

**STEVENAGE BOROUGH
RESUBMISSION OF A PLANNING APPLICATION FOR WASTE TRANSFER
FACILITY FOR HAZARDOUS/DIFFICULT WASTES AT LAND OFF LEYDEN
ROAD, STEVENAGE.**

Report of the Director of Environment

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1. Purpose of the report

To consider planning application number 2/0264-01 for a waste transfer facility for hazardous/difficult wastes at land off Leyden Road, Stevenage.

2. Summary

- 2.1 This application is a resubmission of the planning application to sort and segregate hazardous and difficult wastes into specific categories (ref. 2/0540-00) on land off Leyden Road, within the Gunnels Wood industrial estate, Stevenage. The application site has increased from 336m², to 520m² to incorporate the means of access to the site within the application area. Currently the site is used as an unofficial car park.
- 2.2 The proposed development is intended to replace the existing waste transfer station dealing with hazardous and difficult wastes in Hitchin that the applicant states would close if this application were approved. The range of wastes proposed would be the same as currently transferred in the Hitchin site (waste types A, B, C, and D) and these would be sorted and segregated into separate categories for final disposal off-site. The range of wastes stored will exclude explosive and radioactive materials. The only waste that would remain outside the proposed building would be asbestos cement and empty containers and these would be stored in locked containers in a covered yard area. The maximum amount of waste stored at any one time would be 20 tonnes and no container of waste would be stored on site for more than a period of 3 months.
- 2.3 The operating facility would be contained within a portal framed, steel clad building measuring 12.1m wide, 12.2m deep with a pitched roof at a maximum height of 6m. An extended open sided roofed structure not exceeding 6m in height would adjoin the main building. A 2.4m high steel palisade perimeter fence and gating would contain the site.

2.4 The main issues arising from this application are:

- whether the proposal complies with Waste Local Plan Policy 25 in relation to applications for the transfer of difficult and special wastes;
- pollution control and public safety;
- the existing use of the land as a car park and the impacts of the proposed development for car parking in the area;
- traffic generation and manoeuvring of vehicles in the vicinity of the site;
- future expansion of the proposed facility if consent is granted.

2.5 The site is within the Gunnels Wood Area of Search for sites for permanent facilities for the re-use, recovery, transfer and recycling of waste (Waste Policy 12). However the Gunnels Wood Road is identified as primarily being for materials recovery facilities rather than waste transfer facilities. The site is designated as an Employment Area in the approved District Plan.

3. Conclusions

3.1 In principle, the proposed development is acceptable subject to appropriate conditions being imposed and the prior completion of a legal agreement. However, as the proposal does not fully satisfy the requirements of Waste Policy 25 it represents a departure from the development plan and as such should be referred to the Secretary of State in accordance with procedures. The report therefore concludes that, subject to no new issues being raised by Stevenage Borough Council (as reported verbally to the Development Control Committee) and the Secretary of State not wishing to intervene, the Director of Environment should be authorised to grant planning permission for the proposed development, subject to:

- (i) the applicant and the landowner entering into a legal agreement prior to the grant of planning permission to restrict the commencement of the development until the area to the north currently occupied by a third party is brought back into use as a car park and thereafter is retained for that use;

and

- (ii) planning conditions to include the following matters:

- limiting the size of the waste holding vehicles to light vans of up to 3.5 tonnes gross vehicle weight or a small 1,000 gallon tanker capable of entering or leaving the site in forward gear;
- requirement that the vehicle turning area within the application site is to be permanently marked out and kept clear of obstruction at all times;
- to widen the access into the site to accommodate the swept of paths of vehicles leaving the site
- no waste transfer activities are to take place from vehicles parked on the public highway;
- hours of operation (8am – 5:30pm Mon – Fri and 8am to 1pm Saturdays);
- restricting the type and quantities of waste to those submitted in the application;
- waste holding vehicle number limits (8 movements per day maximum).

