

**DACORUM BOROUGH
APPLICATION FOR DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF COVERED WASTE TRANSFER STATION AND
RECYCLING FACILITY AT 82 MAXTED CLOSE, HEMEL HEMPSTEAD.**

Report of the Director of Environment

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1. Purpose of the report

- 1.1 To consider planning application number 4/2186-02 for the demolition of an existing building and construction of a covered waste transfer station and recycling facility at 82 Maxted Close, Hemel Hempstead.

2. Summary

- 2.1 This site is currently a vacant factory unit located at the end of Maxted Close, Hemel Hempstead and is just under 0.3 hectares in size. The applicant is seeking permission to demolish the existing factory building and replace it with a 30 metre by 30 metre by 10.2 metre tall metal clad building with an open side. Existing office accommodation at the front of the site would be retained. The building would be used for the transfer of waste for onwards transport to landfill and for recycling by using an electric tromell and picking station to separate the waste. A loading shovel and 360 degree backactor would also be used on site. The wastes imported to the site would mainly arrive in skips and are classified as Type "A" and Type "B" wastes. Appendix A to this report provides a description of the items of waste contained within each of these waste streams.
- 2.2 It is proposed that within the new building approximately 30,000 tonnes of waste would be transferred through the site per year, which would then be removed by articulated bulk container lorries to a suitable landfill. Approximately a further 15,000 tonnes of waste per year would be separated on site for recycling elsewhere.
- 2.3 Access into the site would be via the existing southern entrance which links to the main highway network via Maxted Close and Maxted Road. The maximum number of skip lorries visiting the site each day would be 25 (50 lorry movements) with 4 bulker lorries (8 lorry movements) also coming to the site each day. The proposed operating hours are Monday to Friday 06:00 to 19:00 hours and 06.00 to 14.00 hours on Saturdays.

- 2.4 In considering this application, the material considerations are whether there is a need for such a facility; whether the proposed development meets the criteria contained in Waste Plan Policy 13 in relation to facilities outside areas of search identified in the Waste Local Plan; and an assessment of environmental effects common to such developments such as traffic, noise, and dust.

3. Conclusions

- 3.1 The report concludes that the Director of Environment should be authorised to grant planning permission for planning application reference number 4/2186-02, subject to planning conditions to include the following matters:
- i) a pre-development contamination survey and remedial action plan;
 - ii) prior approval of all construction materials for the building, site fencing and landscaping;
 - iii) prior approval of acoustic enclosure measures for the proposed building and noise limits from operations at the site;
 - iv) prior approval of details for the construction of a surface water drainage system;
 - v) prior approval of dust suppression measures and dust control limits;
 - vi) hours of working to be restricted to between 07.00 – 19.00 hours (Monday to Friday) and 07.00 – 14.00 hours (Saturday) and at no time on Sundays and public holidays;
 - vii) use of the tromell machinery to be prohibited between 07.00 and 08.00 hours; and
 - viii) a restriction on waste types and vehicle numbers to that stipulated in the application.

1. Description of the site and proposed development

- 1.1 This site is currently a vacant factory unit located at the end of Maxted Close, Hemel Hempstead and is just under 0.3 hectares in size. The applicant is seeking permission to demolish the existing factory building and replace it with a 30 metre by 30 metre by 10.2 metre tall metal clad building with an open side. Existing office accommodation at the front of the site would be retained. The building would be used for the transfer of waste for onwards transport to landfill and for recycling by using an electric tromell and picking station to separate the waste. A loading shovel and 360 degree backactor would also be used on site. The wastes imported to the site would mainly arrive in skips and are classified as Type “A” and Type “B” wastes. Appendix A to this report provides a description of the items of waste contained within each of these waste streams.
- 1.2 It is proposed that, within the new building, approximately 30,000 tonnes of waste would be transferred through the site per year, which would then be removed by articulated bulk container lorries to a suitable landfill. Approximately a further 15,000 tonnes of waste per year would be separated on site for recycling elsewhere.
- 1.3 Access into the site would be via the existing southern entrance which links to the main highway network via Maxted Close and Maxted Road. The maximum number of skip lorries visiting the site each day would be 25 (50 lorry movements) with 4 bulker lorries (8 lorry movements) also coming to the site each day. The proposed operating hours would be Monday to Friday 06:00 to 19:00 hours and 06.00 to 14.00 hours on Saturdays.
- 1.4 The applicant states that drainage and dust suppression measures would be incorporated into the site and the building would have sound insulation in the wall construction. Additionally it is proposed that the trommell machinery should not be operated between 07.00 – 0.800 hours. The concrete yard around the building would be regularly swept with a road sweeper.

