

**HERTSMERE BOROUGH**

**APPLICATION FOR THE ERECTION OF BUILDING AND CHANGE OF USE  
TO SKIP HIRE BUSINESS AND WASTE TRANSFER STATION AT  
LONDON ELECTRICITY COMPOUND, WELL END ROAD,  
BOREHAMWOOD, HERTS**

Report of the Director of Environment

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Local Member:- J Usher

Adjoining Member:- B York

**1. Purpose of Report**

To consider planning application ref. 0/0308-03 for a waste transfer station and skip hire business at the former London Electricity Compound, Well End Road, Borehamwood.

**2. Summary**

- 2.1 The application seeks planning permission for the change of use of land from an electricity sub-station/compound to a waste transfer station and skip hire business, including the construction of a new building to house the mechanical and manual sorting of waste. The building would be 27m long and 23m wide, built in pre-coloured cladding on a steel frame. Given the gradient of the site the building would vary in height from 8m to 10m to the eaves as measured above ground level. The height of the building to the apex would be 12.4m.
- 2.2 The applicant is seeking to relocate his existing business from a site at Home Farm on the Wrotham Park Estate, which is to the south of Potters Bar. The operation proposed is that of the existing business where empty skips are delivered to clients with full skips being brought back to the site. The waste material is then processed via manual and mechanical sorting. The residue waste is taken by bulker vehicle to landfill, with the applicant currently using a landfill site near Warboys, to the north of Huntingdon.
- 2.3 The application proposes that there would be a maximum of 68 HGV movements daily (34 in, 34 out). Of these movements it is anticipated that 48 movements (24 in, 24 out) would be made by the company's 4 skip lorries – each lorry making 6 deliveries (12 movements) per day. Access to the site would be via the existing access point onto Well End Road.

- 2.4 Hours of operation are proposed as 7.00am to 6.00pm on Mondays to Fridays and 7.00am to 12.00pm on Saturdays.
- 2.5 The main issues relate to the location of the proposal within the Green Belt, the suitability of the access and the surrounding local road network for the HGV movements associated with the proposal and the impact on residential amenity. Other considerations include the visual and ecological impact of the proposal.

### **3. Conclusion**

- 3.1 The report concludes that in this instance there is a close balance between the benefits, in terms of sustainable waste management objectives and the disbenefits in terms of the effect on residential amenity from the increase in HGV movements and the impact on the local highway as a result of this increase.
- 3.2 The application proposes inappropriate development in the Green Belt. The proposal would be likely to have a minimal visual impact and there would be no adverse effects on residential amenity from the actual operational activity on site. However these factors have to be balanced against the fact that the proposal is considered contrary to the local roads policy, the traffic generated would be detrimental to highway safety and the additional HGV movements would be contrary to the gross vehicle weight strategy for the area. When these factors are combined with the increase in noise and disturbance for local residents as a result of the additional HGV movements and the intimidating effect on other road users in the locality it is considered, on balance, that the application be refused.

## **1. Description of the site and proposed development**

- 1.1 The application site is located in the north eastern extremity of Well End, just off Well End Road which is a 'C' class road that links Borehamwood with Shenley. Well End itself lies to the north east of Borehamwood and Well End Road forms the edge of the built up area of Borehamwood. The application site is located within the Metropolitan Green Belt.
- 1.2 The application site is some 0.63 hectares in size and was formerly used as an electricity compound. The site is currently in a derelict condition although a building and some structures remain. There is an existing access to the site off of Well End Road and the access road itself is some 145 metres in length and drops gently down from Well End Road such that at the site itself only the first floor of the houses on the opposite side of Well End Road are visible. At the lowest point of the site, the ground level is 9.5m lower than Well End Road.
- 1.3 The site itself is well screened on all sides from adjoining countryside by mature trees, hedgerows and low level plant growth. There is a significant landscape belt both on the northern and southern boundaries of the rectangular shaped site. Consequently the site itself is not visible from Well End Road, nor from any public footpaths or bridleways.
- 1.4 The nearest residential properties are those opposite the access on Well End Road and The Laurels, Holly Cottage, Holly End and Holly Lodge approximately 150m to the north west of the site. On the west side of Well End Road there is a footway immediately adjacent to the highway. There is then a 17m wide strip of common land, across which residents have a right of way to gain access to their properties. Well End Road itself is subject to a 30mph speed limit.
- 1.5 The applicant proposes to relocate his existing skip hire business and waste transfer station from its present location at Home Farm on the Wrotham Park Estate. As such the basic operation of the site would involve full skips being brought to the site for processing and skip lorries taking empty skips from the site to clients. Waste material would be processed via manual and mechanical sorting. The existing operation at Home Farm accepted approximately 5000 tonnes per annum of waste material, with over half of this material being recycled. The applicant has indicated that the recycling percentage would be able to be increased markedly at the proposed site, as the erection of a building would allow processing to be undertaken undercover. Residue waste collected after processing would be transferred to a disposal site north of Huntingdon.
- 1.6 To process the waste undercover the application proposes the erection of a new building. The building would be 27m long and 23m wide, built in pre-coloured cladding on a steel frame. This would give a floor area

