

## Report of the Head of Planning, Sport and Green Spaces

**Address** WEST LONDON COMPOSTING LAND & LAND TO THE NORTH AND SOUTH OF NEWYEARS GREEN LANE HAREFIELD

**Development:** The continuation of existing recycling operations at land to the North and South of New Years Green Lane for an organic composting facility operation to handle a maximum throughput of up to 75,000 tonnes per annum of organic waste for a temporary period of five years

**LBH Ref Nos:** 12579/APP/2012/2366

**Drawing Nos:** 001  
002  
SWG 003  
DWG GREEN BELT  
DWG 005  
001  
Environmental Impact Assessment Volume 1  
Environmental Impact Assessment Volume 2A  
Environmental Impact Assessment Volume 2B  
Environmental Impact Assessment Volume Non Technical Summary  
Odour Management Plan  
Supporting Statement Dated 10-12-2012  
FRA1  
FRA 3  
FRA 5  
FRA 4

**Date Plans Received:** 27/09/2012

**Date(s) of Amendment(s):**

**Date Application Valid:** 08/10/2012

### 1. SUMMARY

Planning permission is sought for the continuation of existing recycling operations at land to the north and south of Newyears Green Lane for an organic composting facility operation, and for the intensification of use of the facility to handle an increased maximum throughput of up to 75,000 tonnes per annum of organic waste, for a temporary period of five years. The plant will continue to receive source separated green and kitchen waste which will turn into compost through an organic process, in enclosed vessels and open air.

With regard to the principle of the use at this site, although Highview Farm has a permanent permission for composting (up to 50,000 tonnes), the maturation site (Pylon Farm) has had only a series of temporary permissions for this type of activity. Composting is a form of industrial use which is not normally considered appropriate in a Green Belt location. The continued use of the maturation site (Pylon Farm) for composting is therefore contrary to Saved Policy OL1 of the Local Plan part 2 and constitutes inappropriate development within the Green Belt. It is therefore necessary to demonstrate very special circumstances as to why it should be located and continue to operate from this location.

By providing waste recovery, it is considered that the proposal would make a significant contribution to the Government's policy on climate change, which the NPPF confirms is central to sustainable development. In addition, the Council policy aims to increase green waste recycling in line with the Government's Waste Strategy. The proposed development would continue to make a significant contribution to waste management in the Borough and the surrounding area of West London and maximise the diversion of waste from landfill. Furthermore, there are particular locational needs in terms of large areas required for the open maturation process.

It is therefore considered that there are special circumstances to justify the continued use of the maturation site (north of Newyears Green Lane), and for the intensification of the composting facility, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the application is contrary to Part 2 Policy OL1 of the Local Plan, no objections are raised to the principle of the continued use of the maturation site and the intensification of the use of the facility as a whole, for a temporary 5 year period.

The Mayor supports the intensification of the land use for increased throughput, as it would contribute to increasing composting levels in London, subject to all other environmental impacts being reviewed and there being no adverse impact from the intensification. The proposals have been assessed through a comprehensive Environmental Impact Assessment (ES), which accompanies the planning application. Overall, the ES concludes that with the detailed mitigation proposed, the increase in tonnage would be acceptable for a temporary period of five years at the site.

No additional infrastructure is proposed and it is not considered that the activities would be visually intrusive, increase the built up nature of the site or harm the openness of this part of the Green Belt.

In terms of the increased throughput of waste from 50,000 to 75,000 tonnes per annum, although there would be increased traffic movements resulting from the increase tonnage, the proposal is considered acceptable in terms of traffic generation and on highway safety grounds. However, there will be a requirement to repair and reconstruct the carriageway (Newyears Green Lane), between the northern and southern sites, to allow for the continued and increased use at the site. This can be secured by legal agreement.

With regard to contamination and drainage issues, it is considered that subject to the recommended conditions, the continued and intensified use of the facility would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected.

In terms of air quality and odour issues, of which there have been a number of complaints in the past, the proposed increased in the tonnage of material to be accepted for composting will require a variation to the Environmental Permit for the site, which is regulated by the Environment Agency. As part of this Permit variation process, detailed assessments of odour management, monitoring and control techniques will have to be submitted for approval to that Agency. In addition odour conditions are recommended, requiring an odour suppression system around the northern maturation site. Given these safeguards, it is anticipated that these measures will reduce the risk of odour release, thereby safeguarding the residential amenity of the occupiers of adjoining properties, and residents further afield.