1. Description of the site and proposed development

- 1.1 The application site is located off Leyden Road in the Gunnels Wood industrial estate, which comprises predominately mixed industrial and commercial premises in the south west of Stevenage. To the east of the site is the East Coast main railway line, there is also a Special Needs Day Care Centre nearby.
- 1.2 This application is a resubmission of the planning application for the use of the site to sort and segregate hazardous and difficult wastes into specific categories for final disposal off site (ref. 2/0540-00). The size of the proposed site has increased in the current application from 336m² to 520m² to include the means of access to the site. The site is currently used as an unofficial car park. The wastes would be collected from householders, commercial industrial and public premises predominately in the South East, East Anglia and East Midlands.
- 1.3 The proposed development is intended to replace an existing waste transfer station dealing with hazardous and difficult wastes in Hitchin that would close if this application were approved. The Hitchin site has been operational since 1993. The applicant states that the principle reasons for moving to Stevenage are to improve the logistics of the overall business by locating its operational works close to the applicant's administration offices in Leyden Road and to facilitate the improved handling of hazardous materials. The new facility would also improve working conditions and storage arrangements and would allow a modest increase (circa 25%) in throughput of the smaller quantities of hazardous waste.
- 1.4 The range of wastes proposed would be the same as currently transferred in the Hitchin site (waste types A, B, C and D) and these would be sorted and segregated into separate categories for final disposal off-site. Appendix 1 shows the wastes that the applicant would transfer and the range of wastes stored will exclude explosive and radioactive materials. The only waste that would remain outside the proposed building would be asbestos cement and empty containers and these would be stored in locked containers in a covered yard area. The maximum amount of waste stored at any one time would be 20 tonnes and no container of waste would be stored on site for more than a period of 3 months. Annual throughput would not exceed 200 tonnes per year.
- 1.5 Waste would be collected and removed from the site in the applicant's own existing van vehicles. The vehicles leaving the site would have a gross vehicle weight of 3.5 tonnes. A small tanker could be used to collect the bulked up oil up to a maximum of three times per year.
- 1.6 The operating facility would be contained within a portal framed, steel clad building measuring 12.1m wide, 12.2m deep with a pitched roof at a maximum height of 6m. An extended open sided roofed structure would also adjoin the main building. This would be constructed of the same materials measuring 12.1m wide, 12.2m deep (extended from 6.1m) and of a maximum height not exceeding 6m. The orientation of the building is to be changed by 180 degrees from the original application. A 2.4m high steel palisade perimeter fence and gating would contain the site.

- 1.7 The applicant envisages that there would be one/two workers based at the site which would operate on weekdays between 8.00am – 5.30pm and occasionally on Saturdays between 8.00am – 1.00pm.
- 1.8 The proposed average daily movements of waste vans are 2 in and 2 out with a maximum of 4 in and 4 out. Access to the site would only be by road transport entering Leyden Road via the A1073 (Gunnels Wood Road – Southbound) and egressing from the transfer station via Leyden Road on to Gunnels Wood Road to the primary road network.
- 1.9 All loading, unloading and storage of hazardous waste would be within the covered bunded areas and these areas would drain to sealed sumps and any liquid collected would be removed from site as waste. The bunds will be constructed to be able to contain not less than 110% of the liquids stored and 250mm rainfall that may drive into the covered yard area. Surface water from outside the bunded areas would be prevented from draining to the sealed sumps by the bunding. The surface water would drain to the normal surface water drainage system.

2. Consultations and representations

- 2.1 Stevenage Borough Council (Planning) – The application is being presented before the Borough Council’s Planning Committee on 3 July 2001. The comments from the Borough Council will be presented verbally to the Development Control Committee. The report provided by the Borough Council’s Officers does provide a recommendation that there is no objection to the proposed development. They do recommend a condition relating to building materials and a condition to restrict commencement of the operation until the area of the car park previously occupied by the third is brought back into use.
- 2.2 Stevenage Borough Council (Environmental Health) – Do not object to the proposal but make comments on safety, security and welfare arrangements.
- 2.3 Environment Agency – Has no objection, in principle, to the proposed development provided that conditions relating to the provision of a suitable drainage system, site contamination investigation and groundwater protection are attached to any planning consent.
- 2.4 Railtrack – State that provided the operations are undertaken strictly in accordance with the details supplied and to the specifications/controls outlined in the requisite Waste Management and Petroleum Licences, the interests of Railtrack should not be affected by the operations at this site.
- 2.5 Health and Safety Executive – Have no comments to make on the original application.
- 2.6 Fire Safety Officer – Consider the access for fire appliances and existing water supplies to be satisfactory. Reserve comments for fire precautions to the building until an application is received with the Local Building Control Authority.