of approximately 620m<sup>2</sup>. Given the gradient of the site the building would vary in height from 8m to 10m to the eaves as measured above ground level. The height of the building to the apex would be 12.4m. The building would be 3-sided with the open end being the eastern elevation, however with a vehicle entrance being on the southern side, straight from the access road. The existing brick building on site would be retained for office space and storage purposes.

- 1.7 As stated above, access to the site would be via the existing access point onto Well End Road. The traffic impact assessment accompanying the application states that at the existing Wrotham Park site, average weekday traffic for Heavy Goods Vehicles is 68 movements (34 in, 34 out). As such this figure has been taken as the number of HGV movements applied for. The application proposes that hours of operation would be 7.00am to 6.00pm Mondays to Fridays and 7.00am to 12.00pm Saturdays. No public rights of way would be affected by this application.

## **2. Consultations**

- 2.1 Hertsmere Borough Council object to the scheme as it proposes inappropriate development in the Green Belt for which no very special circumstances have been justified. As such the proposal is contrary to Development Plan Policy. Additionally it is stated that the proposed development would result in an incongruous and unsightly industrial building being constructed and large unsightly unconfined open waste storage and skip storage areas with a potential for littering being positioned in an attractive rural location in the Green Belt which is also contrary to Policies in the Hertfordshire Structure Plan, Waste Local Plan and Hertsmere Local Plan. Finally the proposed development would result in a significant increase in heavy goods traffic along and manoeuvring into and out of Well End Road to the detriment of local residential amenity.
- 2.2 The County Council as Highway Authority recommends that permission be refused as the proposed development is contrary to the County Council's Local Road Policy, traffic arising from the proposed development would be detrimental to highway safety and additional HGV movements from the development would be contrary to the 7.5 tonne weight restriction strategy for the area.
- 2.3 The Environment Agency has commented that a waste management licence would be required for the development to proceed.
- 2.4 Thames Water have commented that a Trade Effluent Consent will be required for any trade effluent discharge.
- 2.5 Elstree and Borehamwood Town Council oppose the application as the roads are narrow, rural in nature and unsuitable for heavy lorries. It is therefore stated that there would be a significant danger to other

road users, and in particular to horses and riders who are frequent users of this stretch of road.

- 2.6 Shenley Parish Council strongly objects to the application on the grounds that the movements of traffic to and from the site would cause a dangerous situation to what is already a heavily used road.
- 2.7 Three Valleys Water provide a list of precautions that should be undertaken to protect water company apparatus should the development proceed.
- 2.8 Transco have provided a plan showing the approximate location of apparatus. From the plan provided the proposed development would not affect any Transco apparatus.
- 2.9 Energis (Overhead Lines) have provided a plan highlighting the approximate location of their plant and criteria to be followed during construction for the protection of Energis equipment. From the plan provided the proposed development would not affect any Energis apparatus.
- 2.10 Herts & Middlesex Wildlife Trust has commented that within the vicinity of the application site is a protected species site which contains Great Crested Newts. Great Crested Newts are protected under the Wildlife and Countryside Act (1981). As the application site is within 500 metres of the protected species site, the Wildlife Trust has stated that the impact of this application on the newts cannot be determined without an ecological study of the newts being undertaken. The Trust therefore recommend that the applicant have a survey undertaken by a licensed and competent ecologist.
- 2.11 Council for the Protection of Rural England CPRE state that the application should be refused as the application site is located in the Metropolitan Green Belt and proposes inappropriate development. The proposal to erect a large building is contrary to PPG2 and Development Plan Policy and that no special circumstances exist to justify special circumstances. Additionally the proposed development and HGV traffic generated by it would have a significant impact on the openness and visual amenity of the Green Belt. The CPRE have also stated that the application site is located within the Watling Chase Community Forest and the proposed operation of a waste transfer station is not compatible with the aims of the Community Forest Plan. Finally it is stated that the HGV traffic generated by the proposed development would have a disproportionate effect on the local environment and local road network. Well End Road and the surrounding rural roads are not suitable for HGVs in the numbers proposed.
- 2.12 National Grid Company state that the proposal will not affect National Grid Company apparatus.

