Date of Meeting: 9 January 2014

APPLICATION NO: 13/2361/FUL

DATE OF APPLICATION: 19 November 2013

STATUTORY START DATE: 21 November 2013

SITE LOCATION
Cranborne Recycling Centre, Cranborne Industrial Estate, Cranborne Road, Potters Bar, Hertfordshire,

DEVELOPMENT
Erection of recycling bays, removal of palisade fencing and additional flood lighting.

AGENT
Mr Gary O’Sullivan
Civic Offices
Elstree Way
Borehamwood
Hertfordshire
WD6 1WA

APPLICANT
Mr Steve Burton

WARD
Potters Bar Furzefield

GREEN BELT: No

CONSERVATION AREA: No

LISTED BUILDING: No

TREE PRES. ORDER
No

1.0 Summary of Recommendation

1.1 Grant Permission subject to conditions

2.0 Application Site/Surrounding Area

2.1 The site is an irregular shaped plot used as a waste recycling depot located to the western end of the Cranborne Road Industrial Estate. The surrounding buildings are industrial warehousing and manufacturing units with some office accommodation. To the north of the site is the Hertfordshire County Council recycling Centre and to the South is the Hertsmere Waste Depot with Hurleys Skips to the north west of the site. To the rear of the site and to the north-west are open fields (farmland).

2.2 There is vehicular and pedestrian access/egress to the site via one main point off Cranborne Road. The site is enclosed by a 2m metal security fence and
gates and there are some hedges and trees to the side of the main access road (Cranborne Road).

2.3 There is a small derelict building with disused toilet facilities located to the south eastern corner of the site and a further small building adjacent to the southern site boundary.

3.0 Proposal

3.1 The application proposes the erection of a recycling bay which would be divided into three separate bays; removal of a metal palisade fence within the site, and the installation of some additional floodlighting.

3.2 The recycling bays would be constructed of fairfaced concrete block with profiled metal cladding above and a metal roof finished in a goose-wing grey colour.

3.3 The existing palisade metal fencing between areas C and D as shown on drawing number 105/002 Rev A is to be removed and an existing public right of way within area D is to be re-instated and would be incorporated within the application site.

3.4 The application is brought before the committee because the land is owned by Hertsmere Borough Council.

### Key Characteristics

<table>
<thead>
<tr>
<th>Site Area</th>
<th>0.3112 ha.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>N/A</td>
</tr>
<tr>
<td>Mix</td>
<td>Industrial Estate</td>
</tr>
<tr>
<td>Dimensions</td>
<td>8 metres height x 24.7m wide x 9 metres wide.</td>
</tr>
<tr>
<td>Numbers of Car Parking Spaces</td>
<td>N/A</td>
</tr>
</tbody>
</table>

4.0 Relevant Planning History:

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>Description: Internal alterations to form open plan office</th>
<th>CONDIT15 November 2005</th>
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</thead>
<tbody>
<tr>
<td>FP/05/3353</td>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>Description: New Depot Buildings</th>
<th>REFUSE7 November 2003</th>
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<tbody>
<tr>
<td>FP/03/0777</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>Description: Partly retrospective application for siting of 4 no. containers; 3 for storage and 1 for use as a temporary training room.</th>
<th>GP2 January 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>TP/07/1892</td>
<td></td>
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</table>
5.0 Notifications

<table>
<thead>
<tr>
<th>In Support</th>
<th>Against</th>
<th>Comments</th>
<th>Neighbours Notified</th>
<th>Contributors Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>

Notices

Site Notice Displayed - No objections received
No Press Notice Required.

6.0 Consultations

Hertfordshire Highways

Comments: comment made 6 December 2013
No objections raised.

Potters Bar Society

No Response received.

Environmental Health & Licensing

Comments: comments made 18 December 2013
The application site has been investigated by the Environment Agency and contamination has been found which may pose a risk to controlled waters beneath the site. However, the previous owner still holds a Waste Management Licence from the Environment Agency which is linked to the site. Due to the land ownership having changed hands and the previous land owner no longer operating on the land, Environmental Health have requested that the Waste Management Licence be revoked by the Environment Agency. This is currently being processed. The Waste department are aware of the...
situation and have met with the Environment Agency regarding environmental permits/exemptions required to carry out the paper recycling activity.