2.7 The County Council as Highways Authority – Recommend that the following planning conditions shall be attached to any permission that the Local Planning Authority may be minded to grant. The suggested conditions are:

- the vehicle turning area within the site is to be permanently marked out and kept clear of obstruction at all times;
- limiting the size of the waste holding vehicles to light vans of up to 3.5 tonnes gross vehicle weight or a small 1,000 gallon tanker capable of entering or leaving the site in forward gear;
- no part of the development shall be occupied until such time as the site access onto Leyden road has been widened to accommodate the swept paths of vehicles leaving the site as shown in principle on application drawings;
- no waste transfer activities are to take place from vehicles parked on the public highway;
- the development hereby permitted shall not commence until the replacement parking area shown on the application drawings has been made available to accommodate existing legitimate parking displaced from the application site.

2.8 Local representations – A total of 22 adjacent properties were consulted and 4 responses have been received. The main issues of concern are summarised below:

- the site is not the right location for such a facility and it would make the area less desirable;
- concern regarding the environmental and health risks of the development and over the safety of staff and others in the immediate area;
- concerns over the level of traffic the type of vehicles to be used, existing parking and traffic problems, and the loss of car parking spaces in the area.

Five responses objecting to the original application were received.

2.9 A petition with 150 signatories has also been received strongly objecting to the proposal. The original application attracted a petition of 287 signatures. Other comments on the petition can be summarised as follows:

- concerns over the level of traffic;
- the proposed facility is too close to where people work and the Leyden House Day Care Centre;
- concern expressed over the nature of the materials to be handled and potential health and safety implications for people nearby;
- the proposed facility should stay in Hitchin and there are alternative sites for this type of development.

2.10 Manager of Leyden House (Day Care Centre) – Commented on the original application that their access off Leyden Road is used by cars, minibuses and large coaches all day to transport their clients, with traffic being particularly intense between 9am and 10am and 3pm to 4pm. They also state that the Centre caters for clients with challenging behaviour who can be difficult to manage and can be violent as well as people who have nursing care needs (i.e. complex physical conditions).

3. Planning Considerations

The Development Plan

- 3.1 The development plan for the area comprises the Hertfordshire Structure Plan Review 1991-2011 (April 1998), the Hertfordshire Waste Local Plan 1995-2005 (January 1999) and the Stevenage District Plan 1990 Review (October 1994), the Stevenage District Plan Second Review (Deposit Draft of November 1999) is a material consideration.
- 3.2 The site is within the Gunnels Wood Area of Search for sites for permanent facilities for the re-use, recovery, transfer and recycling of waste (Waste Policy 12). However Gunnels Wood Road is identified as primarily being for materials recovery facilities rather than waste transfer facilities. The site is designated as an Employment Area in the approved District Plan.
- 3.3 The material considerations raised by this application are whether the proposal complies with Waste Local Plan Policy 25 in relation to applications for the transfer of difficult and special wastes. Other considerations are pollution control and public safety, traffic and car parking considerations and possible future expansion of the facility.
- 3.4 Whether the proposal complies with Waste Plan Policy 25 – Policy 25 of the Waste Local Plan provides the policy background when considering planning applications for the transfer of difficult and special wastes in the County. The Policy states that when considering applications for difficult or special wastes “*particular regard to the need to ensure that there is adequate provision of environmentally acceptable facilities to provide for difficult and special wastes arisings in Hertfordshire*”. Furthermore, any proposal will need to satisfy the requirements of Waste Plan Policy 2 (Need for waste management facilities and environmental and planning standards).
- 3.5 Waste Policy 25 further states that the County Council will only permit the handling and storage of difficult and special wastes where it is satisfied that:
- i) either the waste(s) concerned would arise largely within Hertfordshire or the facility would form part of a regional or national strategy for dealing with the waste(s) concerned to which the county council has agreed;*
 - ii) the proposed means of handling, storage, treatment, processing and disposal and the proposed facilities are appropriate to the nature and hazards of the particular waste(s) concerned;*
- 3.6 In respect of the first criteria, the proposed facility would replace the existing facility at Hitchin, where the applicant estimates that between 30 to 50% of the wastes transferred arise from within Hertfordshire. The Hitchin site forms part of the existing facilities within the County for the transfer, handling and storage of difficult and special wastes arising within Hertfordshire. However, it also provides capacity for wastes arising from other areas of the South East and also East Anglia, and the East

Midlands. It is clearly a facility of regional importance and the proposed facility would continue to fulfil this role.