- 2.13 Shenley Village Society objects to the application as it is contrary to Central Government Guidance in the form of Planning Policy Guidance Notes. Specifically it is stated that the application is contrary to guidance contained in PPG2 as the application proposes inappropriate development and no special circumstances have been justified. Additionally it is stated that the impact on visual amenity and Community Forest contribute material considerations to be taken into account in determination.
- 2.14 County Councillor Brian York (adjoining Local Member) objects to the application on the grounds of inappropriate development in the Green Belt where special circumstances have not been justified and its impact on the aims of the Watling Chase Community Forest. Additionally the access to the site is considered unsuitable for the number of HGV movements and Well End Road has a history of accidents, including fatalities. Concern is expressed about the potential of mud, dust and debris being deposited on Well End Road and the potential for the operation to expand in the future resulting in an increase in HGV movements. Finally it is stated that there are more suitable sites for this type of operation, including the Cranborne Road Industrial Estate.
- 2.15 Residents Against Waste Transfer Site (RAWTS) strongly objects to the proposal on the grounds of its location in the Green Belt and the unsuitability of Well End Road which is subject to a 7.5 tonnes gross vehicle weight restriction. It is stated that there have been a number of accidents, including a fatality and the sight line at the access for vehicles leaving the site to travel south is poor and is therefore dangerous. Rowley Lane is an unlit single-track road that runs past the entrance to Strangeways Farm Stables. It is stated that HGVs would not use this route, instead utilising other surrounding roads for access to and from the site. Other grounds of objection include a health risk from an increase in the levels of dust, noise and smell and spillage from the lorries would increase litter concerns and pose dangers to road users. Well End Road, Rowley Lane and the surrounding roads are also extensively used by horse riders whose horses are stabled at Strangeways Farm. There would be an increased risk to these road users from the potential increase in traffic. The point is also made that the annual tonnage of imported waste material does not equate to the number of vehicle movements applied for.
- The RAWTS group has also commissioned a traffic assessment from MDJ Associates which concludes that the proposed development would have a significant adverse impact on the traffic conditions, environment and highway safety in the area. MDJ Associates have conducted their own traffic surveys and their results differ markedly from the traffic survey information submitted with the application. The specific reasons for objecting to the proposal relate to the weight restriction, the accident record on Well End Road, traffic routing and site access.

- 2.16 Elstree and Borehamwood Green Belt Society objects to the application by reason of inappropriate development within the Green Belt for which no special circumstances have been justified, the visual impact of the proposed building, the impact of HGVs on Well End Road and the associated noise and fumes and the inappropriateness of Rowley Lane for HGV traffic.
- 2.17 James Clappison MP is strongly opposed to the application as it would be inappropriate development in the green belt and would seriously damage the green belt around Borehamwood. It is also stated that there are traffic and road safety implications that give rise to concern.
- 2.18 McMullen & Sons Ltd have objected to the proposal as they own a public house (the Mops and Brooms) on the junction of Well End Road and Rowley Lane. The reasons for the objection are stated as being that the location will become noisy by virtue of the increase in HGV movement and as such customers will no longer be able to sit outside the pub. Additionally it is stated that entering and leaving the car park would become difficult and Rowley Lane is unsuitable for HGV use.
- 2.19 Local Residents – The occupiers of 33 properties in the vicinity of the application site were consulted, including those properties opposite the access on Well End Road and the cluster of properties to the north west of the application site. At the time of writing this report 188 letters of objection have been received (other than those summarised above and including a number of standard letters). A petition has also been received (in two parts) that in total has 166 signatories and as such can be presented at Committee. The objections can be summarised as:
- the proposal represents inappropriate development in the Green Belt and no special circumstances have been justified;
  - the building proposed would be unattractive and visually intrusive;
  - Well End Road is a fast and dangerous highway where fatal accidents have occurred. HGVs accessing onto this road would add to the danger and risk to other road users;
  - there would be additional traffic pollution from HGVs;
  - HGVs would damage the road and would also deposit waste, mud and dust on the road;
  - HGVs would produce noise, pollution and vibration to the properties on Well End Road;
  - there is an existing 7.5 tonne weight restriction on Well End Road;
  - the sight lines at the access/egress to the site are poor. To create a safe access would require the clearance of vegetation either side of the access which would change the appearance of the area;
  - the use of Rowley Lane (the route shown originally in the application) as a route to the A1 is not acceptable as the road is

