

MEETING:	PLANNING COMMITTEE
DATE:	16 MARCH 2015
TITLE OF REPORT:	<p>P140928/N - PROPOSED POLYTHENE FILM RECYCLING AND PRODUCTION FACILITY, WITH ASSOCIATED PARKING AND ACCESS AT GELPACK INDUSTRIAL LTD, UNIT 4, STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD, HR2 9NQ</p> <p>For: Mr Northover per HLN Architects, 3rd Floor, 14 Cathedral Road, Cardiff, CF11 9LJ</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=140928&search=140928
Reason Application Presented to Committee – Council Land	

Date Received: 27 March 2014

Ward: Stoney Street

Grid Ref: 341622,237156

Expiry Date: 30 July 2014

Local Member: Councillor DC Taylor

1. Site Description and Proposal

- 1.1 The applicant's premises comprise an industrial complex just under 9 kilometres west of Hereford. Gelpack Industrial has operated here for approximately 20 years, and is associated with its sister establishment in Hereford, the Excelsior plant. Both manufacture polyethylene packaging and technical film, bags and sacks, mainly for the food and waste industries. The combined sites employ over 200 people.
- 1.2 The premises occupy part of the former wartime airfield between the villages of Clehonger and Madley. Madley Industrial Estate (MIE) adjoins the site and comprises a number of large buildings, including surviving WW2 airfield hangars. To the south east are further industrial units at Webton Court and Dene Villa. South of the main Gelpack site is an engineering factory. Poultry units have proliferated along the old runways to the north, and the western sector of the former airfield is now mainly agricultural. The site is accessed along the U73209 road (Stoney Street). The perimeter track and runways associated with the old airfield remain evident.
- 1.3 The proposal site is adjacent to the Gelpack site on the north side of the factory and the access road into the MIE area. It comprises a former Traveller 'stopover' site covering approximately 0.5 hectare, currently derelict and in the Council's ownership.
- 1.4 Waste plastic resulting from manufacturing processes is currently recycled at the Madley site but this entails transporting materials from Hereford and also to/from a storage facility at Moreton on Lugg. Space at Madley is limited, and outdoor storage has inherent problems.

- 1.5 The proposal is to construct a purpose-built recycling facility to process waste plastic to a high re-useable standard from both Gelpack premises. This would be entirely contained within a new modular building as follows:
- Single storey processing and logistics/materials reception;
 - Two-storey working area with a mezzanine element to include offices;
 - Pellet store area;
 - Higher section to accommodate equipment;
 - Two silos at the western end of the main building.
- 1.6 The overall internal floor-space is given as 1675 square metres with a footprint of around 1800 square metres, depending on final materials used. The plans indicate variable heights ranging from 16.2 metres for the silos, 13.7 metres for the machinery tower, 8.1 metres for the mezzanine area sloping down to 7.4 metres, and 5 metres high at the eastern end.
- 1.7 Also included would be parking for cars, and space for HGV deliveries including turning. Access would be from Stoney Street, via an existing shared access which also serves MIE.

2. Policies

- 2.1 **National Planning Policy Framework (NPPF):** This came into force in March 2012 and carries most weight. It defines 'sustainable development' and is regarded in its entirety. In this case, paragraphs 6-17, sections 3, 4, 7, and 11, and paragraphs 186-206 are particularly relevant. The **National Planning Policy Guidance (NPPG)** was introduced as on-line support in 2014. This also includes guidance on waste treatment facilities, formerly covered by Planning Policy Statement 10.
- 2.2 **Herefordshire Unitary Development Plan 2007 (UDP):** Determination of planning applications must be made in accordance with the adopted development plan 'unless material considerations indicate otherwise' (s38(6) Planning and Compulsory Purchase Act 2004). Policies formally 'saved' during the development of the Core Strategy remain in force and carry weight, where they accord with the NPPF. The following policies are considered relevant in this case:

Part I

Policy S1	-	Sustainable development
Policy S2	-	Development requirements
Policy S6	-	Transport
Policy S7	-	Natural and historic heritage
Policy S10	-	Waste

Part II

Policy DR1	-	Design
Policy DR2	-	Land use and activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR7	-	Flood risk
Policy DR9	-	Air quality
Policy DR10	-	Contaminated land
Policy DR11	-	Soil quality
Policy DR13	-	Noise
Policy DR14	-	Lighting
Policy E8	-	Design standards for employment sites
Policy T8	-	Road Hierarchy

