The impact of road traffic generated by the development on the highway network (see also policy W4C);
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'.

BDLP Policy BAS E10 (General Employment Policy) states, in summary, that proposals for industrial development shall provide adequate controls to limit the emission of noise, pollutants, discharge and smells which could be associated with the proposed use.

BDLP Policy BAS BE12 (Development Control) states, in summary, that planning permission will be refused if it causes material harm to the character of the surrounding area, including the street scene, overlooking, noise or disturbance to the occupants of neighbouring dwellings and overshadowing.

Concerns have been raised that the proposal would have a negative impact upon the amenity of residents through, in summary, handling of hazardous waste, noise, odour and traffic. The following section seeks to assess these potential impacts as part of the Frameworks environmental role of sustainable development.

Handling of Hazardous Waste: Policies W5A and W5B of the WLP relate to hazardous waste management and highlights the importance of judging each application for facilities to manage difficult and special wastes on their merits against the criteria and policies stated in the development plan. As noted earlier within the report the hazardous waste element would be sharps from medical outlets. The quantity of this hazardous waste stored onsite at any one time would not exceed 10 tonnes.

The proposal would not increase or decrease the amount of hazardous waste which the company currently handles merely that it would allow for the continued effective reduction in the amount of journeys carried out per operation (as noted above).

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) acknowledges that well run and regulated waste management facilities operated in line with pollution control techniques and standards pose little risk to human health.

The site would be registered with the Environment Agency under the Hazardous Waste Regulations and would require a permit from the Environment Agency to operate. The site would be supervised by competent staff and run in accordance with the Hazardous Waste Regulations.

Waste treatment undertaken on the site would be limited to simple treatments, such as repackaging for volume reduction. These activities along with unloading and loading would all take place within the building and only waste delivered by the operator would be accepted at the site. No third party wastes would be accepted at the site.

The Environment Agency has not raised any concerns that the activities may cause pollution or an environmental health risk and therefore it is considered that this proposal is in compliance with policies W5A and W5B. It is therefore considered that this proposal would not pose an increased risk to health and that it is in line with the aims and objectives of PPS10 and WLP Policies.

Noise, Dust and Odour Emissions: With regard to noise, dust and odour, the applicant holds an Environmental Permit which requires these aspects to be strictly controlled through the permitting regime. The applicant when seeking to gain a permit provided a Noise and Air Quality Assessment along with an odour management statement to the Environment Agency. The Environment Agency is responsible for undertaking monitoring of the site in relation to these aspects. As part of this application the Environment Agency has raised no objection.

Again it is important to note the BBC Environmental Health Team raised no objection to the proposal on noise, dust or odour grounds.

Highways Impact: An assessment on potential transport impacts was undertaken within the application details.

WLP policy W4C details that access for waste management sites will normally be by short length of existing road to the main highway network. 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 the development, the capacity of the road is adequate and there would be no undue impact on road safety or the environment.

It should be noted that the current planning permission granted by BBC does not limit traffic movements. Furthermore, other uses on the industrial estate do not

currently have limitations on their vehicular movements.

The applicant as part of their submission has stated that the proposals would not materially change the historic traffic use of the site relating to private or goods vehicles. The traffic movements would remain at 100 vehicle movements a day (50 in and 50 out) as there is currently 51 vans and 3 vehicles for technical staff. Furthermore, the applicant has confirmed that all delivery vehicles are fitted with a GPS tracker which allows for their arrival times to be controlled. This prevents all delivery vehicles arriving at the site at the same time. It is anticipated that the maximum number of delivery vehicles to be onsite at any one time is likely to be 15 vehicles are not parked at the site overnight. Compared with the space available for parking and vehicle manoeuvring at the existing Unit E, the application site provides considerably more flexibility to avoid vehicle congestion and manoeuvring conflicts within the Wickford Business Park at peak times. The applicant has also confirmed that there is also ample parking space for staff and visitors at the eastern end of the main warehouse building thus avoiding parking within the estate roads.

As noted above the Highway Authority has raised no objection to the granting of planning permission for the current proposal.

Amenity Conclusion

The applicant has addressed the criteria of WLP Policy W10E and comments, as follows;

1. There would be no detrimental impacts associated with issues such as noise, smell, dust and other pollutants. The activities are almost identical to those that have successfully taken place at Unit E for many years. The only exception being the external storage of a modular waste compactor unit. This new activity would form part of the new Environmental Permit with respect to its suitability and appropriate environmental precautions and mitigation;
2. There would be no impacts on Landscape and the Countryside;
3. There would be no net additional impacts on the highway network;
4. Alternative transport modes are not available and are not appropriate for this type of development which relies on collection of washroom wastes from numerous locations in the local area by road;
5. No agricultural land would be lost;
6. No historic or archaeological sites are affected;
7. The reorganisation of the operators activities within the Estate has been done in part due to the excess of water supplies at Unit E for the Wash Room activities which is more suited to the 'Besafe' Protective Clothing & Laundry Solutions operations;
8. There would be no adverse impacts on nature conservation or designated ecology sites, and;
9. The site is not located within metropolitan green belt.

In consideration of the above, the consultation responses received, the existing land use land use it is considered that sufficient information has been produced to demonstrate that the development would not have an undue impact of upon the

amenity or highway safety or efficiency. Accordingly it is deemed that the proposal complies with WLP policy, W4C, W5A, W5B, W8B and W10E and BBLP Policies BAS E10 and BAS BE12.

7. CONCLUSION

In conclusion, the need of the proposal has been demonstrated given that it would move waste management further up the waste hierarchy in compliance with the objectives of PPS10 and WLP policy W3A. Furthermore, the principle of the development being located within the Wickford Business Park has been demonstrated through the site's history, the context of the surrounding area being employment/industrial in compliance with WLP policy W5B and W8B.

It is considered that the relocation of the healthcare waste transfer facility would not have a detrimental impact upon the amenity of the area. The proposals have been sought due to the characteristics of the site which would enable the operator to maximise the transfer operation and advance their 'Besafe' area of their operation.

The economic, social and environmental strands of the Framework are considered to have been achieved equally and the change of use to a healthcare waste transfer facility would be considered to constitute 'sustainable development' in accordance with the Framework.

Furthermore, the WLP and BBLP policies relied upon in this report are considered to be consistent with the Framework and therefore the proposal is considered acceptable subject to the imposition of appropriate conditions.

8. RECOMMENDED

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

1. COM1 – to be implemented within 5 years;
2. COM3 – to be carried out in accordance with submitted details, and;
3. HIGH2 – compliance with indicated access.

BACKGROUND PAPERS

Consultation replies
Representations
National Planning Policy Framework

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

The proposed development would not be located adjacent to a European site.

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: This report only concerns the determination of an application for planning permission. It does however take into account any equality 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.

STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER

In determining this planning application, the Essex County Council has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012

LOCAL MEMBER NOTIFICATION

BASILDON – Wickford Crouch

ROCHFORD – Rayleigh North