single track and also passes Strangeways Farm which has in excess of 180 horses at livery on site;

- horses from Strangeways Farm have to be ridden on the local road network as there is a poor network of bridleways in the area. There have already been a number of accidents involving horses and this risk would increase with HGVs using the local road. Additionally skip lorries would increase the risk as horses are frightened by the chains of the skips and rattling of the skips themselves, particularly when empty;
- general unsuitability of the local road network for HGVs and increased risk to residents in Studio Way and Potters Lane;
- possibility of smells from the waste transfer activity;
- noise and disturbance from waste transfer operations;
- dust pollution from waste transfer operations;
- the proposal would detrimentally affect local wildlife and it is noted that no wildlife/ecological survey has been carried out to assess the impact on local wildlife or fauna;
- household waste could be imported to site with all the incumbent health hazards;
- there are existing sites in the vicinity for waste transfer operations;
- the survey results in the traffic consultant's report are considered to be misleading;
- it is not considered that there is a need for this type of facility in this location given the number of other skip hire businesses in the locality;
- the proposal is contrary to development plan policy;
- if granted planning permission there would be the possibility that the site would be expanded and operations intensified in the future.

It should also just be brought to Councillors' attention that during the acknowledgement process of letters of objection, five of the standard objection letters must be discounted as the 'addressees' have stated that they have not written to the County Council on this issue.

- 2.20 Two letters of support have also been received that state that the applicant's current operation at Home Farm has never given rise to problems either to residents in the vicinity of the site or employees of the Wrotham Park Estate. Specifically it is stated that there have never been any problems relating to noise, dust, smell or speeding vehicles. Additionally it is stated that the application site is currently subjected to vandalism, trespass and fly-tipping and that the applicant would be able to supervise and secure the site. Ten further letters of support have been received that state that the applicant's company has always offered them the highest standards of efficiency, courtesy, reliability

and professional competence and as such they would like to see the application succeed in order that this service can be continued.

### **3. Planning Considerations**

- 3.1 In considering this application the main issues relate to the proposal being situated within the Metropolitan Green Belt, issues arising from the access point onto Well End Road and the effect of the proposal on residential amenity. Additionally the report will assess the proposal's potential impact on the landscape and the ecological impact. The relevant development plan policies are:

Structure Plan Policy 5 (Green Belt) and Hertsmere Local Plan 2003 Policy C1 (Green Belt).

Structure Plan Policy 55 (waste management)

Structure Plan Policy 29 (traffic and road safety implications of development proposals)

Waste Local Plan Policy 2 (need)

Waste Local Plan Policies 12 & 13 (areas of search and criteria for waste management facilities)

Waste Local Plan Policy 16 (use of Green Belt land for waste management facilities)

Waste Local Plan Policy 43 (traffic)

Hertsmere Local Plan Policies M2 (development and movement), M12 (highway standards) and D14 (noisy development).

The report will assess if the special circumstances put forward by the applicant are sufficient to outweigh the general presumption against inappropriate development in this instance, whether the access onto Well End Road is technically suitable and consider the impact of HGVs on residential amenity and other road users in this locality.