- 3.7 In terms of a regional strategy for the wastes concerned this is currently being developed by the newly formed Regional Technical Advisory Body for the Eastern Region, and an agreed strategy will take some time to produce. Previous guidance when Hertfordshire was part of the South East planning region was given in document SERP 160 – “A Sustainable Waste Strategy for the South East 1996 –2010”. However, in respect of difficult and hazardous wastes there was insufficient data available to determine a basis for future provision on a county by county (and London) basis. It is recognised in the supporting text to Waste Local Plan Policy 25 (paragraph 10.2) that due to the limited total demand together with the high capital costs of specialised disposal facilities “*that a need will always remain for some wastes to travel to specialist facilities outside the region.*” The opposite, in terms of waste coming into the county, would also apply.
- 3.8 Given that 50 - 70% of the waste proposed to be transferred at the facility would originate from outside the County and does not currently form part of a regional strategy, the proposal does not conform with the first criteria of Waste Local Plan Policy 25. However, the lack of a regional strategy for the wastes concerned and the acknowledgement that this type of waste moves between regions provides a justification for the proposed facility. Additionally the proposed facility would replace the existing Hitchin facility whilst modestly increasing the throughput of waste.
- 3.9 It is considered that the proposed means of handling and storage are appropriate to the nature and hazards of the wastes concerned, and this is discussed further in paragraphs 3.10-3.18. In comparison with the existing site at Hitchin, the details submitted provide a higher degree of safety, as the existing site is an open air facility. The proposed storage and operational controls mirror the requirements that are laid down by other regulation authorities in respect of this type of operation.
- 3.10 Pollution control and public safety – This particular aspect of the proposal is very important given the nature of the wastes being handled and the concern that has been expressed locally on the environmental risk of any leakages and possible contamination. All hazardous waste handling areas on the site would be roofed over and bunded with drainage to sealed sumps. Any liquid collected in the sumps of the operational areas would be removed from site as waste. The bunds will be constructed to be able to contain not less than 110% of the liquids stored and 250mm rainfall that may drive into the covered yard area.
- 3.11 Therefore, if there were to be a leakage of hazardous waste, any leakage would be wholly contained within the sealed sumps and so there should be no possibility of any groundwater pollution.
- 3.12 Those who work in the immediate area have expressed concern regarding their safety and the safety of their employees. The carers responsible for those using Leyden House Day Care Centre had also expressed concern regarding their client’s safety if the facility were to be built. Given the nature of the substances that it is proposed to handle at the site the safety of adjacent land users is a material consideration in

assessing the suitability of the site for the proposed use. However, there are a number of considerations and controls that would be in place to ensure public safety if the application is granted.

- 3.13 Although the range of wastes proposed to be stored would exclude explosive and radioactive materials they would include flammable materials. The storage of flammable liquids would require the applicant to first obtain a Petroleum Licence from the Fire and Rescue Services prior to any activities taking place. A consultation response from the Fire and Rescue Service considers that access for appliances and existing water supplies are satisfactory.
- 3.14 The transfer of waste would be undertaken in line with a number of legislative requirements as set out and described in Appendix 3 of this report. The proposed facility would also require a Waste Management Licence from the Environment Agency before any operations could take place. This would stipulate operational conditions of a more technical nature and the applicant would have to demonstrate that they have financial and technical competence to run the site. The Agency is responsible for monitoring and enforcing the Licence thereafter.
- 3.15 The applicant's current facility at Bury Mead Road in Hitchin is located in an industrial area, similar in part to that of Leyden Road, and has been in operation since 1993. Since commencing operations both North Hertfordshire District Council and the Environment Agency have confirmed that there have been no operational concerns or incidents occurring at the site. The site in Hitchin was inspected once a week by the Environment Agency until the recent introduction of risk-based assessments. This has resulted in a reduction in the frequency of visits which reflects the fact that no problems have occurred on site.
- 3.16 The layout of the proposed site is such that the loading and unloading of waste in and out of the building will be largely out of public view as the vehicles reverse into the main building. The site would also be effectively secured from unauthorised entry by a 2.4 metre high pallisade fence with lockable gates. All the waste would be securely stored within the main building on site, except for asbestos cement and empty containers, which would be stored in locked containers in the covered yard area. Wastes of a more reactive nature would be provided with additional secondary bunding and security within "Chemical Safes" sited within the main building. A breach of site security would therefore be extremely unlikely given the measures described above.
- 3.17 In summary the concerns regarding pollution control and safety can be controlled by the pollution and safety regimes detailed above. Planning Policy Guidance Note 23 that provides guidance on planning and pollution control states that:

"The role of the planning system focuses on whether the development itself is an acceptable use of the land rather than the control of the processes or substances themselves. It also assumes that the pollution control regime will operate effectively".