Policy T9	-	Road freight
Policy LA2	-	Landscape character
Policy LA5	-	Protection of trees, woodlands and hedgerows
Policy LA6	-	Landscaping schemes
Policy NC1	-	Biodiversity and development
Policy NC6	-	Biodiversity Action Plan priority habitats and species
Policy NC7	-	Compensation for loss of biodiversity
Policy NC8	-	Habitat creation, restoration and enhancement
Policy NC9	-	Management of features of the landscape important for fauna and flora
Policy W1	-	New waste management facilities
Policy W3	-	Waste transportation and handling

2.3 **Herefordshire Core Strategy:** At the time of writing an Independent Inspector is in the process of examining the Core Strategy (CS) in order to determine its soundness. The majority of the policies were subject to objection. The CS can be afforded only limited weight for the purposes of decision making. The following policies are noted as relevant for reference:

Policy SS1	-	Presumption in favour of sustainable development
Policy SS4	-	Movement and transportation
Policy SS6	-	Addressing climate change
Policy LD1	-	Landscape and townscape
Policy LD2	-	Biodiversity and geodiversity
Policy LD3	-	Green infrastructure
Policy RA3	-	Herefordshire's countryside
Policy RA6	-	Rural economy
Policy MT1	-	Traffic management, highway safety and promoting active travel
Policy W2	-	Location of new waste management facilities

2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

2.5 Legislation

The Environmental Permitting (England and Wales) Regulations (as amended – latest 2014)
The Conservation of Habitats and Species Regulations (as amended – latest 2012) [the Habitats Regulations]
The Natural Environment and Rural Communities Act 2006 [the NERC Act]

3. Planning History

3.1 Planning history on the application site: Development of the Traveller site – 602351 (Hereford & Worcester County Council, approved 17 March 1994; also SH931349JZ (South Herefordshire District Council) consultation file.

3.2 On the existing factory site: Gelpack have obtained a number of permissions since 2000, including a portal frame building (SW2000/0211/F), pump-house, fire tanks and sprinkler system (SW2001/2071/F and SW2003/0033/F), LPG storage tank (SW2004/4315/F), new perimeter fence (P120332/F) and a recycling hall within the factory (P122722/F, amended under P133500/AM).

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: There are no public sewers in this area. However, Welsh Water makes no comments as it appears the applicant does not propose to connect to the public sewer. If circumstances change we must be re-consulted on this application. With regard to water supplies there are no objections to the proposed development.
- 4.2 Environment Agency: The proposal is for a relatively small scale waste operation involving heat processing. It will require a 'Bespoke' Environmental Permit (EP) under the Environmental Permitting Regulations. We have held some pre-permit discussions with the applicant. We normally encourage twin tracking of the EP with the planning application. Without this we require sufficient level of detail to give a reasonable degree of certainty. The combined planning application and EP requirements should demonstrate that "the development is an acceptable use of the land" (NPPF, paragraph 120). Without additional information we are unable to offer a substantive response to confirm whether the proposed development is likely to be acceptable. However, no objection has been made.

Internal Consultations

- 4.6 Transportation Manager: Initial comment that the proposal as first presented would be unacceptable in highway terms. I require further highway information from the applicant's consultants in order to assess acceptability. Subsequent site meetings and negotiations have resulted in submission of a revised access design which has potential. This could be secured by a planning condition and s278 agreement for highway works. I do not object as long as the revised scheme would be adhered to. The scheme must include new kerbing, road markings, visibility improvements, parking and turning arrangements and advance access signage. A robust Traffic Management Plan (TMP) for the new site, which integrates well with the existing TMP for the factory, is essential and should be adhered to for the life of the site. Planning conditions are recommended.
- 4.3 Head of Environmental Health and Trading Standards: No objection. Noise or other nuisance would be unlikely at this location. Madley Airfield is flagged up as a potentially contaminative previous use. The applicant must demonstrate that the site is both safe and suitable for its intended use. The proposal is understood to require a 'bespoke' Environmental Permit from the Environment Agency. The local authority would have no responsibility for pollution controls at the site. The Environmental Permit may require fire precautions to be in place. However, enforcement of fire safety for premises rests with the Hereford and Worcester Fire and Rescue Service, which is consulted during the construction phase (Building Control stage).
- 4.4 Drainage Advisor: initial advice that a surface water drainage strategy is necessary, to be secured by a planning condition requiring a detailed scheme for approval prior to commencement. The scheme should include the results of infiltration testing and contamination risk assessment in respect of the soakaways. With regard to further information submitted in response:[this] is sufficient to address the concerns raised. If the Council is minded to approve, a planning condition should be included to secure a final scheme...'.
- 4.5 Conservation Manager (Ecology): There are no Habitats Regulations issues and no likely significant effect on the River Wye Special Area of Conservation (SAC/SSSI). The Wye is some distance to the north and is not currently failing its conservation objectives. The ecological report (Aspect Ecology July 2014) is adequate, and I agree the proposal presents very little impact in biodiversity terms. However, the derelict brick building on the site has some potential for a bat roost. If approved, a condition should secure the report's recommendations on mitigation for bats, badgers and birds in particular.