#### Green Belt

- 3.2 The application site lies within the Metropolitan Green Belt as defined within the recently adopted Hertsmere Local Plan (adopted 19 May 2003).
- 3.3 Policy 5 of the Hertfordshire Structure Plan Review 1991-2011 states that there is a presumption against inappropriate development in the Green Belt, except in very special circumstances, for purposes other than those detailed in PPG2 "Green Belts". The adopted Local Plan (2003) contains a similar policy, Policy C1. Paragraph 3.12 of PPG2 states that:-

*'The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material*

*changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.'*

- 3.4 The application proposes the erection of a building and the installation of plant in the Green Belt and as such cannot be said to maintain openness or contribute to the purposes of including land in the Green Belt. Therefore the application proposes inappropriate development.
- 3.5 Paragraph 3.2 of PPG2 states that inappropriate development is by definition harmful to the Green Belt and very special circumstances to justify inappropriate development will not exist unless the harm caused by reason of inappropriateness is clearly outweighed by other considerations. In addition Waste Local Plan Policy 16 states that the use of land in the Green Belt for the re-use, recovery, recycling and storage of waste will not be permitted unless it maintains openness and does not conflict with the purposes of including land in the Green Belt. It continues to state that the construction of new buildings in the Green Belt for such purposes will not be permitted except in very special circumstances. As such very special circumstances need to be demonstrated to warrant the setting aside of Green Belt policy.

#### Special Circumstances

- 3.6 Policy 55 of the Hertfordshire Structure Plan Review states that applications for waste management facilities further up the hierarchy of waste management will receive more favourable consideration. Advice contained in the Government's Waste Strategy 2000 reiterates this policy and the Government and National Assembly have set a target that by 2005 the amount of industrial and commercial waste sent to landfill should be reduced to 85% of the figure landfilled in 1998. (Waste Strategy 2000).
- 3.7 As is stated in paragraph 1.5, the applicant is seeking to relocate his existing business that is situated at Home Farm on the Wrotham Park Estate. This existing site is small and constrained in nature and as such there is insufficient space for the erection of a building. The applicant currently manages to recycle just over half of all the waste material that is brought into the site. The amount of material that can be recycled is severely affected by the weather conditions. When the imported waste material gets wet, this thereby reduces the amount that can be recycled.
- 3.8 The proposal involves the construction of a purpose built processing building, where all imported waste material can be stored and all processing activity can be conducted undercover. This would allow a significantly higher proportion of waste material to be recycled in accordance with the Policy objectives and strategy targets mentioned above. It should also be noted that the move towards purpose built and covered waste transfer and recycling centres is supported through the

Waste Local Plan and is encouraged by the Environment Agency. Specifically Waste Local Plan Policy 2 (Need) gives qualified support for waste management facilities provided that they accommodate the equivalent of Hertfordshire's own waste arisings, there is a clearly established need and that the need outweighs any material agricultural, landscape, conservation or environmental interest affected. It is certainly recognised in Hertfordshire that there is a need to establish the modern type of facility as proposed, which provides the necessary integrated approach to recycling of this type of waste and incorporates the most modern and efficient plant and machinery to ensure that the percentage of waste recycled is as high as possible. The proposal offers a significantly more efficient and sustainable alternative to the applicant's current facility.

#### Impact on the openness of the Green Belt

- 3.9 The application site has previously been developed as a sub-station and compound for the London Electricity Board. Representation letters from local residents have stated that in fact the site was never actually used as a sub-station but was instead used for storage purposes. The site is now in a derelict condition, although one brick building remains.
- 3.10 The site is a previously developed site which is now in a derelict condition and aside from the building that the applicant wishes to retain on site, there are redundant pieces of plant, including a pylon, and rubble strewn across the site that appears to result from the demolition of other buildings and structures. Given the location of the site, it has to be assessed if the proposal would have a materially greater impact on the openness than that which exists under the current use of the site.
- 3.11 The description of the site has been set out in section 1 of this report. The site is well screened from adjoining areas because of the topography of the area and the specific location of the site in a natural depression in the landscape. Additionally, the site is screened on all sides by existing vegetation and trees. The new building has also been sited in a position to provide as minimal impact as possible with the cross section drawing showing the roof of the building to be at approximately the same level as Well End Road. The trees that have grown up in the middle of the site would also be retained and as such would provide some additional screening of the new building from Well End Road. Given the location of the site, it is considered that the erection of a new building and plant would have an impact on the wider openness of the Green Belt but this is only slightly greater than that which existed from the previous use.

#### Site Search Exercise

- 3.12 Waste Local Plan Policy 12 'Areas of search for permanent waste management facilities' highlights a number of preferred areas for the

establishment of waste management uses. Before deciding on the application site the applicant sought to look at opportunities elsewhere and considered all the sites mentioned under Policy 12 in turn. The applicant discounted the all the sites mentioned under Policy 12 for various reasons and the complete list and reason for unsuitability is reproduced in Appendix A.