Subject to a legal agreement requiring the improvements to the carriageway and

conditions to address environmental impacts, approval is recommended.

## **2. RECOMMENDATION**

**1. That the application be referred to the Secretary of State as a departure from the Development Plan.**

**2. That the application be referred back to the Greater London Authority.**

**That should the Secretary of State not call in the application, or should the Mayor not direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application, the Council enter into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or Section 278 Highways Act 1980 (as amended) and all appropriate legislation to secure:**

**(i) highway improvements on Newyears Green Lane, including the strengthening of the carriageway.**

**3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreements.**

**4. The applicants pay a sum to the Council equivalent to 2% of the value of contributions for compliance, administration and monitoring of the completed planning (and/or highways) agreement(s).**

**5. The applicants pay a sum to the Council of up to 3% of the value of contributions for specified requirements to project manage and oversee implementation of elements of the completed planning (and/or highways) agreement(s).**

**6. If the above Section 106 agreement has not been finalised within 6 months, then the application is to be referred back to the Planning Committee for determination.**

**7. That subject to the above, the application be deferred for the determination by Head of Planning Sport and Green Spaces under delegated powers to approve the application, subject to the completion of legal agreement(s) under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**

**8. That if the application is approved, the following conditions be attached:**

### **1 NONSC Non Standard Condition**

The use of the maturation site at Pylon Farm, north of Newyears Green Lane hereby permitted shall be discontinued and the land restored to its former condition on or before five years from the date of this permission, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

### **REASON**

1. It is not considered appropriate to grant a permanent permission for the use until its

effect on the amenities of the locality has been assessed.

2. In order to comply with the terms of the application.

3. The proposal constitutes inappropriate development within the Green Belt.

4. To accord with Policies OL1, OE1 and OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## **2 NONSC Non Standard Condition**

The cumulative total of waste input for the facility shall not exceed a maximum of 75,000 tonnes per annum, for a period up to 5 years from the date of this permission. Thereafter, the maximum waste input shall not exceed 50,000 tonnes per annum.

### **REASON**

1. It is not considered appropriate to grant a permanent permission for the intensified use of the facility, until its effect on the amenities of the locality has been assessed.

2. In order to comply with the terms of the application.

3. To safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced.

4. To accord with Policies AM7, OE1 and OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## **3 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance of the existing shelter belts and hedge planting for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The height of the golden conifer hedge along the western boundary of the maturation site (Pylon Farm) shall be restricted to 4 metres above ground level. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

### **REASON**

To ensure that the approved landscaping is properly maintained in accordance with Policies OL5, OL9 and BE38 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## **4 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 001, 002, SWG 003, DWG GREEN BELT, DWG 005, 001, FRA1, FRA 3, FRA 5 and FRA 4 and shall thereafter be retained/maintained for as long as the development remains in existence.

### **REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

## **5 COM5 General compliance with supporting documentation**

The development (increased tonnage) hereby permitted shall not be commenced until the following has been completed in accordance with the specified supporting plans and/or documents:

- Environmental Statement Ref: 416.0996.0006\_002 dated October 2013
- Odour Management Plan ref:WRM/PR330/A12 dated April 2012

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence, unless otherwise agreed in writing

by the Local Planning Authority.

**REASON**

To ensure that the development complies with the objectives of relevant Policies in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2011).

**6 NONSC Non Standard Condition**

Unless previously agreed in writing with the Local Planning Authority, there shall be no more than 100 vehicular movements of which there shall be no more than 82 (41 in and 41 out) HGV (Vehicles between 3.5t and 7.5t) in any one working day, involving a cumulative total not exceeding a maximum 75,000 tonnes of waste input each year. Any temporary modification of the current restriction in HGV movements must be preceded by a written application to the Council, providing information on: the source and volume of the material the route between the source and the site the maximum number of trips per day sought for that particular material the planned duration of the extra number of trips.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties, to safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policies OE1, OL1 and AM7 of of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**7 NONSC Non Standard Condition**

The composting facility hereby approved shall accept waste input from local authority and commercial sources only and shall not accept material directly delivered by members of the public.

