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## Report of the Chief Planning Officer

### NORTH & EAST PLANS PANEL

Date: 4<sup>th</sup> February 2016

**Subject: 15/05350/FU – Redevelopment of waste transfer station, including the construction of an additional waste reception building, site office and welfare building and weighbridge office, with associated hardstanding, drainage and ancillary works at Knowsthorpe Road, Cross Green, Leeds.**

#### APPLICANT

Mr I McDonald

#### DATE VALID

11<sup>th</sup> September 2015

#### TARGET DATE

18<sup>th</sup> February 2016

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#### Electoral Wards Affected:

**Burmantofts & Richmond Hill**

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: *DEFER AND DELEGATE* approval to the Chief Planning Officer subject to the following conditions and the completion of a Section 106 agreement to secure the following:**

- Resurfacing of the full length of the un-adopted section of Knowsthorpe Road
- Funding and implementation of the Traffic Regulation Order

**In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.**

1. Time Limit (3 years)
2. Development in accordance with approved plans
3. Only 250,000 tonnes per annum of non-hazardous household, commercial and industrial waste shall be processed.
4. Full details of materials and proposed colour scheme for all plant
5. Construction management plan
6. A scheme detailing surface water drainage arrangements

7. Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor. Roof water shall not be passed through any interceptor.
8. Any liquid storage tanks should be located within a bund with a capacity of not less than 110% of the largest tank.
9. Unless otherwise agreed in writing by the Waste Planning Authority, no building or other obstructions shall be located over or within 3m either side of the centre line of the water main, which cross the site.
10. Full cycle parking details
11. Vehicle space to be laid out
12. Provision for contractors during construction
13. Highway condition survey
14. Car park and servicing management plan, outlining measures that the applicant would put in place to prevent HGV's from waiting or parking on Knowsthorpe Road.
15. A Statement for the control and eradication of Japanese Knotweed
16. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
17. "Lighting Design Strategy for bats" shall be produced by an appropriately qualified ecological consultant.
18. Detailed survey of existing landscaping features
19. Submission and implementation of a detailed landscape scheme that responds to the survey work
20. Preservation of retained tree/hedge/bush.
21. Retained tree/hedge/bush fully safeguarded by protective fencing and ground protection.
22. Replacement of any landscape that dies or is in poor condition within the first 5 years.
23. No external storage except for RDF bales. Bales stacked no more than 3 high.
24. Construction activities shall be restricted to 07.30 to 18.00 hours Monday to Friday and 07.30 to 16.00 hours on Saturdays with no works on Sundays and Bank Holidays.
25. The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted
26. Amended remediation statement.
27. On completion of the works a verification reports shall be submitted.
28. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use.
29. Odour management plan (including bale wrapping methodology)
30. Dust management plan

## **1.0 INTRODUCTION**

- 1.1 The application proposes to redevelop an existing waste transfer station. This would include the construction of an additional waste reception building, site office and welfare building and weighbridge office, with associated hard-standing, drainage and ancillary works.
- 1.2 The application is brought to Panel at the request of Cllr Ronald Grahame who raises concerns regarding environmental impacts and highway safety.

## **2.0 PROPOSAL:**

- 2.1 Currently the site functions as a waste transfer station and processing facility for inert waste, household, commercial and industrial waste. The operator intends to focus solely on the production of Refuse Derived Fuel (RDF) materials, utilising bulk transferred and locally delivered materials, for production of RDF and onward transfer to energy from waste facilities. The applicant's proposals are to redevelop the site to enable it to handle the currently consented level of annual waste tonnage more effectively, more efficiently and with improved environmental benefits.
- 2.2 The proposed redevelopment would provide a new materials reception building to facilitate the reorganisation and improvement of the use of the existing facility and site management within consented limits. The application also includes proposals for modernized waste activities within the existing buildings, replacement of site offices, installation of the plant and equipment, outdoor storage areas for wrapped baled RDF materials, altering internal vehicle circulation and replacement parking arrangements.
- 2.3 The new reception building is proposed to be located to the south of the existing building and connected via an enclosed conveyor belt and ducts. The building would measure 50m by 58m by 11m (maximum height). The northern face of the existing building currently has 5 openings; three of these are proposed to be enclosed with cladding leaving two to be fitted with roller shutter doors. The existing retaining wall along the eastern boundary is to be replaced to provide a stronger supporting structure. The boundary would remain enclosed by the existing fence and the substation is to stay in the same place. Both buildings would benefit from an air pollution control plant, which includes a 17.6m high stack and is proposed to be adjacent to the south-western corner of the existing building. The proposed fuel tank would be situated just beyond the northern elevation of the proposed reception building.
- 2.4 The weighbridges and site office and welfare building are to be relocated to the west and south of the site respectively to enable a segregation of staff from HGV movements. The new location of the weighbridges would also allow for a weighbridge office to be situated in the middle. Staff and visitor parking would be incorporated within the site and be facilitated by a separated access point and cordoned off with a safety barrier.
- 2.5 Waste recycling and transfer operations would focus solely on the production of recyclates from sorting operations and the production of RDF for onward transfer. The range of waste materials processed at the site would also be as currently consented and the existing aggregate processing would cease once the stockpiles of materials are processed and either used in the new development or removed from site. Once operational up to 250,000 tonnes per annum (tpa) of non-hazardous household, commercial and industrial waste would be received and processed on site on a 24/7 basis. This would not represent an intensification of use.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application refers to an area of 2.3 hectares located within Cross Green Industrial estate. The site is allocated within the Natural Resources and Waste Local Plan as a safeguarded waste site and has operated as a waste management facility since the early 2000s. Access is gained via Knowsthorpe Gate and travelling south down Knowsthorpe Road. A gate is located across Knowsthorpe Road to the north and a further gate lies towards the south of the application site. The operation of the site is permitted and regulated by the Environment Agency.

