

**WATFORD BOROUGH
APPLICATION FOR LORRY, PLANT AND EQUIPMENT PARKING, LORRY
TURNING AND STORAGE OF ASSOCIATED MATERIALS AT UNIT 2
COLNE WAY INDUSTRIAL ESTATE, NORTH WATFORD, HERTS**

Local Member: M Green

Report of the Director of Environment

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1. Purpose of the report

To consider planning application 9/0369-00 for lorry, plant and equipment parking, lorry turning and storage of associated materials at Unit 2 Colne Way Industrial Estate, North Watford, Herts.

2. Summary

2.1 The application has been made in conjunction with the waste transfer and recycling centre on the adjoining Unit 1, which has the benefit of planning permission ref. 9/0574-99.

2.2 The application site is located adjacent to Unit 1 Colne Way Industrial Estate and lies immediately to the west of the Watford Junction – St Albans Railway line. The site is also in close proximity to the Meriden Infants and Junior Mixed School to the east, the Meriden residential estate to the north east and the Lea Farm Junior and Garston Infants School to the north. Neighbouring uses include the Sun Chemical Inks printing works and a Sainsbury's supermarket store. Access to the site is from the A41 Colne Way, which only allows entry to the site from the south west and exiting to the south east. Planning permission ref. 9/0574-99 for a waste transfer and recycling centre at Unit 1 was granted subject to a legal agreement to provide for works to physically prevent right turn manoeuvres at this junction. In addition a Condition was attached to this planning permission which stipulated that operations at the site should not commence until such time as these works had been implemented in full. At the time of writing this report these works have yet to be implemented.

2.3 The application proposes an area of impermeable, concrete hardstanding that would contain two weighbridges (one for entry to the site and one for egress), a control kiosk, eight bays to serve as a lorry and container park, two storage bays and a skip storage

area. This development would be linked to the activities at Unit 1 to enable better circulation and use of the site.

- 2.4 The proposed hours of operation are 8.00am to 5.30pm Mondays to Fridays and 8.00am to 1.00pm Saturdays. The maximum lorry movements to and from the site each working day would be 120 to accord with planning permission 9/0574-99 for the Unit 1 site, which can only be accessed through the Unit 2 site.

3. Conclusion

- 4.9 The report concludes that the Director of Environment should be authorised to grant planning permission subject to conditions to include the following matters:

- hours of operation (8.00am to 5.30pm Mondays to Fridays and 8.00am to 1.00pm Saturdays);
- vehicle movements (a total of 120 movements per day for Units 1 and 2);
- a scheme to be submitted for the location of skip storage areas;
- a scheme for the screening (including fencing and landscaping) of the site and adjoining area, including provision for the safeguarding of potential upgrading of the Abbey Line;
- control of unprocessed waste being stored outside;
- a “Grampian style” condition to ensure that the site is not operational before the road safety measures have been implemented;
- a condition to ensure that the site is only used in conjunction with planning permission 9/0574-99;
- safeguards on noise, dust, drainage, lighting and the avoidance of mud on the highway;
- safety conditions as advised by Railtrack; and
- control over height of stockpiles.