2. Consultations and representations

- 2.1 Dacorum Borough Council (Planning) – Raise no objection to the proposal subject to there being no objection from the Highway Authority and subject to the imposition of suitable conditions relating to noise attenuation, remediation of contaminated land if found, and hours of operation to be restricted to between 07.00 and 19.00 hours (Monday to Friday) and 07.00 to 14.00 hours (Saturday) and at no time on Sundays, bank holidays and public holidays.
- 2.2 Dacorum Borough Council (Environmental Health) – Having reviewed the Noise Impact Assessment supplied by the applicant the general conclusions of the report suggest that the noise projections would not impact on the surrounding domestic and business premises. They support the recommendation that certain pieces of equipment should not be used before 08.00 hours and recommend that the applicant supply details of the acoustic enclosure measures proposed. In respect of dust generation the proposed dust suppression system proposed by the applicant should ensure that dust is

not liberated onto adjoining properties. The use of a mechanical sweeper should control any dust generated by traffic movement. Fugitive dust emissions can be controlled using legislative procedures contained in the Environmental Protection Act 1990.

- 2.3 Environment Agency – The Agency has no objection in principle to the proposed development provided that conditions are imposed on any planning permission granted. Such conditions should include a requirement to undertake a contamination survey and remediation works prior to the development commencing and a condition requiring details to be submitted, for approval, of a surface water drainage system.
- 2.4 The County Council as Highways Authority – does not wish to restrict the grant of permission.
- 2.5 Transco – do not object to the proposal.
- 2.6 Rights of Way – Have no objection to the planning application but state that the footpath should remain open at all times and that the width of the footpath should not be reduced.
- 2.7 Local representations – A total of eight adjacent properties were consulted and these properties are all of an industrial or commercial nature. There have been two responses that have been received. One letter details concern regarding dust, fumes and airborne particles so their site and staff are not adversely impacted. The other response received objects to the application, with the main issues of objection summarised below:
- the applicant has failed to demonstrate a need for the site in Hemel Hempstead and there has been a similar planning application made within a mile of the site;
 - the site is an inappropriate location;
 - the application does not accord with the proximity principle;
 - proposal is incompatible with character of the surrounding area;
 - operations will impact on the amenity of residential area to the south and users of the public footpath;
 - the application fails to address the likely traffic impact on the surrounding road network; and
 - effect of the proposed development on the local environment and groundwater.

3. Planning Considerations

- 3.1 The Development Plan - 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 Dacorum Borough Local Plan 1986-2001 (April 1995). The Pre-Inquiry changes made in November 1999 in relation to the Deposit Draft of the Dacorum Borough Local Plan 1991 – 2011 are a material consideration.

- 3.2 In considering this application, the material considerations are whether there is a need for such a facility; whether the proposed development meets the criteria contained in Waste Plan Policy 13 in relation to facilities outside areas of search identified in the Waste Local Plan; and an assessment of environmental effects common to such developments such as traffic, noise, and dust.
- 3.3 Need for proposed development
Waste Plan Policy 2 states that the establishment of facilities such as the one proposed will be supported provided that there is a clearly established need for additional capacity and facilities in order to accommodate waste arisings within Hertfordshire. Support on this basis is subject to proposals meeting other environmental and planning standards contained within other Policies of the Waste Local Plan. Those aspects are analysed later in this report.
- 3.4 In respect of the need for additional capacity and facilities of the type proposed it is recognised that there is a growing need. This is because the amount of landfill capacity for the waste streams to be handled is limited within the County and will be diminishing across the board as future landfill space is to be reduced as part of a drive to move waste further up the waste hierarchy. There is a need for such facilities given that the waste contained within skips is often mixed in nature and therefore cannot be taken directly to dedicated recycling facility handling the individual types of waste within the waste stream proposed. The applicant has estimated that approximately a third of the waste deposited at the site could be separated into various constituent elements suitable for recycling. The ability to separate the waste stream so that some of it can be recycled is to be encouraged and is supported by Structure Plan Policy 55 as it is a means of dealing with waste further up the waste hierarchy.
- 3.5 Another factor in the consideration of the need for such a proposed facility is the fact the applicant already operates a waste transfer facility in the County. This is based at Ascot Road in Watford, and the applicant has stated that the throughput of waste at this site is around 25,000 tonnes per annum. The planning permission at Ascot Road was granted for a temporary three year period and this is due to expire on 30 June 2003. The applicant states that they need to find alternative premises within the forthcoming year and the proposed facility at Maxted Close would provide this alternative location. Therefore in the short term if the applicant cannot find alternative premises then there will be a reduction in capacity in the Watford area for the waste streams concerned.
- 3.6 The applicant estimates that currently 80 percent of their existing business at Ascot Road arrives from the administrative areas of Watford, Three Rivers and Dacorum Borough, with the remaining 20 percent from the Chesham area. Therefore it is likely that the proposed alternative facility at Maxted Close would continue to deal predominately with waste arisings from within Hertfordshire. This accords with the Proximity Principle.
- 3.7 Whether the proposed development meets the criteria contained within Waste Plan Policy 13 for facilities outside areas of search
As the site of the proposed development is not within an area of search identified within the Waste Local Plan then its acceptability is assessed against five criteria