5. Representations

- 5.1 Madley Parish Council supports this application but would like to make the following comments: *It would be advisable for Gelpack to consult and discuss their proposals with the local residents in the vicinity - on a site visit, the parish council representatives did recommend this to Gelpack. The parish council requests that a S106 agreement be attached to this permission, should it be given, for the car park at the recreation ground to be extended and resurfaced for use by the community.*
- 5.2 Mr Augustine (Gus) Fowler-Wright, MPD Ltd, proprietor of Madley Industrial Estate, has submitted a large number of detailed emails listing complaints about operational matters at the main Gelpack factory including reports relating to alleged pollution incidents, plastic pellets entering the drains, and plastic being allowed to blow about the yard. Further lengthy reports and a large number of photographs relating to HGV movements into and out from the Gelpack site have also been submitted, and allegations of obstruction of the highway (U73209 Stoney Street).
- 5.3 Mr Edward Fowler-Wright has sent emails raising concerns about fire risks, and reports of obstruction by HGVs on the highway and the access to MIE.
- 5.4 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Principle of the Development

- 6.1 The applicant states that the company aspires to better management of waste from its operations. This includes scrap plastic arising from specification changes from job to job, processing, and machine start-up. The Madley site produces mainly food packaging; waste plastic is currently recycled into re-granulated pellet on two pelletising lines. However, this 're-gran' is not used in food-grade packaging and is taken by road to the sister company in Hereford, where it is used for producing refuse sacks and laundry bags etc. Storage space at Moreton Camp north of Hereford is also in use. As a result of business expansion, the Madley factory is now constrained. The company wishes to process waste plastic under one roof, from both company sites. It has opted to bid for the former Traveller site on adjacent land. This site was set up by the then Hereford & Worcester County Council in 1994, when it was described as an 'Emergency stopping place' for Gypsies and Travellers. It is currently unused and subject of a disposal programme
- 6.2 The proposal is to utilise the derelict site and to improve the way Gelpack and its sister factory manages its waste output. It also seeks to improve the specification of the recycled plastic product in order to secure a wider variety of uses. The site has been chosen due to its availability, and its proximity to the existing factory which is already undertaking waste plastic recycling. Officers accept the proposals put forward as reasonable in principle and land-use terms. However, this is subject to consideration of the topics considered below along with the requirements of the National Planning Policy Framework and Guidance (NPPF and NPPG), and the relevant policies in the Herefordshire Unitary Development Plan (UDP). Particular attention is given to UDP policies S2, DR1 and DR4, and the definition of 'sustainable development' in the NPPF. The proposal meets, or is considered capable of meeting, all three strands of the definition.