1. Description of Site and Proposed Development

- 1.1 Planning permission (ref. no. 9/0574-99) for a waste transfer and recycling complex at Unit 1 Colne Way was granted, subject to a number of conditions and a legal agreement to provide for highway improvement works. This permission authorises the transfer of Category A and B waste in a waste transfer building that is currently under construction. The application currently under consideration has been made to support this permitted use.
- 1.2 This application seeks planning permission for lorry, plant and equipment parking, lorry turning, weighbridges and storage of materials at land known as Unit 2 Colne Way Industrial Estate (also known as Railway Yard) in North Watford. The area of the site comprises 2200m² and is accessed from the A41 North Western Avenue/Colne Way. The site lies immediately to the west of the Watford Junction – St Albans Railway Line and is in close proximity to the Meriden Infants and Junior School to the east, Meriden residential estate to the north east and Lea Farm Junior and Garston Infants School to the north. The site has recently been the subject of an enforcement notice and stop notice which were served on persons with an interest in the land as unauthorised waste transfer activity was taking place on this Unit. At the time of writing this report the use of the land for waste transfer activity has ceased. Unit 2 has also previously been the subject of an appeal against the non-determination of a planning application for the temporary use of the site for waste transfer. This appeal was dismissed on the grounds of harm to the amenity of local residents and school users with regard to noise and dust. The Yard as a whole has had a number of previous uses including a coal yard, aggregate distribution depot and a transport yard. Neighbouring uses include Sun Chemical Inks printing works and a Sainsbury's supermarket.
- 1.3 The application proposes a fully concreted, impermeable hardstanding area that would contain two weighbridges, one for entry to the site and one for egress, a control kiosk, eight bays to serve as a lorry and container park, two storage bays and a skip storage area. The hours of operation for the site would be:
- 8.00am to 5.30pm Monday to Friday
8.00am to 1.00pm Saturdays.
- 1.4 The application proposes that the maximum lorry movements to and from the site each working day would be 120. This would accord with planning permission 9/0574-99, which requires under Condition 15 that there shall be no more than 120 vehicle movements at the site in any one working day. This would not allow for 240 movements from the two yards combined however, as access to Unit 1 can only be made through Unit 2.
- 1.5 No environmental statement was required for this application. Under the Town and Country (Environmental Impact Assessment) Regulations 1999, the proposed development is not categorised as Schedule 1 or Schedule 2 Development.

2. Planning History

2.1 As well as the recent enforcement action to stop the activity of waste transfer at this site, Unit 2 has recently been the subject of four applications for waste transfer that have either been refused, withdrawn or dismissed at appeal. For a complete record of applications made at this Unit refer to Appendix 1.

3. Consultations and Representations

3.1 Watford Borough Council objects to the proposal on the following grounds:

ii) The site is not indicated as being within a preferred area of search within the Waste Local Plan and it does not fall within an employment area as defined within the Watford District Local Plan. Therefore, it is considered inappropriate having regard to the location adjacent to residential dwellings and contrary to Waste Policies 12 and 13 of the Waste Local Plan.

iii) The proposal would have an adverse impact on the local environment contrary to Policies SE1 and H8 of Watford District Local Plan 1993 and Policies SE15 and H12 of the Watford District Plan 2000 (Draft).

3.2 With respect to environmental health matters the Borough Council comment that, should planning permission be granted, then measures should be in place to ensure that dust, odour, lighting and vermin do not give rise to a nuisance to others in the locality. In addition they state that there should be no fires permitted on site and that works on construction sites are currently restricted to:

8.00am to 6.00pm Monday to Friday
8.00am to 1.00pm Saturdays

No working on Sundays and Bank Holidays.

3.3 Transco confirms that it has plant in the vicinity and that the applicant should provide further details of the proposal should planning permission be issued.

3.4 Highways Agency has no comments.

3.5 Railtrack comment that they have no objection to the proposal subject to conditions being imposed in the interests of rail safety that relate to drainage, plant and machinery and fencing. They also require that a number of safety informatives be passed to the applicant which relate to electrified lines, lighting, litter and liaison about significant alterations.

3.6 Thames Water comments that areas susceptible to petrol and oil spillage are to be drained to the foul sewer system via approved petrol interceptors.

3.7 Environment Agency have no objection to the proposal subject to conditions requiring a detailed site investigation to be carried out and the construction of a surface and foul drainage system to be carried out in accordance with details to be approved.

- 3.8 Sun Chemical Inks object to the proposal on the grounds of increased traffic flow, noise pollution, dust, risk of vandalism and of fires being started.
- 3.9 Meriden, Tudor and Lea Farm Residents Associations jointly object to the proposal and have commented that the site has been in use as a waste transfer station which has had unpleasant consequences for the neighbouring uses and which is both unauthorised and unlicensed.
- 3.10 Garston Infants' and Lea Farm Junior Schools raise concerns about the proposal which relate to noise pollution, odour, dust and the increase in local traffic resulting in more air pollution.
- 3.11 MVM Planning on behalf of Sainsbury's Supermarket objects to the expansion of the waste transfer station.
- 3.12 Hertfordshire County Council, Highway Authority has no objection to the proposal in principle but state that a condition should be attached which will prevent development commencing before the right turn preventative measures are in place.
- 3.13 Hertfordshire County Council, Passenger Transport Unit have identified this section of the Abbey line as a possible site for a passing loop or second running line. As such any development over the former sidings area that would restrict such proposals would be considered extremely undesirable. Clarification thus needs to be sought as if this development proposal would still allow enough room for the requisite additional track and infrastructure to be located there in the future.
- 3.14 Representation from individuals 177 residents were consulted about this application, an advert was placed in the local press and site notices were placed at the access to the site. At the time of writing no letters from individual residents have been received by the County Council.