- 3.18 The operation of the Hitchin site, which has been subject to these controls, has not resulted in any pollution or safety concerns since it opened in 1993. The proposed facility would offer a higher degree of safety than the existing facility as it would be contained within a building and would be surrounded by secure fencing. The layout of the site is such that loading and unloading would be undertaken largely out of public view.
- 3.19 The existing use of the land as a car park and the impacts of the proposed development for car parking in the area – The area of the application site, the neighbouring compound and adjoining car park appear to have been provided when the 15 small industrial units on Leyden Road were first developed by the New Towns' Commission. When the industrial units were sold to the tenants of the units the car park was also included within the sale. Units 1-15 Leyden Road also have some of their own parking adjacent to their premises as well as the use of the car park.
- 3.20 If the proposed facility were developed it would result in the reduction of the car parking area. The application area is equivalent to some 520 square metres and would accommodate parking of up to 26 cars. There is however, at the northern end of the car park, an area of some 496 square metres belonging to the landowner of the application site (not the applicant) that has been occupied over the last 8 to 10 years by a third party. If this area came back into use as car parking, should this application be approved, the net loss of parking would be 24 square metres.
- 3.21 A survey of parking in the car park and area surrounding the Units 1-15 Leyden Road was undertaken at 11.30 on Tuesday 12 June 2001. The applicant also undertook twice daily surveys of the car park between Monday 11 June and Friday 15 June. The results and analysis of these surveys are produced as Appendix 2 to this report. It is concluded from these surveys that the level of current use of the car park could be accommodated in the area of car parking outside of the application area and the area formerly occupied by the third party
- 3.22 It is understood that the landowner has successfully undertaken legal action to remove the third party and the area is currently occupied by mini coaches. The applicant states that the area will be made available for parking as soon as the application area becomes unavailable for parking. The access to this area from Leyden Road already exists and this will be opened up at the relevant time. If the Committee is minded to grant planning permission it should be subject to a S106 Agreement restricting the commencement of the development until the area previously occupied by the third party comes back into use as a car park and thereafter is retained for that use. This would ensure that sufficient parking facilities remain for the 15 units on Leyden Road for which the car park was provided.
- 3.23 Traffic generation and manoeuvring of vehicles in the vicinity of the site – The number of waste vehicle movements in and out of the site would be on average four a day with a maximum of eight in any one day. The applicant states that the existing 3.5 tonne vans used in the current operation at Hitchin would be utilised and the applicant has demonstrated how these would be manoeuvred in and out of the site in forward gear. The applicant also wishes to use a tanker of transport the 1,000 gallon of bulked up oil for which there is capacity in the proposed site. This would be collected up to a

maximum of three times per year. A 1,000 gallon tanker would be small enough to manoeuvre itself in and out of the site in forward gear.

- 3.24 The access that is proposed to be used off Leyden Road is currently one of the various access points for the existing car park. If permission were granted the access from the site onto Leyden Road would need to be widened as indicated on the applicants plans in the interests of highway safety.
- 3.25 Future expansion of the proposed facility if consent is granted – Concern has been expressed that if planning permission were granted for the proposed development then future expansion of the proposed facility on the remaining area of the car park would be sought. Consideration of this application can only be made on the proposals submitted to the County Council. If this proposal is granted consent then any further expansion on the remainder of the car park would need to be considered separately in light of the relevant Development Plan policies and material considerations prevailing at that time.
- 3.26 In addition, any future expansion of the site might also mean that the total amount of chemicals proposed to be stored in one location would require Hazardous Substances consent under the Planning (Hazardous Substances) Act 1990. The Act gives further opportunity to consider whether the proposed storage or use of a significant quantity of hazardous substance is appropriate in a particular location, having regard to the risks arising to people in the surrounding area. The application currently under consideration does not exceed the quantity of controlled substances that would require Hazardous Substances consent.