Highways

- 6.3 The application includes a 'Preliminary Transport Management Plan' (TMP). This sets out the objectives summarised as: all vehicles to enter and leave in a forward direction; no reliance on third party land for manoeuvres; no waiting on the highway; minimal impact on the highway network; access to ensure good visibility; free movement for vehicles within the site. Planning permission reference P122722/F, for new/extended warehousing and production areas plus new silos, includes adherence to a TMP previously approved under reference P120332/F (permission for new perimeter fencing and gates). Both permissions were granted in 2012. This existing TMP includes the first three of the points listed above. A new TMP would need to cover the whole site.
- 6.4 The existing site's TMP estimates typical current daily visits to the site as 7 HGV/articulated tankers, 17 smaller vehicles, and 35 cars/vans (employees and visitors). This gives a total of approximately 60 visits, i.e. 120 movements. This new proposal outlines estimated daily movements relating to the recycling plant as 5 HGV/articulated tankers plus 12 visitor and staff cars/vans. The combined figures are therefore 12 HGV/articulated tankers, 17 other vehicles, and 47 cars/vans – total of just over 75, equalling 150 movements per day; an increase of 30. The present application also gives details of existing movements which would actually be reduced, due to consolidation of process activities. These equate to approximately 29 fewer visits per week (58 movements), i.e. 11 - 12 per day. This gives a net daily increase of 9-10 visits (19 – 20 movements).
- 6.5 In principle, the Transportation Manager advises that these figures are unobjectionable in highway use terms. Stoney Street is a straight road with relatively light traffic at this location. The main route is north-east towards Madley, Hereford, and the wider highway network. On the basis of the above figures, the proposal does not conflict with NPPF section 4 or UDP policies S6, DR3, W3, T8 and T9. However there are separate concerns regarding the site access, and the logistics for HGV manoeuvres

Access and Movements

- 6.6 Access has been a key concern for the main objector, as proprietor of the adjoining industrial land, who has made a large number of representations. The access road to Madley Industrial Estate (MIE) is located between the existing Gelpack factory and the application site. This site access is shared at the point it joins the highway, although the precise property boundary is not physically marked. The objector maintains that the applicant has consistently broken the terms of the existing TMP, supporting his claims with photographs stated to demonstrate this. He reports that parking, waiting, turning and manoeuvring regularly takes place on the highway or as an obstruction to the entrance to MIE.
- 6.7 Positive, pro-active discussions with the applicant have taken place, to address the concerns. Following negotiations further versions of the draft TMP, including physical access design options, have been submitted by the applicant's consultant and discussed in office and site meetings. The Transportation Manager states that the final submission has produced a potentially acceptable access design. The site entrance, as shown on drawing 106C, would require the following works:
- Coloured surfacing within the highway boundary to define (a) pedestrian access across the site frontage and (b) connectivity between the 2 sites.
 - Rumble strip on the north edge to keep vehicles to the centre of the access; required for the HGV turning.
 - 'Give Way' junction markings to delineate 'in' and 'out'.
 - Footpath fronting the existing site, highlighted in red surfacing, to prevent HGVs parking and blocking visibility.

- Planting overgrowth within the entrance to be kept trimmed back, to prevent visibility blocking.
- 6.8 The Transportation Manager confirms his belief that the final design is the best the site can provide, given the constraints and land ownership circumstances. The scheme could be secured by planning conditions, as recommended below. In addition, works within the highway would be subject to a S278 Agreement, requiring commuted sums to ensure maintenance of the arrangements, including the 'Give Way' lines and red surfacing within the site. This is regarded as offering benefits to the MIE site as well as the new recycling centre, if approved.
- 6.9 The Transportation Manager has also commented on HGVs turning into the site off Stoney Street. He has concerns about damage to the highway verge in this location. He suggests that the stretch of road opposite the entrance, and including the turning area, should be reinforced and kerbed. This would also be subject to a s278 agreement.
- 6.10 Further advice is given that advance signing for the whole site is required, including the MIE, to ensure drivers have adequate notice of the site, with clear directions. There are several entrances in close proximity which could be confusing. Drivers not familiar with the location need full information so as to use the correct access. Visibility to the north can be improved as the hedgerow is overgrown, encroaching over highway land.
- 6.11 In conclusion, a comprehensive and robust Traffic Management Plan (TMP) for the new site is required as outlined above, which also encompasses and interacts with the existing arrangements. Traffic associated with the two sites must be managed as set out in the application, subsequently discussed and in the revised scheme proposals. To prevent the location becoming an accident site the TMP and the agreed parking and turning areas will need to be conditioned to remain as detailed for the life of the site. On this basis officers accept that the proposal can meet the NPPF and UDP policies S2, S6, DR1, DR2, DR3 and T8.