**REASON**

To prevent unacceptable levels of traffic generation to the site, in compliance with Policies OE1, OL1 and AM7 of of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**8 NONSC Non Standard Condition**

A Construction Logistics Plan (CLP) and a delivery and Servicing Plan (DSP) shall be submitted to and be approved by the Local Planning Authority, prior to the implementation of the the development (the increased tonnage) hereby permitted. The plans shall be implemented as approved.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties, to safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policies OE1, OL1 and AM7 of of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**9 NONSC Non Standard Condition**

The composting vessels shall be sealed units with bio-filters, details of which shall be submitted to and approved by the Local Planning Authority. The use shall not commence until the bio filters have been installed in accordance with the approved details. Thereafter the filters shall be permanently retained and maintained in good working order for so long as the use continues.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**10 NONSC Non Standard Condition**

The windrows shall not exceed 2.0 metres in height.

**REASON**

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Saved Policies OL5 and OL9 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**11 NONSC Non Standard Condition**

The stockpiles shall not exceed 3.0 metres in height.

**REASON**

To protect the visual amenities of the Green Belt and Colne Valley Park, in compliance with Policies OL5 and OL9 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**12 NONSC Non Standard Condition**

All delivery and collection vehicles servicing the development hereby approved shall enter and depart the site using the eastern section of New Years Green Lane, via Breakspear Road.

**REASON**

To safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with policies OE1, OL1 and AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**13 NONSC Non Standard Condition**

A Travel Plan shall be submitted to and be approved by the Local Planning Authority prior to the implementation of the the development (the increased tonnage) hereby permitted, and shall be retained for a minimum of 5 years. The Travel Plan shall outline the means and methods of:

- (i) recording the numbers of deliveries and collections to the site and provision of this information to the Local Planning Authority.
- (ii) providing information to all operators of the preferred route via Breakspear Road for all vehicles entering and exiting the site
- (iii) transfer of in-vessel composted material from the site to the windrows, located on the adjoining land, north of New Years Green Lane.

The Travel Plan shall be continually reviewed by the Local Planning Authority on a yearly basis.

**REASON**

To safeguard the amenity of the Green Belt, to ensure that pedestrian and vehicular safety is not prejudiced, and to comply with Policy 6.3 of the London Plan (2011).

**14 NONSC Non Standard Condition**

The composting facility hereby approved shall be used only for the processing of organic biodegradable waste (excluding commercial food waste) and shall not be used for the processing or disposal of hazardous or toxic materials.

#### REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### **15 NONSC Non Standard Condition**

The development (the increased tonnage) hereby permitted shall not be commenced until a Hydrogeological Risk Assessment (HRA) for the activity on site must be submitted to and approved in writing by the Local Planning Authority. The findings of this assessment shall be implemented as approved.

The HRA will include:

- 1) The collection of relevant site specific data to characterise the aquifer and local geological conditions.
- 2) A Detailed Quantitative Risk Assessment (DQRA) which will consider the risk the operation and current management techniques pose to groundwater should be produced, based on the findings of part 1).
- 3) Based on the risks identified in part 2), a review of available mitigation measures should be undertaken and following interpretation of the DQRA and the available mitigation measures, proposals to minimise risks to groundwater should be undertaken and justified.
- 4) Recommendations and findings of part 3 should be provided in the HRA.

#### REASON

(i) The site is located above a principal aquifer and within 50 days travel time of the public abstraction (SPZ1) at Ickenham. This abstraction point is a very sensitive receptor and requires a high level of protection to conserve water resources to provide public drinking water in the area.

(ii) Ongoing development and intensification of this site poses a significant risk to groundwater. The application as submitted fails to give adequate assurances that the risks the activity poses to groundwater are fully understood or that the sensitivity of the environmental setting has been appropriately considered. A more in depth assessment is therefore required to assess the risk at this site.

(iii) To comply with with Policies OE7 and OE8 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.14 of the London Plan (July 2011).

#### **16 NONSC Non Standard Condition**

The development (the increased tonnage) hereby permitted shall not be commenced until a scheme to dispose of foul and surface water has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

#### REASON

To ensure that all drainage from the site is adequately managed to protect the quality of the sensitive groundwater, in compliance with Policies OE7 and OE8 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.14 of the London

Plan (July 2011).