- 3.2 Cross Green Industrial Estate contains a wide variety of business and industrial uses. A vehicle repair business, Vehicle Bodycare Centre, is situated immediately adjacent to the northern boundary of the site, which has areas of vehicle storage outside. There is a strip of scrub and woodland to the east that separates the site from a sewage treatment works. Another waste recycling and transfer operation is located in the vicinity of the site to the south west.
- 3.3 The closest residential development is situated approximately 900m to the north. A grade II listed building, known as Thwaite Mill, is situated approximately 340m to the south-west. Temple Newsam (grade II registered park and gardens) and a Local Nature Area (103) are located 1145m to the east. There also pockets of green space and protected trees within 1.5km of the site.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 21/270/01/MIN: Use of land as inert material waste transfer station. Approved on 22.03.2002
- 4.2 21/308/03/MIN: Waste transfer building and alterations to site layout of waste transfer station. Approved on 13.02.2004. *Key application as this established a waste management use with no restrictions in terms of vehicle numbers or quantity of waste that can be processed.*
- 4.3 21/264/05/MIN: Extension to existing waste transfer station building. Approved on 31.10.2005
- 4.4 21/323/05/MIN: Variation of condition 13 of permission 21/270/01/MIN (to increase height of stockpiles from 6m to 8m). Approved on 01.02.2006.
- 4.5 08/00475/FU: Single storey extension, detached storage silo and detached electricity sub station to waste transfer station. Approved on 06.06.2008.
- 4.6 09/04378/FU: Installation of a gasification power plant within new building, with ancillary coolers, boiler water/blow down tank, stack and monitoring platform. Approved on 30.06.2010. *Key application as this involved the erection of the second building along the eastern boundary.*
- 4.7 11/01853/FU: Variation of condition number 7 (to allow use of northern access to site) of planning permission 09/04378/FU (Installation of a gasification power plant within new building, with ancillary coolers, boiler water/blow down tank, stack and monitoring platform). Refused on 09.11.2011. Allowed on appeal. *This decision established that there was not sufficient evidence to determine that the use of the northern access would harm the amenity of the adjoining business property to the north, as a result of the fugitive dust emissions generated by passing vehicles entering and exiting the application site when using the access to the north.*
- 4.8 14/00002/FU: Installation of aggregate washing and water treatment plant. Approved on 23.04.2014
- 4.9 14/01147/FU: Erection of electricity substation. Approved on 29.04.2014

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The proposed landscaping and survey requirements have been the subject of discussion. The applicant is currently revising their landscaping scheme and having a survey of existing landscaping prepared. The intention is to submit this information in

time for Panel Members to be updated verbally by the case officer at the meeting. However, if good intentions fail, this information can be required through condition.

- 5.2 The letter of representation received raises a number of highway issues, so the consultation response produced by the Highway Authority has been revisited and further information has been sought. During this process, the applicant has committed to resurfacing the full length of the private portion of Knowsthorpe Road and funding a Traffic Regulation Order at the junction with Knowsthorpe Gate, which would restrict parking.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been advertised as a major development advertised in the Yorkshire Evening Post on 1 October 2015 and the Site Notices were posted 2 October 2015.

- 6.2 One letter of objection received from a neighbouring business, Vehicle Bodycare Centre (VBC), on grounds of highways and environmental impact, the latter being principally arising from dust and odour. The details can be summarised as the following:

- Concern is raised regarding whether the public highway has been absorbed within the Impetus site leading to the obstruction of public passage through to Knowsthorpe Way. If this is the case, Knowsthorpe Road should be removed from the redline boundary.
- The public and private elements of Knowsthorpe Road are used for an overspill parking facility.
- The surface of the publicly maintained section of Knowsthorpe Road is in need of repair. Where erosion by wear has taken place, voids in the road surface are filled with dirt which is transferred from the wheels of the HGVs which use the road. A major consequence of the condition of the road surface is the regular and frequent creation of excessive air borne dust when heavy vehicles pass over the dry road surface. This is particularly problematic for the operation of VBC's business.
- Regular and frequent obstruction of access to its premises by vehicles associated with the current Impetus operation. It is clear that the problems caused are twofold; first as a consequence of parked vehicles and second the high level of HGV movements accessing the Impetus site.
- On-street parking on the approach to and around the Knowsthorpe Gate junction with Knowsthorpe Road. This restricts both through traffic movements and vision at the junction. The same is caused by Impetus vehicles parking on Knowsthorpe Road itself. These problems are compounded by the high level of vehicle movements generated by Impetus operations.
- Section 5 of the Transport Statement indicates that consented planning applications have indicated combined traffic movements of around 800 (400 in and 400 out). However, the detailed survey conducted by VBC highlights that the Transport Statement figures are clearly a significant under estimate of the present situation.
- There have been continuing problems associated with both dust and odour generated by the Waste Transfer Station activities over the past few years.
- The dust coats vehicles awaiting repairs as well as those awaiting collection after repair. Costs have been significantly increased with having to continuously wash vehicles parked outside. Odours are continuously experienced to the level where employees and customers feel extremely nauseous. It is likely that the impact of odour also constitutes a statutory nuisance.

## 7.0 CONSULTATIONS RESPONSES:

### Statutory Consultations

#### 7.1 Environment Agency:

It should be noted that this site has been the subject of ongoing amenity issues, in particular in relation to odour. One area of concern in relation to this issue is the proposal to store RDF bales outside.

#### *Further Consultation:*

*Recently our regulation of site has changed, as when we first met with the new operators. Consequently, sites are now being scored for breaches of the permit with regards to building containment. The works they have notified you of, are to resolve this (and prevent matters escalating to enforcement) to effectively minimise the escape of odour off site which continues to be reported to us as nuisance by their neighbours.*

### Non-Statutory Consultations

#### 7.2 Air Quality Management Team:

Having considered the above proposal we have no objection to the above proposal on the grounds of air quality from road traffic emissions.

#### 7.3 Coal Authority:

No objection.

#### 7.4 Contaminated Land:

No objection.

#### 7.5 Environmental Protection:

Due to the measures proposed by the applicant in the supporting information, it would seem that measures to prevent dust, noise, and odour affecting the nearest receptors are likely to be successful. However, it would appear that details on how noise will be controlled during the construction phase will need to be determined. It is also likely that the removal of the aggregate activities and redesign of the facility should help prevent the previous sources of complaints from being a major issue in the future. If planning permission is to be granted several conditions are recommended.