Environmental Health

- 6.12 Space constraints at the main Gelpack factory site have highlighted the need for a custom-built recycling facility. An outside yard was being used as over-flow storage for reject rolls of plastic film and sacks of plastic pellets. This was inevitably subject to logistical difficulties and weathering, resulting in untidiness and a pollution threat. Officers of the Council and the Environment Agency have offered advice and support; the yard has now been cleared and tidied up to an appropriate standard. One of the objectives in terms of the current proposal would be to eliminate such outdoor storage and waste, thus removing any risk to surface water drains and watercourses. The proposed new building would include indoor storage and reception, and a planning condition could prohibit outdoor storage of waste materials.
- 6.13 The Environment Agency (EA) would regulate all processes within the proposed recycling unit, through the Environmental Permitting regulations. There would be no responsibility for the local authority in terms of pollution controls.
- 6.14 Fire safety has been raised by the two objectors as a concern. The EA may require fire precautions within the Environmental Permit. However, enforcement of fire safety for premises rests with the Hereford and Worcester Fire and Rescue Service which would be consulted during the construction phase (Building Control stage). Due to the location and industrial nature of the neighbourhood and the lack of any residential neighbours, noise or other nuisance is considered unlikely.
- 6.15 The entire former wartime airfield is flagged up as a potentially contaminative previous use. As a precaution, a planning condition is recommended for development proposals requiring a scheme to demonstrate that the site is both safe and suitable for its intended use.

- 6.16 The applicant has submitted external lighting details prior to determination, as advised during negotiations. The scheme is considered acceptable in preventing light-spill, and may be secured by a condition in order to meet the requirements of UDP policy DR14
- 6.17 Officers are satisfied that, in terms of pollution/nuisance prevention and fire precautions, the local authority's role is minimal, due to the requirement for a bespoke Environmental Permit and the direct control of the Fire and Rescue Service. Therefore, in this instance, there are no concerns on this basis or any conflict with the NPPF and UDP policies S2, DR1, DR4, DR13 and DR14.

Environment Agency and Environmental Permitting

- 6.18 The Agency's preference is for planning applications and Environmental Permit (EP) applications to be 'twin-tracked'; i.e. to be submitted simultaneously. The EP requires the applicant to demonstrate "the development itself is an acceptable use of the land" (NPPF, paragraph 120). Key elements of the EP coincide with planning requirements. However it is also recognised that the EP submission is subject to significant expense, and applicants are reluctant to commit themselves ahead of securing a planning permission. Nonetheless, applicants need to provide sufficient level of detail to give a reasonable degree of certainty on the appropriateness of the land use. Without this, the EA cannot confirm whether the proposed development is likely to be acceptable. It has however confirmed that the proposal is for a relatively small scale waste operation involving heat processing, which is a unique operation and will require a 'Bespoke' EP. Some pre-permit discussions have been held with the applicant and the EA has not suggested that a Permit might be refused. The processes involved for this proposal would be regulated by the EA and the plant could not operate without the EA's consent. The Council therefore has very limited input to operational matters and pollution control. Officers accept the principle of the land use for this project, in terms of utilising a derelict site which is close to the key producer. However, the EA may require a more detailed justification for the permit application.

Drainage

- 6.19 The site is located in flood risk zone 1 (low risk and suitable for any development). However the application was submitted with only a preliminary drainage strategy containing little detail. The Drainage Advisor outlined initial concerns about the calculation methodology, rainfall volumes/flood risk and soakaway requirements. More detailed information was requested, including alternative proposals if the use of soakaways proved unfeasible, or if adequate capacity were not available. The applicant provided further information as to drainage options on 7 August 2014, to address the comments and concerns, and which the Drainage Advisor has accepted. A condition is recommended requiring the submission of final design details for surface water and dirty water management, for approval prior to commencement. The proposals should include the results of infiltration testing and take account of contamination risk assessment in respect of the soakaways. Such a scheme would be required to meet appropriate standards and the requirements of the NPPF and UDP policies S2, DR1, DR4 and DR7.

Ecology and Landscape:

- 6.20 The Conservation Manager (Ecology) accepts the submitted report (Aspect Ecology July 2014), noting no likely effects on the River Wye Special Area of Conservation (SAC) or the Habitats Regulations. The thresholds for phosphate in the middle upper Wye section are reported as being within bounds and the watercourse is not failing its conservation objectives. He has observed that the site in its derelict form is likely to be used as a bat foraging area, and the small brick building has potential as a bat roost. A planning condition should secure the necessary precautions and mitigation for bats, badgers and birds in particular. Although there

would be little space for landscape planting, there should be some modest scope for accommodating biodiversity. This is included in the required scheme.