identified within Waste Plan Policy 13. Waste Plan Policy 13 states that waste management proposals will be permitted provided the proposal meets the various relevant criteria and is compliant with Waste Plan Policy 2. As discussed in paragraphs 3.1 to 3.6 above, the proposal does accord with Waste Plan Policy 2 so far in respect of need. Compliance in respect of environmental and planning standards is to be examined later in this report.

3.8 The five criteria stipulated in Waste Plan Policy 13 are reproduced below in italics and are individually examined in relation to this proposal.

(i) *minimise impact on local or natural environments;*

As stated in the last sentence of paragraph 3.7 above the environmental and planning standards regarding this proposal will be examined later in this report. This will assess whether there are any detrimental impacts arising from the development in relation to traffic, noise, and dust.

(ii) *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;*

Maylands Avenue to the west of the site is a Primary Distributor road suitable for accommodating the type of traffic associated with this development. From Maylands Avenue access to the site is gained via Maxted Road and Maxted Close. These are service roads to the industrial estate and have been constructed to accommodate the type of traffic proposed and there are no residential properties along them.

(iii) *in the case of large plants, are where visual and landscape impact is not a critical issue;*

The size of the building in isolation could be described as a large plant. However, in the context of the buildings surrounding the site it is not out of scale or character in this predominately industrial area. There is some concern regarding the proximity of the proposed building adjacent to Public Footpath Number 52 in that the building could result in an overbearing feeling for users of the footpath. However, this situation is not uncharacteristic of this particular footpath and there are numerous other large buildings whose walls abut the Footpath.

(iv) *serve Hertfordshire's main population and employment areas;*

As discussed in paragraph 3.6 above, the majority of the waste transferred through the applicant's current facility in Watford is derived from within Hertfordshire. Given the proximity of Hemel Hempstead to Watford this would be likely to remain the case if this proposal were to proceed. The proposed facility is suitably located to accommodate waste from the urban areas of Hemel Hempstead, Watford and St Albans.

(v) *are preferably on land falling into one of the following categories:*

- a) *land allocated for development, or subject to potential redevelopment, or on despoiled land;*
- b) *within or adjacent to existing waste management facilities such as household waste sites or waste transfer stations;*
- c) *within or adjacent to an established or proposed general industrial area (employment areas identified in district local plans with a significant proportion of B2/B8 uses or with major developments such as power stations);*
- d) *within or adjacent to compatible land uses such as local authority depots, open storage uses, sewage works and mineral processing plant (for the life of the plant in the case of temporary permissions or plant on mineral working sites).*

The land on which this application has been made is currently a disused factory that has been vacant for a number of years. The land is allocated in the district local plan for development. It is considered that the land concerned is subject to potential redevelopment for the use proposed or other use compatible with the surrounding area and is therefore meets category a) of criterion v).

Within the adopted Dacorum Borough Local Plan the application site is allocated as a General Employment Area where the proposed employment generating uses are business, industry, storage and distribution. The Deposit Draft of the Dacorum Borough Local Plan 1991 – 2011, published in October 1998, also classifies the land to which this application relates as a General Employment Area. This again states that the proposed employment generating uses are business, industry, storage and distribution in an employment area called Maylands. The area to the south and west of the site has been named as the Maylands Avenue employment area in which Business (Core Office Location) is the proposed employment generating use. To the west of the proposed site is the rear of a new office complex. There is also an office building to the north of the site. To the south of the site are factory units (B2 use) and to the north east and east are large distribution units (B8 use). Therefore, given that the proposed site is designated as an appropriate General Employment Area, and in which a significant proportion of B2 and B8 uses are located, it is considered that the land also meets category c) of criterion v).