#### *Re-consultation:*

*In this location it probably would not be an issue if works take place beyond the recommended hours.*

*The noise and dust recommendations were made as there have been concerns previously. In theory the EA should require this sort of standard on any permit they issue. Therefore, recommendations were made to inform planning of the areas of environmental concern and the level of control that ideally should be achieved. The decision rests with Planning on whether the recommended conditions form part of the planning permission.*

#### 7.6 Health and Safety Executive:

There is at least one unidentified pipeline in this Local Authority Area. You may wish to check with the pipeline operator where known or the Local Authority before proceeding. The details HSE have on record for these pipelines is as follows: 4276497\_2778 Northern Gas Networks Tyersal AGI to Wild Grove

7.7 Highways:

Knowsthorpe Lane is an industrial standard road with an appropriate carriageway width and pavements provided; as such it is suitable to serve the proposed development. Additionally there have been no personal injury accidents along the full length of Knowsthorpe Road over the last 5yrs. Site plan drawing No. LD-PA-06 indicates large areas of vehicle manoeuvring space and space where HGV's could park, and as such I do consider that somewhere in the region of 25 vehicles could wait within the site if necessary.

The applicant was required to provide further information on a number of matters. This has now been submitted and the resolves the outstanding matters. Several conditions have been recommended requiring additional information such as details concerning cycle storage and securing the proposed mitigation measures.

7.8 Landscaping:

The Landscape Strategy plans indicate the intent to retain existing planting and enhance 'as required'. However no detail is provided as to the nature and condition of the existing planting, which is needed if we are to assess this approach. Existing planting could usefully be incorporated into a more comprehensive landscape proposal, to create a more robust landscape frontage to the site, providing setting, amenity screening and biodiversity enhancement. A retaining wall is proposed to replace the existing gabion wall. This will need to be of a design and construction which does not cause disturbance or damage to the existing planting. Lighting design should also seek to minimise lighting pollution. The existing planting to the east may well provide foraging habitat for bats so lighting needs to be carefully designed in this respect.

7.9 Local Plans:

The principle of development is consistent with the existing and emerging development plan and no objection is raised to the proposed development on planning policy grounds.

7.10 Mains Drainage:

No objection subject to conditions.

7.11 Nature Conservation:

The application lies adjacent to the Leeds Habitat Network (woodland to the eastern boundary) but should not have any significant impacts upon it. There are a number of valuable hedges and trees around the boundaries to be retained that provide good visual amenity and separation from other adjacent industrial plots. The Landscape Strategy Drawing shows meadow areas along the southern and south-east boundaries but this would be better replaced with a native shrubs and tree mix so that the hedgerow becomes a wider wooded buffer strip.

7.12 Street Registry:

Knowsthorpe Road is publicly maintained for 367m from Knowsthorpe Gate to the turning head. This was the full extent of the road at the time of the adoption. The second section was constructed some time later and has never been part of the highway network. As the second section has never been classified as a highway, there would be no need for a closure on this.

7.13 TravelWise:

Due to the nature of the development and the location, a Travel plan is not required.

## 8.0 PLANNING POLICIES:

### Local Planning Policy

8.1 The proposals will be considered in the context of both national planning policy and the Development Plan. At the time of writing the Development Plan includes the Core Strategy (2014), Leeds Unitary Development Plan (Review 2006) (UDP), policies as saved by directions of the Secretary of State, dated September 2007 and June 2009 and the Natural Resources and Waste Development Plan Document (2013).

8.2 Natural Resources and Waste Local Plan 2013 (NRWLP) is one of several Development Plan Documents (DPD's) which make up the Leeds' Local Development Framework. This document sets out the Council's policies on the future use of Natural Resources and Waste for the plan period up to 2026. The following core strategy policies are relevant:

*General Policy 1:* Presumption in favour of sustainable development;

*Waste 1:* Sustainable waste management supported in principle at safeguarded sites;

*Waste 2:* Safeguarding existing waste management capacity;

*Waste 4:* Permanent waste management facilities will be treated as an industrial use of land;

*Waste 9:* Potential impacts of the planned development must be avoided or mitigated against;

*Air 1:* Emission measures to ensure any impact upon air quality is mitigated;

*Water 1:* Developments should include measures to improve their overall water efficiency where appropriate;

*Water 6:* Assessment of flood risk;

*Water 7:* Sustainable drainage – no increase in surface water run off;

*Land 1:* Information concerning the status of the site in terms of contamination shall be submitted with any application; and,

*Land 2:* Development should conserve trees wherever possible and also introduce new tree planting. Where on site planting can not be achieved off-site planting or a contribution will be sought.

8.3 The Core Strategy is the main document setting out the overall vision and strategic level Policies to guide the delivery of development and investment decisions, and the overall future for the District. The following policies are relevant:

*Spatial Policy 1:* Location of development - to deliver the spatial development strategy based on the Leeds settlement hierarchy;

*Spatial Policy 4:* Regeneration priority programme areas. Priority will be given to developments that improve ... access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment...;

*Spatial Policy 5:* Aire Valley Leeds urban eco-settlement;

*Spatial Policy 8:* Economic development priorities. (viii) Supporting development in existing locations/sites for general industrial and warehouse, particularly in locations which take full advantage of existing services, high levels of accessibility and infrastructure...;

*Spatial Policy 13:* Strategic green infrastructure;

*Policy P10:* Design. New development for buildings and spaces, and alterations to existing, should ... provide good design that is appropriate to its location, scale and function;



- Policy P12: The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process;
- Policy T2: New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility;
- Policy G1: Enhancing and extending green infrastructure;
- Policy G8: Protection of important species and habitats;
- Policy G9: Biodiversity improvements;
- Policy EC3: Safeguarding existing employment land and industrial areas.
- Policy EN2: Sustainable design and construction;
- Policy EN3: Low carbon energy. The Council supports appropriate opportunities to improve energy efficiency and increase the large scale (above 0.5MW) commercial renewable energy capacity, as a basis to reduce greenhouse gas emissions. This includes wind energy, hydro power, biomass treatment, solar energy, landfill gas, and energy from waste;
- Policy EN5: Managing flood risk;
- Policy EN6: Sets out the broad strategy for managing waste in Leeds. The strategy will be implemented through more detailed policies and related documents as set out in the Natural Resources and Waste Local Plan.