- 6.21 The local landscape character is Principal Settled Farmland, typified by mixed farming and subject to frequent change. However, at this location the former airfield and large-scale post-war industrial premises have dominated the surroundings of the site. Modern development has continued the trend, including the BT Earth Satellite Station, the vehicle/machinery auction yard to the north-east along Stoney Street, and a series of large new poultry units to the west. All of these contribute to the working character of the area. The proposed building is modular and of varying heights. Although necessarily utilitarian, the design is considered pleasing and regarded as capable of integration.
- 6.22 The proposed development more or less fills the application site with little space to spare. However there is scope for some limited planting or seeding to enhance the surroundings of the plant which, if carefully designed, could benefit wildlife with particular emphasis on invertebrates and small animals. Accommodation for nesting birds and roosting bats could also be incorporated into or onto the building to meet the requirements to 'conserve and enhance biodiversity' as set out in the NPPF
- 6.23 On this basis, no overall conflict with sections 7 and 11 of the NPPF or UDP policies LA2, LA6 or NC1 is indicated.

7. Conclusion

- 7.1 New and improved facilities for recycling and reducing disposal of waste are supported in principle at local and national levels. In this case there are both positive and negative aspects to be considered. On the one hand the site is conveniently close to the existing factory, and the waste plastic could be processed to a high quality and specification under one roof. This would be a significant improvement over existing arrangements for storing, processing and managing the inevitable waste arising. The output of recycled materials could be applied to more uses as a result, and the proposal is regarded as sustainable development. The traffic implications are minimal in terms of actual numbers, representing a small increase which the Transportation Manager has accepted. However, the former Traveller site is constrained in size, and the access shared with MIE is not without concerns.
- 7.2 The presence of other industrial premises nearby means that successful traffic management and a top quality design are imperative. Following negotiation, the Transportation Manager has accepted the final design as a workable option provided all commitments are adhered to. Operation of the site and pollution control would be regulated by the Environment Agency rather than the local authority, and other considerations have not been found to be of particular concern provided robust schemes are in place. On balance, and taking all points raised including those of the objectors into account, officers concur with the Transportation Manager's views and other responses. On this basis the proposal is regarded as an appropriate use of land and thus is recommended for approval subject to robust planning conditions being in place.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **C01/A01 [Time limit for commencement (full permission)]**
2. **C06/B01 [approved plans]**
3. **C13/C01 [external materials]**
4. **No development shall take place until the following sequential**

investigation has been submitted to and approved in writing by the local planning authority:

- a) A 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
- b) If the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to establish the nature and extent and severity of any contamination, incorporating the conceptual model for all potential pollutant linkages and an assessment of risk to identified receptors
- c) If the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health, to ensure that the proposed development will not cause pollution to controlled waters or the wider environment and to comply with the requirements of policies S2 and DR4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

5. Any such remediation scheme submitted under condition 4 above shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health, to ensure that the proposed development will not cause pollution to controlled waters or the wider environment, and to comply with the requirements of policies S2 and DR4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

6. No development shall take place unless or until a finalised comprehensive Traffic Management Plan (TMP) has been submitted to and approved in writing by the local planning authority. The scheme shall include final details of the physical arrangements for the site entrance, to incorporate the following in particular:

- A final detailed and annotated plan based on the previously submitted drawings 106C and 108B (Bay Associates);
- Coloured surfacing within the highway boundary to define (a) pedestrian access across the site frontage and (b) connectivity between the 2 sites;
- Rumble strip on the north edge to keep vehicles to the centre of the access;
- 'Give Way' junction markings to delineate 'in' and 'out';
- Footpath fronting the existing site, highlighted in red surfacing, to prevent HGVs parking and blocking visibility;

- Planting overgrowth within the entrance to be kept trimmed back, to prevent visibility blocking;
- Works to reinforce the roadside verge with kerbing on the opposite side of the U73209 for the length of the site access;
- Comprehensive details of a road signage scheme to inform visiting drivers as to the various accesses and facilities at the site.
- Reference to, and/or incorporation of, the details required in the following nine conditions as required by the Transportation Manager;
- Reference to, and/or incorporation of, the previously approved TMP relating to the existing Gelpack Industrial site on adjacent land;
- Provision for regular review of the scheme, audit, tool-box talks, revision if necessary.

The TMP shall be implemented as approved and maintained for the life of the development hereby permitted.