3.9 It is therefore considered that the proposed development meets at least four of the five criteria specified in Waste Plan Policy 13. In respect of the first criteria, that states that any proposal must minimise impact on local and natural environments, this aspect is discussed in the following paragraphs.

3.10 Assessment of environmental effects associated with the proposed development

Given the nature of the proposed development and experience of other similar facilities in Hertfordshire, there is the possibility of adverse environmental impacts arising from the operations. These impacts need consideration in order to establish the level of impact and also whether any adverse impact can be controlled at an acceptable level. In this instance there are three environmental impacts that require additional

consideration, these being, environmental impacts from traffic generation, noise from machinery, and dust from machinery and the waste to be transferred at the site.

- 3.11 Materials brought to the site would arrive in skip lorries and be taken away in ‘bulker’ transport lorries. It is anticipated that there would be 25 skip loads per day (50 movements) and 4 bulker lorries per day (8 movements). With the type and number of such lorries there is a potential impact on traffic congestion and upon residential amenity. Maylands Avenue to the west of the site is a Primary Distributor road suitable for accommodating the type of traffic associated with this development. From Maylands Avenue access to the site is obtained via Maxted Road and Maxted Close. These roads are classified as “Local Roads” and therefore a Traffic Impact Study would normally be required to assess the impact of the traffic generated in line with Waste Plan Policy 43. However, it is considered that such a Study is unnecessary in this particular situation. Both Maxted Road and Maxted Close are service roads to the surrounding industrial estate and these were built to accommodate the type of traffic proposed. The Highways Authority in considering the proposal have stated that they would not wish to restrict the grant of planning permission on highways grounds.
- 3.12 The operations within the transfer station require the use of mechanical machinery as part of the handling and separation of incoming waste. This includes a 360 degree backactor, loading shovel and a tromell to separate hardcore and fines from the waste mass. Given the proximity of neighbouring premises to the site and the fact that one side of the building would be open towards a residential area some 120 metres away an assessment of the noise likely to be generated from the operations is essential to establish whether there is likely to be any significant noise intrusion and if there is intrusion whether this could be adequately controlled by attenuation measures.
- 3.13 The applicant has provided an Environmental Noise Impact Report that includes some background noise measurements at the nearest residential area and around the site, as well as measurements of some of the machinery currently used at their Watford operation. Dacorum Borough Council Environmental Health Department has considered the contents of the Impact Report and based on that information consider that the noise projections from the proposed operations should not impact adversely on the surrounding domestic and business premises. However, in line with the recommendation of the Impact Report it is recommended that the tromell equipment should not be used before 08.00 hours when the background noise level outside the nearest residential area is at its lowest. It is also recommended that the applicant provide the details of the acoustic enclosure proposed within the building. Prior submission and approval of the details of the acoustic enclosure and restricting the time when the trommel could be used can be required by planning conditions. Likewise a condition could also be imposed to limit noise emanating from the operations at noise sensitive properties adjacent to the site. This could also include the requirement for extra noise attenuation measures to be implemented if noise levels exceed the stated levels.
- 3.14 Dust generation from the use of the machinery detailed above together with the tipping of materials is another environmental concern. The applicant has stated that they anticipate the installation of adequate plant within the building to suppress dust so that no dust can escape the building area where the tipping and transfer of waste would

take place. Such a system has been viewed as working successfully at a similar facility in the County. Dust could also occur in the concrete yard area around the building, although this is likely to be limited, as the vehicles entering the site should have clean wheels. The applicant has stated that a road sweeper will sweep the yard, this should ensure that it is clean and dust generated by vehicles turning in the yard should not be a problem. It is therefore considered that measures can be implemented to suppress any dust arising from the proposed operations so that no nuisance should occur outside of the application area.

- 3.15 It is therefore considered that impact on local and natural environments are not unacceptable if amelioration measures and controls are imposed upon the operator by means of suitable planning conditions. Consequently the proposal complies with the first criterion of Waste Plan Policy 13 and meets the environmental and planning standards described in Waste Plan Policy 2.