8.4 The site is also located within the Aire Valley Leeds regeneration area for which an Area Action Plan (AVLAAP) is being prepared. A draft of the AAP was published for consultation in September 2015. The draft AVLAAP does not propose any changes to allocations and designations made in the NRWLP and proposals in the AAP have fully considered the relevant policy context provided by the NRWLP. There are no proposals for sensitive uses such as housing in the vicinity of the application site and therefore no conflict between the application proposals and the emerging AVLAAP

8.5 The following saved UDP policy is also relevant:

*GP5:* Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

#### National Planning Policy

8.6 National Planning Policy for Waste (NPPW) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. This includes delivering sustainable development and resource efficiency, incorporating the provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy. Moving waste up the hierarchy includes diverting waste from disposal to prevention, re-use, recycling and other recovery.

8.7 The National Planning Policy Framework (2012) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.8 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy

guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given to them. The following sections of the NPPF are most relevant to the consideration of this application:

- Achieving sustainable development
- Requiring good design
- Building a strong, competitive economy

## **9.0 MAIN ISSUES**

Principle  
Visual Amenity & Design  
Highways  
Noise, Dust & Odour  
Landscape & Biodiversity

## **10.0 APPRAISAL**

Principle of Development

- 10.1 The proposal is for the redevelopment of an existing waste management site that is safeguarded for such a use (Waste 2), as identified by the Natural Resources and Waste Local Plan (NRWLP). The proposal would provide a new materials reception building and re-development of existing buildings to facilitate the re-organisation and improvement of the existing facility and site management within consented limits. Waste recycling and transfer operations would focus solely on the production of recyclates from sorting operations and the production of Refuse Derived Fuel (RDF) materials for onward transfer. Once operational up to 250,000tpa of non-hazardous household, commercial and industrial waste would be received and processed on site on a 24/7 basis.
- 10.2 Policy Waste 2 outlines that proposed improvements for this site will be acceptable provided the requirements of Waste 9 are demonstrated. This policy is concerned with ensuring that a development does not introduce harm to amenity shared by those residing in the immediate area or the safety of those using the local highway. The issue of amenity and highway safety is discussed in detail later on in the report. However, in short, with the appropriate conditions in place the proposal is unlikely to introduce harm.
- 10.3 As previously outlined, the proposal is associated with a safeguarded waste management site. The proposal would offer a provision that would deliver a sustainable waste management facility and provide further support to allow Leeds to be self-sufficient. Considering this and the above, the proposal is considered to comply with all the aforementioned policies.

Visual Amenity & Design

- 10.4 The site is located within an existing industrial area that is characterized by large sheds. There are currently two such industrial buildings on the site. The proposal incorporates introducing another building to the immediate south of the existing L-shaped building, where one of the stockpiles is currently situated, and connected via an enclosed conveyor belt and ducts. Beyond this the vehicle circulation area,

weighbridges and weighbridge office are located so the other four stockpile areas would also be removed.

- 10.5 The proposed building has been designed to complement the existing in terms of roof form, materials and detailing. The building would measure 50m by 58m by 11m (height to the ridge). The existing building to the north of the site currently has five openings that are not complete with doors. The proposal incorporates filling three of these openings in with cladding to match the existing and reducing the height and introducing a door to the remaining two. Both buildings would benefit from an air pollution control plant, which includes a 17.6m high stack and is proposed to be adjacent to the south-western corner of the existing building. The proposed fuel tank would be situated just beyond the northern elevation of the proposed reception building.
- 10.6 The weighbridges and site office and welfare building are to be relocated to the west and south of the site respectively to enable a segregation of staff from HGV movements. These facilities will be housed in porta cabins, which is consistent with the current approach. The site office/welfare building would be a two storey structure measuring approximately 8.6m x 14.8m x 6m. This building would be located within the foreground of the reception building so the massing would not look out of proportion with the remainder of the site. The new location of the weighbridges would also allow for a weighbridge office to be situated in the middle. Staff and visitor parking would be incorporated within the site and be facilitated by a separated access point and cordoned off with a safety barrier.
- 10.7 The proposal would remove several large stockpiles and include the building of structures that complement the existing site. The pollution control building and tank would be clustered with the larger buildings so would not appear in stark contrast with the visual appearance of the site or surrounding area. Considering this, the proposal is not contrary to policy in terms of design.

## Highways

- 10.8 The site is accessed via Knowsthorpe Road and the stretch of this road immediately adjacent to the site is private and within the applicant's control, which is why it has been included within the red line boundary. Knowsthorpe Road has a split status as the portion of this road from the turning head (just beyond the northern boundary of VBC) to Knowsthorpe Gate is publically maintained. This was the full extent of the road at the time of the adoption. The second section, which is situated immediately to the west of the Impetus and VBC sites, was constructed some time later and has never been part of the highway network.
- 10.9 The site currently has planning permission to import and process waste materials up to 250,000 tonnes per annum, which equates to around 800 HGV movements per week (400 in/400 out). The proposed development would continue to make use of the current entrance road into the site. Within the site, the HGV entrance off the private road into the operational part of the site would be relocated southwards. The current operational site entrance would be used for staff and visitor parking. The car parking area includes 6 metre corner radii and a carriageway width of 7.3 metres to accommodate 22 car parking spaces (2 of which will be disabled).
- 10.10 It is anticipated that the facility will employ 20 operational and 5 admin staff, 10 operational staff will work within the first shift period (06:00 to 18:00) and second shift between (18:00 to 06:00) and office staff would work during the 08:00 – 17:00 period. Staff and visitors will largely utilise private vehicles for accessing the site as at present. The report demonstrates that there are alternative modes of travel available to access the site. Measures have been proposed to improve cycle parking provision

within the site. Detailed information on the secure long-stay staff cycle parking would have to be provided through condition.