- 3.13 It is recognised that the applicant currently operates a small, family run business and with only four skip lorries at their disposal, the company operates in a very localised market. As such a number of the sites mentioned in Policy 12 are immediately unsuitable as they would involve too great distances of travel to be viable. The two potentially suitable sites mentioned in Policy 12 are Aldenham Bus Works, Elstree and the Cranbourne Industrial Estate, Potters Bar. The Cranbourne Industrial Estate has been mentioned as a possibly suitable site in representation letters received. It is accepted that the Aldenham Bus Works site is currently being developed and as such would no longer be suitable. The applicant has approached the owners of the Cranbourne Industrial Estate, however has been declined the opportunity to lease any units.
- 3.14 It is therefore accepted that the applicant has conducted a site search exercise and has as such proven that there is a lack of available alternative identified sites in the Development Plan to that proposed.
- 3.15 The application has highlighted that the proposed facility would be more efficient, sustainable and allow a greater percentage to be recycled than the existing waste transfer station. Achieving a higher percentage of recycling would accord with the aims of both national and development plan policy. It has also been shown that the proposed development would only have a slightly greater impact on the Green Belt compared to the site's present use, given the fact that the site is situated within a fold in the landscape and is reasonably well screened, albeit it does not contribute to openness. Finally the application has proven that there is a lack of alternative identified sites to that proposed. It is therefore considered, on balance, that very special circumstances could be justified provided there were no other policy objections, sufficient to warrant the setting aside of Green Belt policy in this instance.

#### Visual Impact of the proposed built development

- 3.16 PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within the Green Belt.
- 3.17 It is considered that because of the topography of the site and the surrounding vegetation that the built development and the plant and machinery on site would be reasonably well screened from surrounding properties and local roads. Additionally, the application would not

require removal of any of the existing trees, including the trees that have grown in a line in the middle of the site.

- 3.18 Landscape advice has commented that the roof of the proposed new building may be visible from outside of the site and that the most significant visual impacts would be in winter. It is stated that the most significant visual impacts would be the partial views of the roof from the properties to the north west of the site, followed by glimpses of the roof from Rowley Lane, Shenley Footpath16 and the adjacent paddocks. In considering the visual impact of the building from the properties to the north west of the site it should also be noted that directly between the centre of the proposed building and the houses lies an electricity pylon. It is stated that there should be minimal impact on properties 43-47 Well End Road, opposite the entrance from the site. Landscape advice has concluded that the visual impact of the proposed development could be mitigated by avoiding strikingly coloured cladding and by additional planting on the periphery of the site. These points could be covered by condition.
- 3.19 Representation responses received have stated that the proposal would be contrary to the aims of the Watling Chase Community Forest and indeed the Watling Chase Community Forest should be a material consideration in the determination of planning applications in the Forest area. In this instance, as all trees surrounding the site and within the site can be retained and are necessary to screen the development, then the proposal would not compromise the objectives of the Forest Plan. Additional planting could be required by condition and as such this could contribute towards the realisation of Community Forest objectives.

### Ecology

- 3.20 Response from the Herts & Middlesex Wildlife Trust (para. 2.10) has stated that within the vicinity of the application site is a protected species site that contains Great Crested Newts. Specifically it is stated that Newts are known to use up to 500m of the surrounding area and the application site is judged to be within this 500m zone. As such the Trust have stated that an ecological study of the newts needs to be undertaken.
- 3.21 Further clarification has been sought from the Trust on this matter. The Wildlife Trust have since confirmed that a condition attached to a planning permission requiring a newt survey to be undertaken prior to the development of the site would be acceptable. Further conditions such as the erection of protective fencing may also be required depending on the results of the survey. It is therefore considered that the potential ecological impact of the proposal could be controlled through the use of conditions.

### Waste Local Plan Policy 13

- 3.22 The application site is not included in the areas of search for permanent waste management facilities (policy 12) identified in the Waste Local Plan. As such Waste Local Plan Policy 13 applies. Policy 13 sets out a number of criteria that applications outside areas of search should be assessed against.
- 3.23 Firstly, Policy 13 states that proposals for waste management facilities should minimise the impact on local and natural environments. A number of representations received have objected to the application on the grounds of the impact on residential amenity from operations at the site. Specifically noise, dust and potential odour issues have been cited as reasons of objection. Objections that relate to impact from the movement of Heavy Goods Vehicles (HGVs) will be considered in the highways section of this report.