Reasons: In the interests of highway safety, to ensure that traffic management arrangements are effective, up-to-date and adaptable to current circumstances, to provide safe and workable access arrangements, to prevent indiscriminate parking on the highway and to accord with policies S6, DR3 and T8 of the Herefordshire Unitary Development Plan and the requirements of the National Planning Policy Framework.

7. CAB/H03 – [Visibility splays]
8. CAE/H06 – [Vehicular access construction]
9. CAL/H13 – [Access, turning area and parking]
10. CAO/H16 – [Parking/unloading provision]
11. CAP/H17 – [Junction improvement/off site works]
12. CAT/H21 – [Wheel washing]
13. CAZ/H27 – [Parking for site operatives]
14. CB2/H29 – [Secure covered cycle parking provision]
15. CB3/H30 – [Travel plans]
16. No development shall take place unless or until a comprehensive drainage scheme to show final detailed proposals and supporting calculations for surface water management have been submitted to and approved in writing by the local planning authority. The scheme shall be based upon the submitted Drainage Strategy Report plus the addendum received on 7 August 2014 and shall also include the following in particular:
 - a) Results of infiltration testing and contamination risk assessment in respect of all soakaways and/or any other systems that may be proposed;
 - b) A large-scale site plan showing the location of all clean and dirty water drainage arrangements;
 - c) An operational method statement for clean and dirty water management;
 - d) Details of rainwater harvesting and storage if necessary;
 - e) Details of final disposal or discharge;

- f) Details of proposed ownership and maintenance of the scheme and works;
- g) Evidence of any necessary agreements with other landowners or the highways authority as applicable.
- h) The drainage scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment, to ensure adequate drainage arrangements to appropriate standards in advance of the development, and to comply with the requirements of policies S2, DR1, DR4 and DR7 of the Herefordshire Unitary Development Plan and the guidance in the National Planning Policy Framework

17. Before the development hereby approved begins, a working Ecological Method Statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall include the following in particular:

- a) Confirmation that the protective recommendations set out in Section 6 of the submitted ecological report (Aspect Ecology July 2014) shall be followed;
- b) A habitat and biodiversity enhancement plan;
- c) The appointment of a named appropriately qualified and experienced ecological clerk of works (or consultant engaged in that capacity) to oversee the scheme.

The Method Statement shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan, and the National Planning Policy Framework with reference to section 11. Also to comply with Policies NC8 and NC9 of Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

18. No external lighting shall be installed on the proposal site, including on the external elevations of the building, unless it accords with the submitted Lighting Scheme (Madera MD04 00 DEL01 002, 9 September 2014), the details of which are hereby approved as submitted.

Reason: To safeguard the character and amenities of the area, to prevent adverse effects on nocturnal wildlife, and to comply with Policies DR14, NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan and the requirements of the National Planning Policy Framework.

19. CCC/I43 [No burning of material/substances]

20. Within the application site there shall be no outdoor deposit or storage of any waste, plastic, packaging or other materials

Reason: To protect the appearance of the locality and to comply with Policy E8 of Herefordshire Unitary Development Plan.

INFORMATIVES:

1. The local planning authority has acted positively and pro-actively in determining this by identifying matters of concern within the application as original submitted. The authority has actively engaged in dialogue and negotiations with the applicant and his consultants to secure acceptable amendments. As a result, the local planning authority has been able to grant planning permission for an acceptable proposal in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.
2. With regard to the requirements of condition 4, the following advice is offered:
 - a). The assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework.
 - b). We require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.
3. Conditions 7 to 15 inclusive as detailed above may, if practicable, be addressed within the comprehensive Traffic Management Plan (TMP) required by condition 6 provided each of the above conditions is clearly identified. The following notes are intended to assist in informing the content of the TMP.

Highways and Transportation Informative Notes

- (a) I11/HN01 – Mud on highway
 - (b) I45/HN05 – Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)
 - (c) I08/HN07 – Section 278 Agreement
 - (d) I05/HN10 – No drainage to discharge to highway
 - (e) I52/HN21 – Extraordinary maintenance
 - (f) I51/HN22 – Works adjoining highway
 - (g) I47/HN24 – Drainage other than via highway system
 - (h) I41/HN25 – Travel plans
 - (i) I37/HN26 – Travel Plans
 - (j) I36/HN27 – Annual travel Plan Reviews
4. I30/N11A – Wildlife and Countryside Act 1981 (as amended) - birds
 5. I46/N11B – Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations (as amended)
 6. I33/NC11C – Wildlife general

7. This proposal is subject to the issue of an Environmental Permit by the Environment Agency. The information detail to be submitted to the Agency in applying for the Permit should correspond and complement the planning permission and information relating to it.