Due to the planning application not involving any foundations, I am satisfied that there is no increased risk to the situation which current exists on the site and that the land contamination already on site will not cause a risk to the recycling activities.

However, the Waste department need to be made aware that once the waste management licence has been revoked, the Environment Agency will continue with the ground investigations to remediate the site to ensure that any risks to controlled waters are removed.

As no drinking water supplies are not being installed in the ground there are no risks to future occupants being supplied with water.

I am therefore satisfied that the proposed application will not impact upon the existing land contamination on site and will not cause a risk to future uses of the site as they will not be coming into contact with the land contamination. Therefore there is no direct pathway between the users and the land contamination.

Environmental Health have no concerns over the floodlights as there are no residential properties in the immediate area.

<table>
<thead>
<tr>
<th>Environment Agency</th>
<th>No Response received.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Any update to be provided at the Committee meeting.</td>
</tr>
</tbody>
</table>

| Hertfordshire Fire & Rescue Service | No Response received. |

7.0 Policy Designation

7.1 Employment Area
8.0 Relevant Planning Policies

National Policy Framework  NPPF12
Circular  11/95  Conditions

Hertsmere Local Plan 2003  B3  Cranborne Road Employment Area
Hertsmere Local Plan 2003  D3  Drainage Run off
Hertsmere Local Plan 2003  D17  Pollution Control
Hertsmere Local Plan 2003  D21  Design and setting of Development
Core Strategy 2013  CS16  Environmental impact of development – Core Strategy
Core Strategy 2013  CS22  Securing a high quality and accessible environment

9.0 Key Issues

9.1 Principle
Impact on visual and residential amenity
Highway safety
Land contamination
Lighting and air pollution
Drainage
10.0 Comments

Principle

10.1 The NPPF (2012) states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Policy B1 of the Hertsmere Local Plan (2003) stipulates that within 'Employment Areas', as defined on the proposals map, B class developments (all uses defined under Part B of the Use Classes Order) would be supported and Policy B3 stipulates that measures to improve traffic circulation, servicing and parking within the Cranborne Road Employment Area will be supported. Policy CS10 of the Core Strategy 2013 generally complements this policy.

10.2 PPS10 which is the retained national planning guidance note on sustainable waste transfer (as amended 2011) is designed to enable the local authority to:

- Enable sufficient and timely provision of facilities;
- Secure the recovery and disposal of waste without endangering human health or the environment;
- Reflect the concerns and interests of the communities, the needs of waste collection authorities, waste disposal authorities and business and encourage competitiveness and;
- Ensure the design and layout of new development supports sustainable waste management.

10.4 Assessment

The application site is located within a well-established employment area of Potters Bar where it is encouraged that B-class development is provided within this area. The proposed development seeks to provide additional waste/recycling facilities (under Use Class B2) for the Borough within the site in line with Policy B1. The proposed development would help to support the vitality of the business, which in turn encourages job opportunities and build upon sustainable economic growth within the area in accordance with the NPPF. Furthermore the proposed recycling facility will enable the Council to provide a better, more efficient and sustainable service in respect to waste disposal and as such the proposal will accord with the principles set out within PPS10.

10.5 The proposed works are therefore supported in principle subject to the detailed consideration of the development impact in terms of amenity, environmental impact, highway safety and light and air pollution in line with Policy B3 and other applicable policies.
Impact on visual and residential amenity

10.6 The National Planning Policy Framework 2012 (NPPF) states that overall scale, density, massing, height, landscape, layout, materials and access of new development needs to relate to neighbouring buildings and the local area more generally. Paragraph 64 of the NPPF stipulates that permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Hertsmere Local Plan (2003) policy D21 state that development proposals must respect or improve the character of their surroundings and adjacent properties in terms of scale, massing, materials, layout, bulk and height. Hertsmere Revised Core Strategy 2011 policy CS22 generally complements these policies.