### Environmental Impacts

- 3.24 Firstly, it is considered that odour is unlikely to result from this type of operation as only waste types A and B would be imported to the site. Odour problems only usually arise from waste included under Category C. Additionally, it is considered that the application site is located sufficient distance from any residential properties for dust and noise not to be an issue. Waste handling and processing would be undertaken within the confines of the building and as such there would be minimal environmental impact. The building has been designed with the open end being the eastern elevation, which is at the furthest side of the application site from the residential properties. The applicant has also indicated that they would invest in the latest dust suppression equipment to ensure that dust doesn't escape the confines of the site. It is noted that the applicant currently operates a waste transfer and recycling operation in the open and no complaints are received from those adjoining this site, which includes the Wrotham Park Country House. It is considered that the proposal accords with Hertsmere Local Plan Policy D14 (noisy development) which states that new development involving noisy activities should be sited away from noise-sensitive land uses. These potential environmental impacts could be controlled through the use of conditions.

### Highways Issues

- 3.25 The second criteria of Waste Policy 13 states that proposals should have, or could secure, ready access to the main road network, or a rail or water link, avoiding, as far as possible, major residential areas. Policy M12 of the adopted Local Plan requires, in particular, that regard should be given to the adequacy of any proposed vehicle access road and the likely impact of any associated traffic generation on the local road network and the environment of the locality. Additionally, Waste Local Plan Policy 43 (traffic) states that in determining proposals, the

County Council will take into account the effect of lorry traffic on local communities and residential areas and *inter alia* the effect the extra activity will have upon other users of the road system in the area.

- 3.26 The Highway Authority's formal response to the application is reported in paragraph 2.2 where it is stated that refusal is recommended on the grounds that the application is contrary to the County Council's Local Road Policy, traffic arising from the proposed development would be detrimental to highway safety and additional HGV movements from the development would be contrary to the 7.5 tonne weight restriction strategy for the area.
- 3.27 The application site has access off Well End Road, which is a 'C' class road (C86) and a local distributor road linking Borehamwood and Shenley. Well End Road is subject to a 7.5 tonne weight restriction, which is an area wide restriction to prevent HGV movement through the Well End and Shenley area. This restriction does not however apply to vehicles loading and unloading at premises that are adjacent to the road. The application proposes that there would be a maximum of 68 HGV movements (34 in, 34 out) per day, which would represent a 38% increase in the existing level of HGV movements on this stretch of road.
- 3.28 The policies set out in paragraph 3.25 require that both technically access points and surrounding roads are suitable for the traffic that will be generated and that the effect on local communities and other users of the road system are also taken into account.

#### Highway Safety

- 3.29 In terms of the suitability of the access to the site, the Highway Authority has commented that a visibility splay of 4.5m x 120m would be appropriate for the access, especially with regard to the poor road geometry on the northbound approach. This would require substantial clearance of mature trees and vegetation to provide unobstructed visibility splays. The applicant's proposal is to introduce speed reducing features to provide lower visibility splays. The Highway Authority's comments on the proposed speed reducing features are that the introduction of a mini roundabout at the junction of Well End Road and Potters Lane is not viable as it is unlikely that the visibility requirements could be met. In terms of speed cushions, it is stated that the road width along Well End Road is 5.75m and this width is too narrow for traffic calming that incorporates a system of two speed cushion arrangements to operate safely. It is therefore concluded that a sufficient visibility splay has not been provided that would enable the safe egress of vehicles onto Well End Road.
- 3.30 Representation letters received have stated that the local roads in the area are extensively used by horse riders and to a lesser extent cyclists. Strangeways Farm has in excess of 180 horses at livery on site and many of these horses are ridden on Well End Road due to the

poor network of bridleways in the area. The use of Well End Road by horse riders has been witnessed during visits to the site. It is considered that the increase and frequency in the number of HGVs using Well End Road and the southern spur of Rowley Lane to gain access to the A5135 and then the A1, would represent an increase in the risk to horse riders and cyclists on Well End Road

- 3.31 It is recognised that the applicant has a family run business and has as such close control over the behaviour of the drivers of the skip lorries. Nevertheless it is considered that the particular nature of skip lorries with chains and rattling skips (when empty) would be likely to scare horses and intimidate cyclists using Well End Road and has as such the potential to increase the risk of accidents. This therefore would not meet the requirements of Waste Policy 43.