- 10.11 In terms of the site layout and based upon the proposed maximum of 800 HGV movements in any week (based upon 250,000 tonnes throughput using 12 tonne wagons), it is considered that the design of the site would allow the operation to function efficiently. Assuming a maximum of 400 loads in any week, this equates to 58 loads per day or around 3 per hour over a 24 hour period. Even if the vast majority of movements were to occur over the daytime period (say 12 hours) this would equate to 6 loads arriving at the site per hour. This is one load every 10 minutes over average (based on the maximum figures). There are no objections from the highway authority relating to the proposed throughput and taking into account the considerable length of internal highway and the fact that the proposed layout could accommodate holding for up to 25 HGVs, it is considered that the proposals have adequate capacity to process the volumes of waste proposed.
- 10.12 When the operator first took over the site there were occasions when obstruction took place with HGVs waiting to pass each other through the gate. The gated access has now been widened to overcome this issue. Currently the site does not offer any formal parking so employees are parking along the side of Knowsthorpe Road (the section within the red line). HGVs waiting to enter the site are doing so on the private element of Knowsthorpe Road. However, if this application was to gain planning permission, the redevelopment provides sufficient parking within the site for employees and HGV waiting area, which would greatly improve the current consented situation. Therefore, the proposed development would provide an organised and efficient site with respect to vehicle movements.
- 10.13 The letter of representation received from VBC includes a traffic survey conducted over a week (from the 18th to the 24th May 2015). Unfortunately, the Highway Authority are not able to weigh this data in the balance of their consultation response as this survey has not been undertaken by a professional traffic count company who have the necessary skills/experience required to ensure the data is reliable. It would not be an appropriate use of resources for the Highway Authority to undertake their own survey given the location of the proposal is within an industrial estate with close links to the East Leeds Link Road. The count notes a high number of council vehicles visiting the site. The applicant has confirmed that this was a transitional business commitment left over from the former T Shea operation which is not reflective of Impetus' future operations.
- 10.14 The introduction of a one way system in the form of vehicles entering from Knowsthorpe Road north and out to Knowsthorpe Way (south) is suggested within the comments received from VBC. However, it is considered that the reorganisation of the site as proposed would manage the consented highway movements more efficiently and so there is no basis for the Highway Authority to require such a one way system. As the southern portion of Knowsthorpe Road is a private/un-adopted road, the Waste Planning Authority can not insist that the southern access is opened and utilised where there is not a highway safety reason to justify it. Furthermore, the northern access provides an efficient route to the main highway network.
- 10.15 The site would be fully resurfaced so the vehicles exiting the site would not carry mud onto the highway. Previously the site conditions were different as processing of aggregate was being undertaken, which would fully cease under the redevelopment proposal. Given that the site would be fully resurfaced, it does not seem appropriate to require a wheel wash facility that is usually only necessary when vehicles are going to travelling across unmade ground.
- 10.16 The applicant has committed to resurfacing the un-adopted/private section of Knowsthorpe Road, which would include the area directly to the front of VBC. This

would provide a clean and level surface that would help prevent dust dispersion. The condition of the adopted highway is the responsibility of the Highway Authority.

- 10.17 On-street parking (from surrounding businesses) on the approach to and around the Knowsthorpe Gate junction with Knowsthorpe Road restricts both through traffic movements and vision at the junction. To improve this situation the applicant has committed to funding a Traffic Regulation Order (TRO) to protect the junction of Knowsthorpe Road and Knowsthorpe Gate and provide parking restriction to one or both sides of the adopted section of Knowsthorpe Road on the approach to the site. This will prevent vehicles having to move out of their lane on approach to the roundabout to avoid parked cars causing a potential conflict with oncoming vehicles.
- 10.18 In summary, the proposed redevelopment would facilitate the current consented arrangements being undertaken considerably to the neighbouring businesses by providing a fully surfaced site, which would help maintain a clean highway, with an appropriate number of parking spaces. The proposal also incorporates the resurfacing of Knowsthorpe Road and the funding of a TRO, which would maintain highway safety in this area. Given these factors, the proposal is unlikely to have a material impact upon the highway or introduce a highway safety concern.

#### Noise, Dust, Odour & Pests

##### Noise

- 10.19 The noise report gives a general picture of the existing noise levels in the vicinity. The conclusion reached was that the current environment was dominated by noise generated by industrial activities and infrastructure. However, the current operations were considered not discernible from the general industrial noise contribution at the monitoring locations. The proposal incorporates waste tipping, handling and shredding operations being undertaken in a new enclosed waste reception building and the building positioned on the northern boundary being fully enclosed, which are considered an improvement and expected to result in reductions in noise generation.
- 10.20 Up until very recently the site has been utilised as an aggregates recycling facility in the southern portion of the site, which includes external activities such as crushing, handling and stockpiling of hard waste aggregate materials before bulking for onward transportation. This activity involves large scale 360° excavators, shovel loaders, mobile crushing plant, mobile screening plant and HGV's. The majority of the aggregate stockpiles left by the previous operator have now been worked and the remainder would be utilised within any future development of the site. The proposed redevelopment would see the cessation of all aggregate recycling activities and the removal of all associated plant and equipment. This would result in a reduction in noise contribution from the site.
- 10.21 A predicted result of the cessation/beneficial alteration of certain activities that are already occurring in terms of noise, typically expected to result in reductions in noise generation. However, as a result of the current noise climate of the area it is unlikely that these reductions would be perceptible in the wider environment. Noise generated from the existing operation at the site is not a significantly dominant feature of the noise climate, and as such changes would be masked by other noise related ongoing operations within the surrounding area.
- 10.22 The assessment of noise from construction activities is limited to advice to control construction noise within a Construction Noise Management Plan or a Construction Environmental Management Plan as part of any planning permission. Therefore, further details on this will need to be submitted in due course. Given the location of the site and its current function this is considered appropriate.