10.7 The site is part of an existing waste recycling depot. This part of the Cranborne Industrial Estate is surrounded by similar land uses of household and commercial waste recycling and transfer sites, light industrial and a manufacturing and a motor vehicle repair centre.

10.8 It is proposed to erect an open fronted recycling bay which would be divided into three separate bays to the south eastern corner of the site. The building would be 8 metres in height x 24.7m wide x 9 metres in depth and constructed in Legioblock fairfaced dense concrete blocks with metal sheeting above and a profiled metal roof.

10.9 An existing palisade fence which is located within the site would be removed, This would open up areas D and E as shown on drawing 105/002 Rev A and a right of way through the land would be re-instated.

10.10 The proposed recycling bays would be located well within the site whilst the scale and form of the building (as set out in paragraph 10.8 above) would be consistent with that of commercial and industrial buildings locally, particularly those located within the adjacent County Council recycling centre. The site is well screened along all boundaries by a 2 metre high metal palisade fence or chain-link fencing whilst there are some shrubs and trees along the frontage of the site all of which would further limit the visual impact of the proposal on the immediate area.

10.11 The closest residential properties to the site are those along Cranborne Road, over 280 metres away, which is a more than sufficient level of separation for the proposed works to not impinge on the amenities of those units.

10.12 Overall, it is not considered that the proposal would impact adversely on the visual amenities of the area or the amenities of local residents. The proposal meets with the requirements as set out in PPS10, the NPPF, policy D21 of the Hertsmere Local Plan 2003 and policy CS22 of the Core Strategy 2013.
Highway Safety

10.13 Policy B3 of the HLP advises that measures to improve traffic circulation, servicing and parking within the Cranborne Road Employment area will be supported.

10.14 The application does not result in a change of use of the site. There would be no alterations to the highway access or an increase in parking demand as a result of the proposed recycling building. Hertfordshire Highways have been consulted on the application and raise no objections.

10.15 In conclusion, it is not considered that the proposal would impact adversely on the safety of the adjacent highway and would be consistent with Policy B3 of the Hertsmere Local Plan 2003.

Land contamination

10.16 Policy D17 of the Hertsmere Local Plan 2003 and Policy CS16 of the revised Core Strategy 2010 are concerned with pollution control on all new developments.

10.17 The site is a former scrap yard site and as such has historical land contamination issues. Given this background and the works proposed a Geotechnical and Land Contamination Assessment has been submitted with the application. The assessment has been reviewed by the Council's Scientific Officer has been consulted on the application and is satisfied that the proposed application will not impact upon the existing land contamination on site and will not cause a risk to future uses of the site as they will not be coming into contact with the land contamination. Therefore there is no direct pathway between the users and the land contamination.

10.18 In conclusion, the details are considered acceptable, it is not considered that the proposed application would impact upon existing land contamination and as such would comply with Policy D17 of the Hertsmere Local Plan 2003 and CS16 of the Core Strategy 2013.

Lighting and Air Pollution

10.19 It is also proposed to introduce some additional lighting within the site. Limited information has been provided on the proposed level of lighting. As already discussed, the nearest residential property is over 280 metres away and therefore it is not considered that any reasonable increase to existing lighting will be of detriment to local amenities and particularly to those of residential premises. Environmental Health have no objections to the prospect of additional lighting however, a condition is recommended to ensure that details of the proposed lighting including their position within the site and the luminance are submitted and approved in writing by the LPA before the use of the building takes place.
10.20 Overall, there is no objection to the additional lighting subject to details being submitted and approved in writing by the Local Planning Authority to accord with Policy D17 of the HLP and CS16 of the Core Strategy 2013

Drainage

National policy

10.21 The NPPF gives a clear advice that opportunities offered by new development should reduce the causes and impacts of flooding (paragraph 100).

Local policy

10.22 Policy D3 of the Hertsmere Local Plan (2003) requires new development to incorporate measures to control the rate of run off from within a site. This is stated as needing to involve the application of flow control plus attenuation storage to contain excessive runoff in storm conditions.