#### Gross Vehicle Weight Restriction

- 3.32 As has been stated above Well End Road is subject to a 7.5 tonne vehicle weight restriction. The applicant would be seeking to use skip lorries and a bulker lorry in excess of this weight limit. Whilst the Weight Restriction Order (1985) does allow the caveat for heavy commercial vehicles to proceed on the roads in the restricted area for the purposes of loading and unloading the vehicle at premises which are on or adjacent to those roads, it is considered that the movement of HGVs associated with this operation would be contrary to the overall strategy of minimising HGV traffic in this locality. The Highway Authority has also commented that whilst the majority of vehicles are likely to gain access to the site via the A5135 and Rowley Lane, some vehicles could gain access to the site via London Road and Silver Hill (i.e. from the Shenley direction) and as such this would have the resultant effect of HGV through traffic in this area. It is stated that it would not be possible to restrict vehicles to gain access from this direction.

#### Impact of HGV movement on residential amenity

- 3.33 Whilst it is recognised that the houses on the western side of Well End Road are set back from the road itself, a distance of some 17m, it is still considered that number of HGV movements proposed would significantly affect residential amenity. The Highway Consultant's report accompanying the application has indicated that this operation would result in an increase of 38% in the number of HGVs on Well End Road. As well as the numerical increase, it is considered that the time of day when these vehicles would be leaving the site (as early as 7.00am when ambient noise levels are low) and the fact that they would be accelerating and breaking outside these houses would have a detrimental impact on residential amenity in terms of noise. The noise and general disturbance from the proposed increase in HGV numbers would be contrary to the aims of Waste Policy 43 and the criteria of Hertsmere Local Plan Policy M12 (highway standards).

## Local Road Policy

3.34 Finally this section of Well End Road needs to be considered against the County Council's Local Road Policy, which is described in Policy 29 of the Hertfordshire Structure Plan. The policy seeks to resist development which would generate a change in the amount or type of traffic on these roads in the following circumstances:

- Where there is an increase risk of accidents, especially to pedestrians and cyclists;
- Where the road is poor in terms of width, alignment and/or structural conditions;
- Where an increase in traffic would have an adverse effect on the local character of the road or residential properties alongside it.

It has been shown in this section of the report that the proposal would result in an increase in risk of accidents and the increase in traffic would have an adverse effect on residential properties alongside the road. As such it is considered that the proposed development is contrary to the rural road policy.

## **4. Conclusions**

4.1 In accordance with the principles of sustainability and the waste management hierarchy, the County Council is generally supportive of waste transfer and recycling operations provided that they are sited in suitable locations.

4.2 Both the Hertfordshire Structure Plan and Waste Local Plan recognise the need for the establishment of facilities for the handling, transfer, treatment and disposal of waste to accommodate the equivalent of Hertfordshire's own arisings. However these objectives need to be balanced against the physical and operational constraints of individual sites.

4.3 In this instance there is a close balance between the benefits, in terms of sustainable waste management objectives and the disbenefits in terms of the effect on residential amenity from the increase in HGV movements and the impact on the local highway as a result of this increase.

4.4 The application proposes inappropriate development in the Green Belt. It is concluded that the proposal would be likely to have a minimal visual impact, although it cannot be said that it would contribute to openness, and that there would be no adverse effects on residential amenity from the actual operational activity on site. The proposal is considered contrary to the local roads policy, the traffic generated would be detrimental to highway safety and the additional HGV movements would be contrary to the gross vehicle weight strategy for

the area. When these factors are combined with the increase in noise and disturbance for local residents as a result of the additional HGV movements and the intimidating effect on other road users in the locality it is considered, on balance, that the application be refused.

## **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 their decisions.
- 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 information used by the author in compiling this report**

Planning application reference 0/0308-03.

Consultation responses and representations received in response to planning application ref. 8/0308-03.

Hertfordshire County Structure Plan Review 1991-2011.

Hertsmere Local Plan, adopted 19 May 2003.

Hertfordshire Waste Local Plan 1995-2005, adopted January 1999

Planning Policy Guidance Note 2 – Green Belts

Waste Strategy 2000: England and Wales

# **APPENDIX A**

## **1. SITE SEARCH EXERCISE CONDUCTED BY APPLICANT**