## Dust

- 10.23 The potential for dust generation arises from the tipping of bulked waste on arrival, and the extraction, bulking and storage of fines/aggregates from the imported waste. Once the redevelopment of the site has been undertaken, processes will be carried out in enclosed buildings, operated under negative pressure with dust suppression technologies to minimise dust emissions. There will be no external storage of fines/aggregates. The proposed development will not process construction and demolition waste materials and so will remove the potential for dust emissions from this activity at the site, which has previously been the source of complaint from a neighbouring business.
- 10.24 Bales of RDF are proposed to be stored outside. However, these will not be a significant source of dust as the bales will be wrapped and the dust-generating components of the imported waste (fines/aggregates) are removed from the waste prior to processing and baling of the RDF. All this activity would take place within the building.
- 10.25 The un-adopted section of Knowsthorpe Road (including the area within the control of the applicant) is in a poor state of repair. VBC consider that the uneven nature of the road causes mud/debris to drop off the wheels of the vehicles visiting the Impetus site, which is retained in the crevices, dries and is blown onto their vehicles. The proposals set out a comprehensive redevelopment of the site, with all operational areas being hard-surfaced which will mitigate dust generation and prevent mud being tracked onto the highway. The area of Knowsthorpe Road within applicant's control would also be re-surfaced to an adoptable standard. To resolve their neighbour's concerns, Impetus have also agreed within the application process to upgrade the remainder of the un-adopted section of Knowsthorpe Road north of their site boundary (subject to the owner's permission).
- 10.26 The primary dust-generating activities will be contained within a building, with appropriate mitigation to prevent dust releases, and the risks of significant dust impacts from the facility being limited.

## Odour

- 10.27 The potential for odour nuisance from smells associated with the processes has been considered. There are a number of sources at the proposed facility where there is a potential for odours to be released into the outside environment. This includes reception of waste, the transfer of waste to the processing equipment, processing of waste, storage of bales, and removal of waste. A number of mitigations measures have been put forward as part of an odour management plan that will form part of the site's environmental permit issued by the Environment Agency.
- 10.28 The odour control system will include an odour absorbing spray system in the reception and waste processing areas which will produce fine fog particles with an odour neutraliser to reduce odours. Odorous air from all of the main process areas will be extracted via a ductwork system and passed through a bio-filter and a carbon absorber unit. This bio-filter and carbon filters will act to significantly reduce odours. The extracted air will then be discharged via a 17.6 m high stack; this high-level release will allow adequate dispersion of any remaining odours. Good working practices would also be employed such as: robust waste acceptance procedures, keeping doors closed whenever possible, using fast acting roller shutter doors, processing waste in as short a timescale as possible, restricting any external storage of waste and making sure it is appropriately wrapped (the bales are tied and wrapped with a minimum of 4 layers of 25micron plastic), stock rotation and cleaning.
- 10.29 The odour risk assessment concludes that the overall significance of odour effects is negligible at all nearby residential properties and industrial properties adjacent to the facility, assuming that the mitigation measures outlined in paragraph 10.28 are

applied. VBC have commissioned an odour assessment to establish a basis for complaint concerning the Impetus site with the Environment Agency. This report concludes that the ‘...independent, accredited, quantitative results demonstrate that the extent of the problem and likelihood of complaint has been underestimated by the Environment Agency.’ The applicant has produced a rebuttal to this assessment outlining that the assessment method employed is inappropriate; odour benchmark incorrectly used; taken on a day when winds were blowing from the nearby sewage works; no character analysis has been produced to attempt to identify the likely source of odours; and, does not take account of any published guidance documents relating to the appropriate procedures for assessing and determining potential odour impacts.

- 10.30 The National Planning Policy for Waste (NPPW) outlines that the Waste Planning Authority (WPA) should not duplicate regulatory controls governed by the pollution control authorities (paragraph 7, 2014). Paragraph 7 goes on to clarify further that the WPA ‘should work on the assumption that the relevant pollution control regime will be properly applied and enforced’. The Environment Agency is responsible for assessing nuisance complaints from their permitted sites and has significant in house expertise in regards to sampling and sampling methodology. Given that the Environment Agency write or have input into writing the majority of sampling methodologies used for Environmental Pollution assessment, they are best placed to validate or not any sampling carried out to support the assertion of nuisance from the site operations.
- 10.31 The WPA is responsible for assessing the potential harm to amenity arising from odour. Once the proposed redevelopment is implemented, it is likely that the site conditions will vastly improve through increasing the containment of the waste received and processed at the site. Fast shutting doors and negative pressure air systems have improved the release of odour at other sites. If Members would like some assurances, a condition requiring an odour management plan could be applied to any grant of consent.

#### Pests

- 10.32 The applicant has reported that when they took over the site, they experienced a high presence of rats on the site. This problem has apparently been brought under control with the use of a specialist. VBC have reported an increase in the number of rats on their site and have increased the use of their specialist accordingly. They have indicated that they consider Impetus’ operation to be the cause of the increase in their rat problem. However, it is difficult to know exactly where the rats are coming from and given the sites location they legitimately could be coming from the sewage works for example. Controlling pests on the application site would be a condition of the applicant’s permit; therefore, a matter for the Environment Agency to regulate. The redevelopment of the site can only help in this regard.

#### Landscape & Biodiversity

- 10.33 The landscape plan details trees in meadow grass to the southern boundary. Given the location and nature of existing planting, a mixed shrub and tree belt is preferable as planting needs to be robust in what is a relatively hostile environment. Locally native species of tree and shrub mixes are recommended, rather than specimen planting. This would extend the width of the existing retained planting and add to the visual and biodiversity enhancements of the other boundary planting. This reflects the approach taken with other development in Cross Green Industrial Estate, to gradually improve the Green Infrastructure by extending visual amenity and biodiversity improvements to the wider area as well as the immediate site surroundings.
- 10.34 The Landscape Strategy plans indicate the intent to retain existing planting and enhance ‘as required’. However no detail is provided as to the nature and condition of the existing planting, which is needed if we are to assess this approach. Therefore, a survey assessing the nature and condition of the existing planting is necessary to

inform the overall landscape approach for the site. Core Strategy policy P10 requires development to respect and enhance existing landscapes and P12 stipulates that landscape should be conserved and enhanced. The Natural Resources and Waste Local Plan goes on to require that 'development should conserve trees wherever possible and also introduce new tree planting as part of creating high quality... working environments...' (policy Land 2). Consequently, a survey of existing planting will be conditioned to inform a comprehensive landscaping scheme to deliver a robust landscaping provision, providing setting and biodiversity enhancement.

- 10.35 A retaining wall is proposed to replace the existing gabion wall. This would need to be of a design and construction which does not cause disturbance or damage to the existing planting. Any proposed toe to the wall would need to extend into the site. Full details of the wall and its construction should be conditioned.
- 10.36 Lighting design should seek to minimise lighting pollution. The existing planting to the east may well provide foraging habitat for bats so lighting needs to be carefully designed in this respect. A condition concerning this matter has been recommended.