4. Conclusions

- 4.1 It is considered that there is a need for the type of facility proposed in this application given the limited amount of landfill capacity in the County for such waste and the desire to move away from landfilling in accordance with the waste hierarchy. Also the mixed nature of skip waste is such that facilities of the kind proposed offer a practical way of dealing with this particular waste stream and enables around a third of the waste to be separated for recycling.
- 4.2 The applicant currently operates a smaller but similar temporary facility in Watford where it is estimated that 80 percent of the waste is derived from western Hertfordshire. The proposed facility would enable a continuity and enhancement of handling capacity in the area. Given the proximity of the proposed site to the existing site in Watford it is considered that the proposed facility would continue to deal predominately with waste arisings from within Hertfordshire. This accords with the Proximity Principle. It is therefore concluded that in respect of need the proposal complies with Waste Plan Policy 2.
- 4.3 Given the nature of the proposed development and experience of other similar facilities in Hertfordshire there is the possibility of adverse environmental impacts arising from operations. The primary environmental impacts are viewed as being from traffic generation, noise nuisance from machinery and dust generation. The impact as a result of traffic is not viewed as being detrimental given the nature of the roads between the site and the main road network. Assessment of the Noise Impact Study prepared by the applicant concludes that the proposed operations would not impact on the surrounding domestic and business premises other than use of the tromell machinery before 08.00 hours. This and other aspects of noise control could be subject of appropriate planning conditions. In respect of dust generation this could arise from the use of machinery, the tipping of up of waste within the building, and the turning of vehicles within the yard outside of the building. Dust suppression can be controlled within the building by means of a dust suppression system fitted within the building. A road sweeper for the yard could control mud and debris so those vehicles manoeuvring in the yard would not cause any dust nuisance. Consequently it is

concluded that the proposal complies with the first criteria of Waste Plan Policy 13 and meets the environmental and planning standards described in Waste Plan Policy 2.

- 4.4 As the site of the proposed development is not within an area of search identified within the Waste Local Plan, its acceptability has been assessed against the criteria identified within Waste Plan Policy 13. This report has considered each criterion and it is concluded that the development meets all of the criteria specified in Waste Plan Policy 13.
- 4.5 The conclusion of this report is that as the proposed development accords with Waste Plan Policy 2 and it also meets all the criteria in Waste Plan Policy 13 and therefore permission should be granted subject to suitable conditions being attached.

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. 4/2186-02 and supplementary information.

Consultation responses and representations received in response to Planning Application ref. 4/2186-02.

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

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

Dacorum Borough Local Plan 1986 – 2001 (adopted April 1995.)

Deposit Draft of the Dacorum Borough Local Plan 1991 – 2011 (October 1998).

Pre-Inquiry changes to the Deposit Draft of the Dacorum Borough Local Plan 1991 – 2011 (November 1999).

WASTE CLASSIFICATION**Solid Waste**

The waste types (A, B, C) are defined below.

Type "A" Waste does not contain substances other than those listed below and does not itself appear as an item in another category:

Topsoil, Subsoil, Brickwork, Concrete, Stone, Clay, Sand, Silica, glass and ceramics. Mixtures of these materials such as hard-core and weathered tar-coated stone.

Type "B" Waste does not contain significant quantities of substances other than those listed below and in Category "A".

Metals (iron, steel, aluminium, brass, copper, tin and zinc), Plastics, Leather, Natural/man-made fibres (wool, cotton, Kapok, linen, nylon, polyester etc.), Coal, coke, Wood and wood products (all hard and soft woods, sawdust and sander dust, hardboard and chipboard, trees and bushes), Paper (all paper including oiled and tarred paper, cardboard, fibreboard), Gypsum, Carbon, Ebonite, Pottery, china and enamels, Shot-blasting residues, Abrasives, mica, diatomaceous earth (kieselguhr), Slag and boiler scale (excluding that contaminated with toxic metals), Oxides of iron, magnesium, zinc, aluminium, copper and titanium, Hydroxides of iron, Calcium carbonate, calcium chloride and magnesium carbonate, Rubber.

Mixtures of products containing only the material listed in Categories "A" and "B", such as plasterboard, painted or treated wood, painted or treated metal. It should be noted that some products containing only the materials listed in Categories "A" and "B" are explicitly included in Category "C".

Type "C" Waste does not contain significant quantities of substances other than those listed below and in Categories "A" and "B".

Animal carcasses, part or whole, Vegetable matter, Cellulose waste, Soap or other stearates, Dry sewage sludge.

Mixtures of products consisting only of the materials listed in Categories "A" and "B" and "C" such as:

Refuse - treated or untreated, Waste food or food processing materials, Floor sweepings, Empty used containers - metal, glass, plastic, paper, sacks, etc., Electrical fittings, fixtures and appliances, Machinery, Cosmetic products.