4. Planning Considerations

- 4.1 The issues relating to the establishment of a waste transfer station at this Industrial Estate were considered in the report to Committee for planning application 9/0574-99. This application has been made to provide complementary development for the waste transfer station permitted under reference number 9/0574-99. The activity of waste transfer would not be carried out on Unit 2, only ancillary uses such as lorry turning and parking, parking of equipment and storage of associated materials.
- 4.2 Following submission of a detailed layout for Unit 1 as required by consent reference 9/0574-99, it became apparent to the operator that an additional area would be required to accommodate parking areas, weighbridges and general circulation space. This application has therefore been submitted to resolve this issue and make better use of the land available.

- 4.3 The proposed development is therefore an extension to Unit 1 rather than free-standing development. The proposal should not result in any intensification of the traffic movements, noise or dust generation or the visual impact of the development and as such is an intrinsic part of the development of a transfer station at this site. The principal issues to be considered are the more efficient operation of the site against the amenity effects arising from closer proximity of additional development to neighbouring properties.
- 4.4 Improvements to the permitted waste transfer station: Allowing additional space for storage, parking and manoeuvring will enable a number of significant improvements to the waste transfer station. Firstly, it will provide space for vehicular circulation which will reduce the number of vehicle reversing manoeuvres at the site, in turn minimising the impact from vehicle reversing warning signals.
- 4.5 The additional area will also create enough space for a dual weighbridge entry and egress system, which will reduce the instance of heavy goods vehicles queuing on entry and egress to the site. This in turn will reduce pollution from these vehicles in the immediate vicinity of the site and will aid the operation of HGVs entering and exiting the site.
- 4.6 The proposed extension of the site will also ensure that the development of the Colne Way Industrial Estate is carried out in a more cohesive way, reducing the opportunity for piecemeal operational activity and ties the use of this area of land to an operation that has a valid planning permission.
- 4.7 Although the proposed extension of the site will provide benefits in terms of improvements to the operation of the site, there is concern relating to the location of the skip storage area. The particular noise associated with the handling and movement of skips has, at other sites, been the source of nuisance and disturbance to local residents. Therefore it is considered that this element of the proposal should be relocated to an area further away from the Meriden Infants School. The relocation of this element of the application can be secured by condition.
- 4.8 The proposed extension to the site will mean that vehicles and stored materials are brought closer to the school and residential properties to the east of the railway line. Bunding is proposed between the site and the railway line together landscaping and a fence, which should help to mitigate any adverse visual or noise intrusion.
- 4.9 Within its Rail Prospectus 2001 – 2005 the County Council has identified that a first stage towards the best transport solution for the transport corridor between Watford, St Albans and Hatfield might be to enhance the Abbey Line service and infrastructure. This is reflected in the Local Transport Plan with regard to the South West Herts and Mid-Herts Area Plans. As part of an overall package including an increase in the amount of double track it would therefore be appropriate to seek to safeguard land for this purpose. The precise area of land would need to be identified in conjunction with Railtrack standards but the indications are that such safeguarding should be achievable within the context of the proposals, particularly given the need to re-locate the skip storage area which is currently proposed on land closest to the railway.