## **11.0 CONCLUSION**

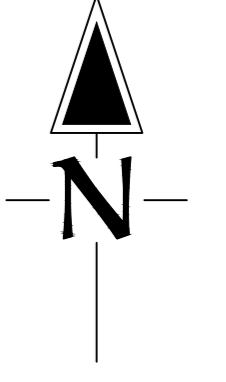
- 11.1 The application relates to a safeguarded waste site identified within the adopted local development plan, which historically has also processed aggregates. The applicant is proposing to cease this activity and purely accept and sort waste for onward travel for re-use, recycling or energy creation. Therefore, the waste received is being moved up the waste hierarchy in accordance with national and local planning policy.
- 11.2 The proposed redevelopment of the site would upgrade an existing facility that would create a more efficient and effective working environment that would improve the flow of vehicle movements, parking and access and environmental standards. The proposal is unlikely to introduce harm to amenity, health or highway safety that could not be mitigated through planning conditions. Considering these factors, the proposed development is, on balance, considered to fully accord with the development plan and there are no material considerations that indicate otherwise. Therefore, a recommendation of approval is made subject to the conditions set out at the head of this report.

### **Background Papers:**

Application files: 15/05350/FU

Certificate of ownership: Certificate B signed by the agent





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Project / Title

**Planning Application**

**Waste Transfer Station**  
**Cross Green Industrial Estate**  
**Leeds**

**Existing Services Plan**

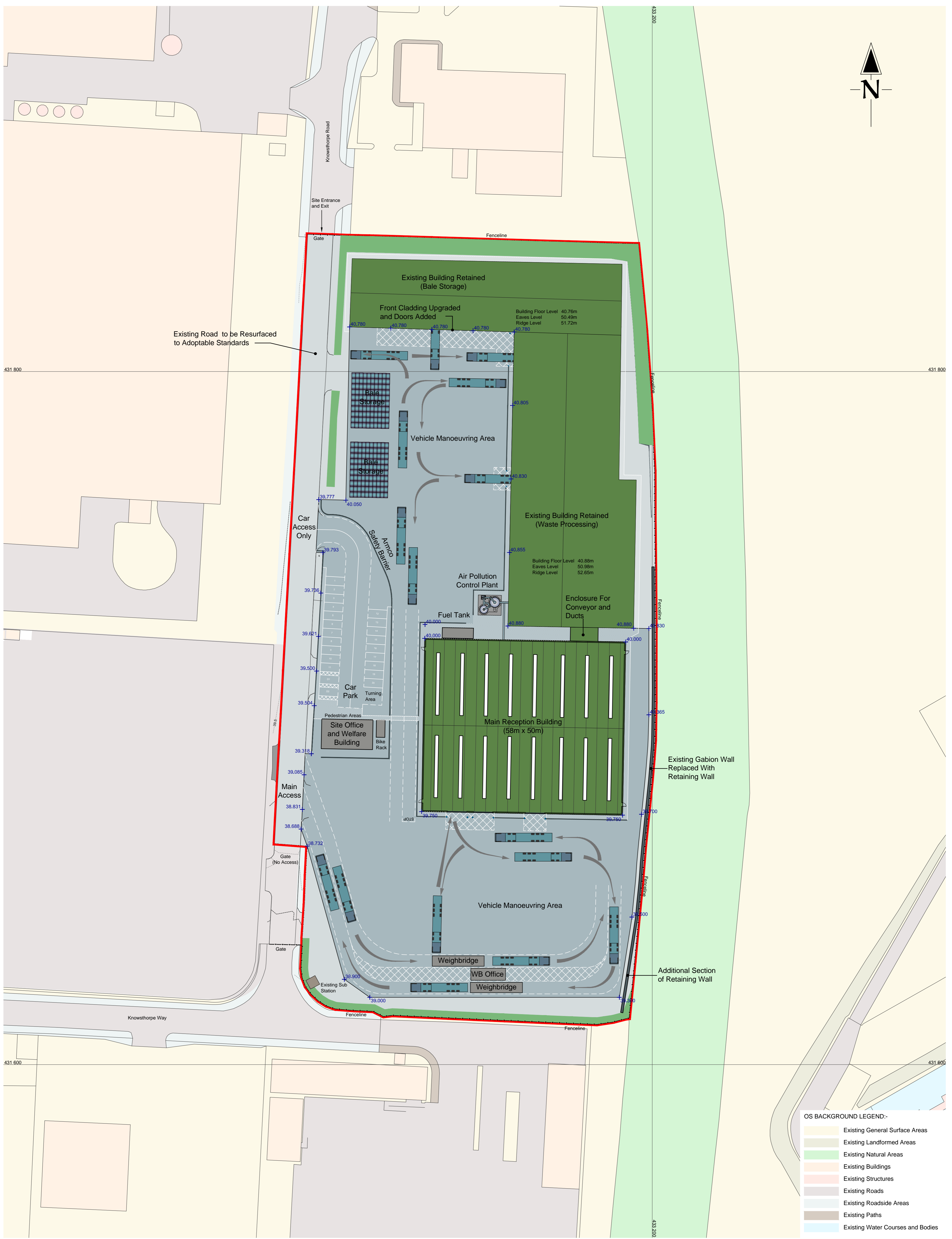
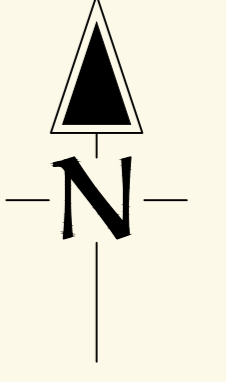
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  - Accuracy of Map Image Not Guaranteed Due to Reproduction Methods.
  - Drawing Based Upon Topographical Information Provided by Messrs 'Derek Brook Surveying Services Ltd' Dated March 2015.
  - Services Information Provided by Messrs 'Derek Brook Surveying Services Ltd' Dated March 2015.