**17 NONSC Non Standard Condition**

No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**REASON**

(i) To ensure that all drainage from the site is adequately managed to protect the quality of the sensitive groundwater.

(ii) To ensure that the relevant aims and objectives of the Water Framework Directive are met. The Radlett Tertaries and mid-Chilterns Chalk groundwater body management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

(iii) Without this condition, the impact of contamination entering the land on site or in the catastrophic failure scenario could cause deterioration of a quality element to a lower status class and/or prevent the recovery of a protected area because it would result in failure of the prevent or limit objective for groundwater and cause rising trends in chemicals in the waterbody and result in release of priority hazardous substances.

(iv) To comply with Policies OE7 and OE8 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.14 of the London Plan (July 2011).

**18 NONSC Non Standard Condition**

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) SLR Ref: 416.00996.00006 August 2012 and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The mitigation measures shall be fully implemented prior to occupation and

subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**REASON**

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in compliance with Policies OE7 and OE8 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.14 of the London Plan (July 2011).

**19 NONSC Non Standard Condition**

An odour suppression system shall be installed and maintained around the maturation site to mitigate odour emanating from the windrows. Any modifications to the current 'Odour Management Plan' as agreed under the Environmental Permit with the Environment Agency shall be submitted to the Council by the developer within 2 weeks of issue.

**REASON**

(i) To mitigate odour emanating from the windrows in compliance with Policy 7.14 of the



London Plan (July 2011).

(ii) To ensure that the Local Planning Authority is updated on the current and future odour controls at the site, in accordance with Policies OE1 and OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.14 of the London Plan (July 2011).

**20 NONSC Non Standard Condition**

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site between 07:30 hours and 18:00 hours Mondays to Fridays, between 07:30 hours and hours 13:00 on Saturdays and at no time on Sundays, Bank and public Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies OE1 and OE3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**21 NONSC Non Standard Condition**

Provisions shall be made within the site to ensure that all vehicles associated with the operation of the of the development hereby approved (including vehicles transferring the in-vessel composted material from Highview Farm to the windrows, located on the adjoining land, north of New Years Green Lane) are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

**REASON**

To ensure that the development does not cause danger and inconvenience to users of the adjoining highway, and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policy AM7 of of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

**INFORMATIVES**

**1**

Any drainage design must be protective of the groundwater and in line with the Environment Agency's Groundwater Protection Policy (GP3) for the use of infiltration techniques to be approved.

- infiltration should not be focused in areas where ground contamination has been identified. Surface water infiltrating through contaminated ground can mobilise contaminants and result in pollution of the groundwater. If contamination is present in areas proposed for infiltration, we will require the removal of all contaminated material and provision of satisfactory evidence of its removal;
- the point of discharge should be kept as shallow as possible to ensure the maximum distance between the point of discharge and the groundwater table is achieved. Deep bored infiltration techniques are not acceptable;
- the point of discharge should not intercept the groundwater table;
- the distance between the point of discharge and the underlying groundwater should be a minimum of five metres;
- only clean, uncontaminated roof water should be discharged into the ground within SPZ1.

**2 I24 Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. For

further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

### **3            I52            Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### **4            I53            Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
MIN18	Safeguarding of existing civic amenity and waste transfer sites
MIN22	Restriction on development proposals involving waste disposal near sensitive land uses
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
LPP 5.12	(2011) Flood risk management
LPP 5.17	(2011) Waste capacity

LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 6.12	(2011) Road Network Capacity
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
LPP 7.21	(2011) Trees and woodland
NPPF	
NPPF10	
NPPF11	
NPPF9	

## 5

You are reminded that this site is regulated through environmental permits, issued by the Environment Agency. There is a history of odour complaints in the local area from this composting

activity, and also from a nearby composting operation. The additional documentation relating to the odour management and any other improvements to operations, in light of the proposed increased tonnage are currently being reviewed by The environment Agency as part of the permitting regime. Please note that the Environment Agency has not reviewed these documents as part of the planning process, as odour is not one of its considerations when commenting on planning applications.