5. Conclusions

- 5.1 This application has been made to facilitate the development of the waste transfer station granted planning permission on the adjoining Unit 1 site. It proposes only ancillary uses to the permitted use of Unit 1 as a waste transfer.
- 5.2 The proposed ancillary development would enable operational improvements to the approved waste transfer station. Additional space would allow an improved site layout and assist with effective maintenance and cleaning of the site whilst the dual weighbridge for entry and egress would help to mitigate the adverse effects of vehicles queuing. Proposals for screening the site should help to mitigate any adverse impacts in terms of visual and noise intrusion.
- 5.3 However, it is concluded that the proposed skip storage area should be relocated further from the noise sensitive properties to further minimise the effect on amenity of noise emanating from the storage and movement of skips. This would also enable appropriate provision for safeguarding any potential upgrading of the Abbey Line
- 5.4 On balance, therefore, the report concludes that planning permission should be granted subject to conditions to control hours of operation, vehicle movements, location of skip storage areas and control of unprocessed waste being stored outside, a “Grampian style” condition to ensure that the site is not operational before the road safety measures have been implemented, a condition to ensure that the site is only used in conjunction with planning permission 9/0574-99, safeguards on noise, dust, drainage, lighting and avoidance of mud on the highway, details of screening and landscaping proposals, including provision for the safeguarding of potential upgrading of the Abbey Line, safety conditions as advised by Railtrack, and control over height of stockpiles.

6. Financial Implications

- 6.1 Planning applications should be determined on the basis of material planning considerations, and not on the basis of their financial implications of the County Council. However, it is a requirement of the County Council to advise all Committees of the financial implications that may arise from a decision of the Committee.
- 6.2 If a planning application is refused, is determined differently than applied for, or is not determined within a specific period, the applicant has a right of appeal. Any appeal would result in additional costs, which in part can be met from existing budget provision. However, a major public inquiry may give rise to significant costs for which there is no specific budget provision. If the County Council refuses an application without reasonable planning grounds on which to base its decision, it may be liable to pay the costs of the applicant in contesting the appeal.

Background material used by the author in compiling the report

Planning Application Ref. 9/0369-00
Committee Report for Planning Application Ref. 9/0574-99
Consultation responses and representations received in response to Planning Application
9/0369-00
Hertfordshire Structure Plan Review 1991-2011 (April 1998)
Hertfordshire Waste Local Plan 1995-2005 (January 1999)
Watford Borough Council Local Plan (June 1996)
Hertfordshire's Local Transport Plan, July 2000
Hertfordshire's Rail Prospectus 2001 – 2005, July 2000

APPENDIX 1

The Colne Way Industrial Estate has recently been subject to a number of planning applications, appeals and enforcement action. This appendix aims to summarise these activities in order to aid clarity and understanding.

In February 1999 an application for a waste transfer station and recycling complex (ref. 9/0093-99) was submitted. This application was subsequently refused at Committee on 20 May 1999 as the proposed development failed to comply with development plan policies, the scale of the development was considered inappropriate and the operations would have adversely affected the amenities of local residents and surrounding schools and businesses. This application covered Unit 2 and land to the north of Unit 2.

Subsequently two further planning applications were made to Hertfordshire County Council, one for the transfer of waste at Unit 1 (ref. 9/0311-99) and one for the parking of skip lorries and transfer of waste at Unit 2 of the Industrial Estate (ref. 9/0302-99) which was later withdrawn. Application no. 9/0311-99 was appealed on the grounds of non-determination, however the appeal was dismissed on the grounds of odour pollution and failing to comply with development plan policy.

A fourth application for a waste transfer and recycling complex (ref. 9/0385-99) on Units 1, 2 and land to the north of Unit 2 was submitted in July 1999. This application was withdrawn before it was due to be reported to Committee in September 1999. Officer's conclusion had stated that this application should be refused.

A fifth application (ref. 9/0574-99) for a waste transfer and recycling complex was submitted in September 1999 on land known as Unit 1. This application was approved by Committee in November 1999 subject to a legal agreement to provide for highway improvement works and appropriate conditions. The formal decision notice was issued in May 2000.

In February 2000 another application for the temporary use of Unit 2 as a waste transfer station, whilst development was undertaken on Unit 1, was submitted. This application was never determined by Hertfordshire County Council but was instead appealed on the grounds of non-determination by the applicant – Watford Waste 2000. The Planning Inspectorate dismissed this appeal in July 2000, the reasons given being that there would be harm to the amenity of local residents and school users with regard to noise and dust.

Subsequent to this decision, enforcement action was instigated by Hertfordshire County Council to stop the use of the Unit 2 site as a waste transfer station.

In June 2000 the application the subject of this report was submitted (ref. 9/0369-00) for lorry parking and storage etc.