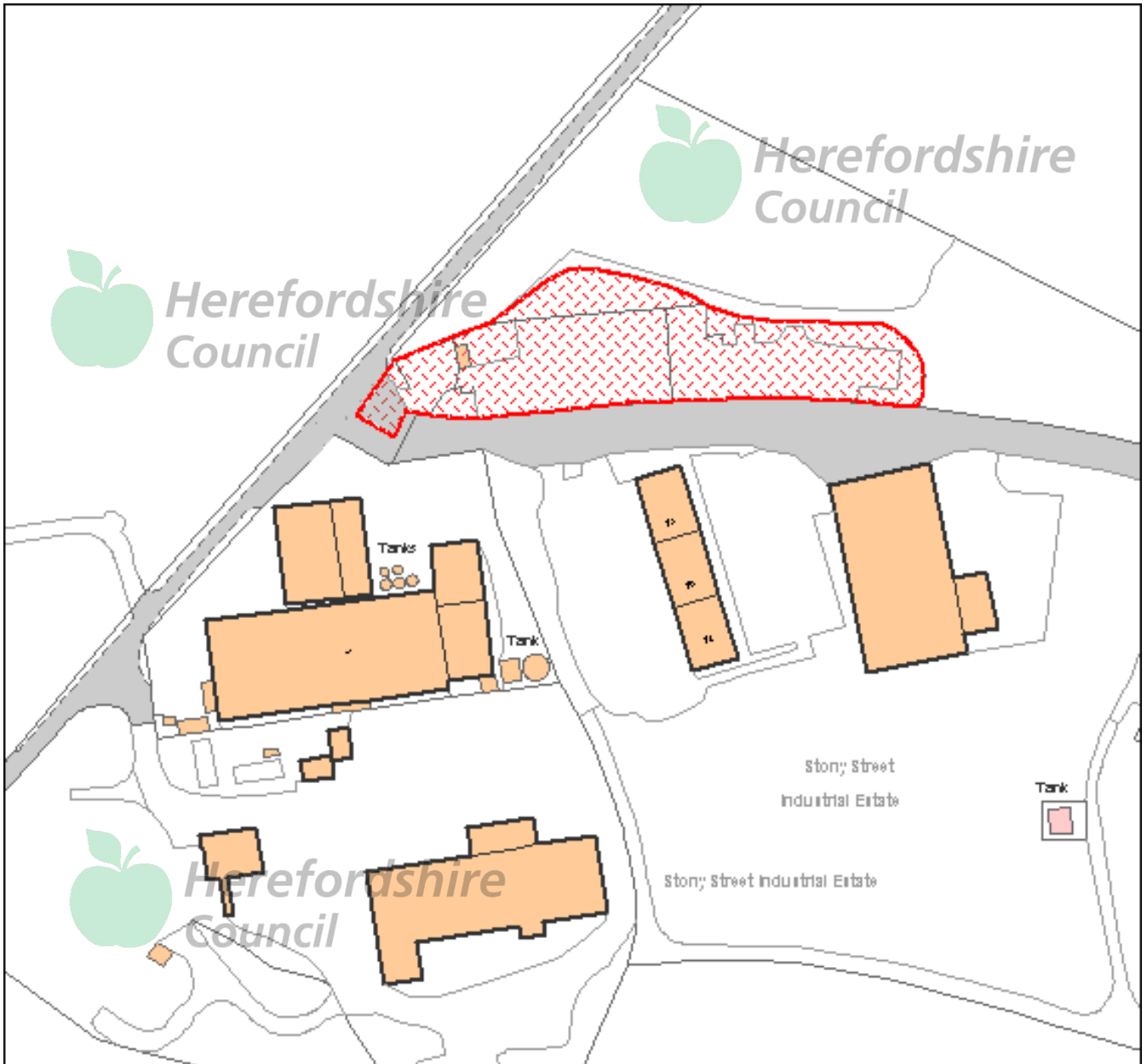
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 140928/N

SITE ADDRESS : GELPACK INDUSTRIAL LTD, UNIT 4, STONEY STREET INDUSTRIAL ESTATE,
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Further information on the subject of this report is available from Mrs D Klein on 01432 260136