4. Conclusions

- 4.1 As 50 - 70% of the waste proposed to be transferred at the facility would originate from outside the County and does not currently not form part of a regional strategy the proposal does not conform with the first criteria of Waste Local Plan Policy 25. However, the lack of a regional strategy for the wastes concerned and the acknowledgement that the type of waste moves between regions provides a justification for the proposed facility. Additionally the proposed facility would take the place of the existing Hitchin facility whilst modestly increasing the throughput of smaller quantities of waste. The proposed means of handling and storage are appropriate to the nature and hazards of the wastes concerned and would be an improvement on the existing Hitchin facility. However, as the proposal does not fully satisfy the requirements of Waste Policy 25 it represents a departure from the development plan and as such should be referred to the Secretary of State in accordance with procedures if the Committee is minded to grant planning permission.
- 4.2 Pollution control and public safety requires special consideration given the nature of the materials to be handled and stored. The design of facility and the safeguards required by other regulatory controls should ensure that any pollution instances would be contained and public safety is maintained. Since the Hitchin site became operational in 1993 neither the District Council or Environment Agency have had any cause for concern from the operation of the facility. The design of the proposed

building is such that handling and transfer activities would be mostly out of public view.

- 4.3 Following surveys by the County Council and the applicant, the net loss of 24 square metres for car parking is judged as being of minimal impact on the safe and convenient parking within the locality provided the area occupied by the third party comes back into use. In order to ensure this any permission for the proposed facility should be subject to a legal agreement restricting the commencement of the development until the area occupied by the third party came back into general car park use.
- 4.4 The type and number of vehicles proposed are viewed as being acceptable in highways terms provided that the means of access into the site is widened. However, there is the requirement that the area required for manoeuvring vehicles within the site be kept free from obstruction at all times for safety purposes. Access improvements onto Leyden Road would also be required to ensure that vehicles turning left onto Leyden Road would not create in a highway hazard.
- 4.5 Consideration of this application can only be made on the proposals submitted to the County Council. If this proposal is granted consent then any further expansion would need to be considered separately in light of the relevant Development Plan policies and material considerations prevailing at that time. Dependant on the size of any expansion Hazardous Substances consent may also need to be obtained.
- 4.6 In principle, the proposed development is acceptable subject to appropriate conditions being imposed and the prior completion of a legal agreement. However, as the proposal does not fully satisfy the requirements of Waste Policy 25 it represents a departure from the development plan and as such should be referred to the Secretary of State in accordance with procedures. Subject to no new issues being raised by Stevenage Borough Council (as reported verbally to the Development Control Committee) and the Secretary of State not wishing to intervene, it is concluded that planning permission should be granted for the proposed development, subject to the applicant and the landowner entering into a legal agreement prior to the grant of planning permission to restrict the commencement of the development until the area to the north currently occupied by a third party is brought back into use as a car park and thereafter is retained for that use. In addition planning conditions should be imposed to include the following matters:
- limiting the size of the waste holding vehicles to light vans of up to 3.5 tonnes gross vehicle weight or a small 1,000 gallon tanker capable of entering or leaving the site in forward gear;
 - requirement that the vehicle turning area within the application site is to be permanently marked out and kept clear of obstruction at all times;
 - to widen the access into the site to accommodate the swept of paths of vehicles leaving the site
 - no waste transfer activities are to take place from vehicles parked on the public highway;
 - hours of operation (8am – 5:30pm Mon – Fri and 8am to 1pm Saturdays);
 - restricting the type and quantities of waste to those submitted in the application;
 - waste holding vehicle number limits (8 movements per day maximum).

5. Financial Implications

- 5.1 Planning applications should be determined on the basis of material planning considerations, and not on the basis of their financial implications for 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.
- 5.2 If a planning application is refused 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 provisions. 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. 2/0540-00

Consultation responses and representations received in response to Planning Application ref. 2/0540-00

Hertfordshire Structure Plan Review 1991 to 2011 (adopted April 1998)

Hertfordshire Waste Local Plan 1995- 2005 (adopted January 1999)

Stevenage District Plan 1990 Review (adopted October 1994)

Stevenage District Plan Second Review (Deposit Draft of November 1999)

Planning Policy Guidance 23 – Planning and Pollution Control (1994)

SERP 160 – A Sustainable Waste Planning Strategy for the South East 1996 – 2010 (SERPLAN, March 1997)