- LEGEND:-**
- Site Boundary
  - Services - Foul External to Site
  - Services - Foul Drainage Channel
  - Services - Foul Internal to Site
  - Services - Surface Water External to Site
  - Services - Surface Water Internal to Site
  - Services - Perimeter Filter Drain
  - Services - Telecoms
  - Services - Water Main
  - Services - Water Main
  - Services - Medium Pressure Gas Main
  - Services - High Voltage Electrical Cable
  - Services - Low Voltage Electrical Cable

- Services - Manhole
- Services - Inspection Chamber (IC)
- Services - Catch Pit
- Services - Fire Hydrant

Rev	Description	Checked	Drawn	App'd	Date
0	First Issue -	-	-	-	-
ASB		IMcD		IMcD	
July 2015		July 2015		July 2015	
Drawing Scale: 1:500		Original Drawing Size: A1 841x594			
Drawing No: LD-PA-05		Revision: 0			
Status: <b>Planning</b>					





**OS BACKGROUND LEGEND:-**

[Light Green]	Existing General Surface Areas
[Light Yellow]	Existing Landformed Areas
[Light Blue]	Existing Natural Areas
[Light Orange]	Existing Buildings
[Light Red]	Existing Structures
[Light Grey]	Existing Roads
[Light Blue-Grey]	Existing Roadside Areas
[Light Brown]	Existing Paths
[Light Cyan]	Existing Water Courses and Bodies

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Project / Title  
**Planning Application**  
**Waste Transfer Station**  
**Cross Green Industrial Estate**  
**Leeds**  
**Proposed Development**  
**General Arrangement**

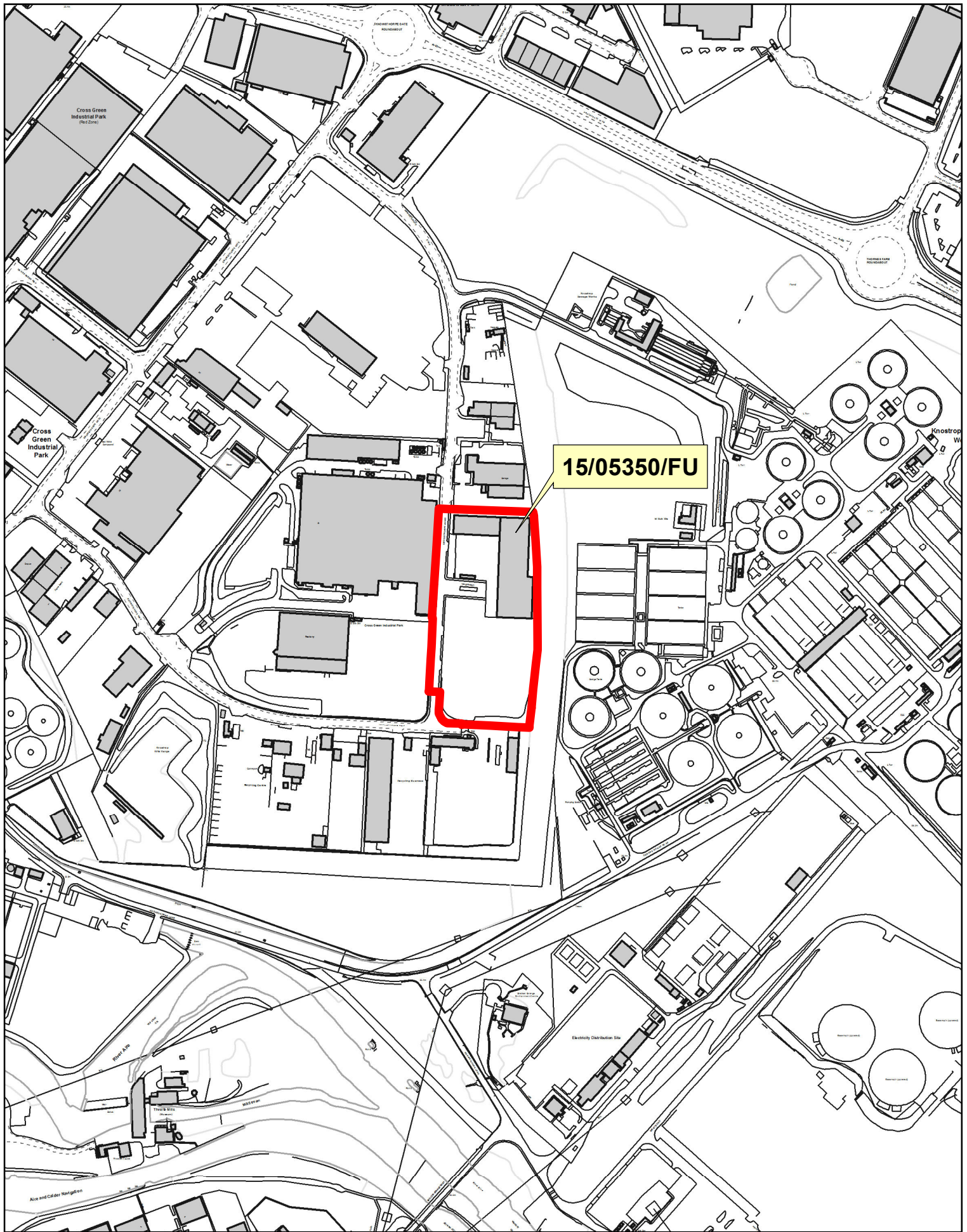
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  3. Drawing Based Upon Topographical Information Provided by Messrs 'Derek Brook Surveying Services Ltd' Dated March 2015

**LEGEND:-**

[Red Line]	Site Boundary
[Dashed Line]	Existing Fences
[Grey Line]	Existing Road
[Green Box]	Existing Main Building / Main Reception Building
[Orange Box]	Existing Buildings
[Red Box]	Existing Walls
[Blue Box]	Proposed Concrete Area
[Brown Box]	Proposed Building
[Cyan Box]	Proposed Environmental Management Area

0	First Issue -				
Rev	Description	Checked	Drawn	App'd	Date
ASB		IMcD		IMcD	
Date	July 2015	Date	July 2015	Date	July 2015
Drawing Scale:	1:500	Original Drawing Size:	A1 841x594		
Drawing No.:	LD-PA-06	Revision:	0		
Status:	Planning				





# NORTH AND EAST PLANS PANEL

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SCALE : 1/5000