10.23 The site is not located within a flood zone. Environmental Health have been consulted on the application and have commented that the application site has been investigated by the Environment Agency and contamination has been found which may pose a risk to controlled waters beneath the site. However, the previous owner still holds a Waste Management Licence the Environment Agency which is linked to the site. Due to the land ownership having changed hands and the previous land owner no longer operating on the land, Environmental Health have requested that the Waste Management Licence be revoked by the Environment Agency. This is currently being processed. The Waste department are aware of the situation and have met with the Environment Agency regarding environmental permits/exemptions required to carry out the paper recycling activity.

10.24 Due to the proposal not involving any foundation work, no objection is raised and Environmental Health are satisfied that there is no increased risk over and above the situation which current exists on the site.

10.25 In conclusion, it is not considered that there would be any issues relating to drainage or flooding on the site as a result of the proposal and as such would comply with the NPPF and policies D3 of the HLP and CS16 of the Core Strategy 2013.

11.0 Conclusion

11.1 The proposed recycling bays and ancillary works are considered to be sited suitably and be consistent in respect to scale and appearance to industrial and commercial uses within the vicinity. The proposal will not cause harm to Hertsmere through creation of air pollution, odour, noise, drainage or flooding concerns or be harmful to visual and residential amenities or impact detrimentally on highway safety. Consequently the proposal is supported and would comply with the NPPF12, Planning Policy Statement 10 (2011) -

12.0 Recommendation

Grant Planning Permission Subject to the following conditions:-

Conditions/Reasons

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

   Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

02. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to use of the building proposed under this application. Any external lighting that is installed shall accord with the details so approved.

   Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies D17, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

03. The application has been approved having regard to the following plans:-

   • Design and Access Statement
   • Geotechnical and Lane Contamination Assessment
   • Legioblock brochure
   • 105/001 Rev A, 105/002 Rev A and 105/003

   (Received by the Council on 21/11/2013).

General Reason(s) for Granting Permission

The proposed recycling bays and ancillary works are considered to be sited suitably and be consistent in respect to scale and appearance to industrial and commercial uses within the vicinity. The proposal will not cause harm to Hertsmere through creation of air pollution, odour, noise, drainage or flooding concerns or be harmful to visual and residential amenities or impact detrimentally on highway safety. Consequently the proposal is supported and would comply with the NPPF12, Planning Policy Statement 10 (2011) - Planning for Sustainable Waste Management and Waste Strategy for England 2007, policies B1, B3, D17 and D21 of the Hertsmere Local Plan 2003 and Policies CS16 and CS22 of the Core Strategy 2013.
13.0 Background Papers

1. The Planning application (13/2361/FUL) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
2. Replies from Statutory consultees and correspondence from third parties.
3. Any other individual document specifically referred to in the agenda report.
4. Published policies / guidance

14.0 Informatives

1. The application has been assessed having regard to the following policies.

2. Building Regulations

   To obtain advice regarding current Building Regulations or to submit an application, applicants should contact the Building Control Section Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA, telephone 020 8207 2277. For more information regarding Building Regulations visit the Building Control Section of the Councils web site www.hertsmere.gov.uk
   - To obtain Building Regulations Approval the applicant should apply to obtain either:
   - Full Plans approval - this will give approval prior to the work commencing and may take up to 5 weeks, or
   - Building Notice approval - this requires 48 hours’ notice prior to the commencement of work.

   Both of these approvals will require the submission of the requisite fee and 2 copies of drawings and relevant calculations. Having applied for Building Regulations approval, the works applied for will be subject to inspection by Building Control Officers at specific stages to ensure compliance. The applicant has a statutory duty to inform the Council of any of the following stages of work for inspection:

   - Excavation for foundations
   - Damp proof course
   - Concrete oversite
   - Insulation
   - Drains (when laid or tested)
   - Floor and Roof construction
   - Work relating to fire safety
   - Work affecting access and facilities for disabled people
   - Completion

   Any work that affects a party wall will require approval from the adjoining owner(s). This aspect of the work is a civil matter and does not come within the remit of the Council. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available from the Council Offices, Borehamwood, Hertfordshire. More information is available on the Council's web
site or for further information visit the Department of Communities and Local Government website at www.communities.gov.uk.

3. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Case Officer Details
Sharon Richards - Email Address-sharon.richards@hertsmere.gov.uk