## 6

The drainage condition will complement but not duplicate any drainage conditions in the environmental permit. This is due to the permit controlling waste management areas and this condition applying to all other areas of the site.

## 7

All physical measures required in connection with the upgraded Surface water Management Scheme, including the enlargement of the lagoon and raising of the containment bund shall be carried out within the confines of the current application site. Should any physical works be required outside the application site, then a separate planning application may be required for that development.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site, known as the West London Composting (WLC) Operational Facility is effectively divided into two operational areas off Newyears Green Lane, with the existing open compost maturation area (Pylon Farm), located on the northern side of the road and the waste reception and in-vessel facility located at Highview Farm, on the southern side of the road.

The overall, Highview and Pylon Farms are approximately 60 hectares in extent and fall within the Green Belt and the Colne Valley Park. The site is accessed from Newyears Green Lane, a single track lane, with passing places and links two distributor roads, Breakspear Road (South) and Harvil Road.

The nearest major residential area on the edge of Ruislip is approximately 1km to the east of the site, although the facility is in close proximity to a number of farms (St. Leonard's, Pylon, High View, Elm Tree) and small settlements including Newyears Green and Tile Kiln, which are also predominantly farming settlements. The site is located to the north of

the air quality management area (AQMA) boundary.

The maturation area (Pylon Farm) is bounded to the north by an engineered drainage lagoon, beyond which are fields and Mad Bess Wood, a SSSI site. A hedgerow and further vegetation have been planted on the northern and western edges of the maturation site. Ground levels of the maturation site are typically 57m AOD. The compost maturation area has been constructed from crushed concrete and subsequently coated with high specification heat resistant asphalt surface, which slopes towards the engineered drainage lagoon, with a capacity of 900m<sup>3</sup>. The lagoon has been designed to accommodate a worst case storm event.

The southern site (Highview Farm) comprises of a central and southern concrete and tarmac yard area within which the main offices and storage areas are located. The central northern and north western parts of the site are laid to grass. A hedgerow and further vegetation have been planted on the southern and eastern edges of Highview Farm. A tarmac access road runs the length of the western boundary.

The key components of the existing site include:

- Weighbridge and Site Office;
- Maintenance Building;
- Reception Hall;
- Compost Storage Clamps;
- Water Tanks;
- Final maturation and storage area;
- Car Parking Area;
- Drainage Lagoon; and
- Concrete hard standing

The WLC facility is licensed to accept up to 50,000 tonnes of waste per annum, of this material, approximately 30,000 tonnes is processed into useable compost.

### **3.2 Proposed Scheme**

Planning permission is sought for the continuation of existing recycling operations at land to the north and south of Newyears Green Lane for an In Vessel Composting Facility (IVC) operation, to handle an increased maximum throughput of 75,000 tonnes per annum of organic waste, for a temporary period of 5 years.

The facility will continue to involve the deposition of household green waste collected predominantly from the Local Waste Authority contractors within West London. The composting process will continue to be carried out initially at Highview Farm (land to the south of New Years Green Lane), where the incoming waste is received, sorted and shredded. The waste will continue to then be transferred to enclosed pods, incorporating ventilation and sprays. Once the initial processing is complete, the waste is transferred to the adjoining Pylon Farm (land to the North of Newyears Green Lane), where it is deposited on tarmac aprons and formed into rows of material (windrows), where the material is turned during maturation.

The proposed increased in the allowed tonnage of material up to 75,000 tonnes per annum also requires a variation to the Environmental Permit for the site, which is regulated by the Environment Agency (EA). As part of this Permit variation process, detailed assessments of odour management, monitoring and control techniques (an Odour Management Plan (OMP)), and other fugitive release (i.e. dust and bioaerosols)

will be submitted for approval to the EA. As part of the OMP, the EA will need to be satisfied that the additional tonnages can be effectively treated within the existing infrastructure, without compromising environmental protection.

The application is supported by a Planning and Sustainability Statement (PSS) and an Environmental Impact Assessment (EIA). The reports contained therein assess or provide information on the proposal. A summary of these reports are provided below:

The PSS contains the following information:

- an introduction to the project and planning application;
- a description of the site and surrounding area;
- a description of the development;
- a commentary on planning policy;
- a discussion of need;
- how the proposals could affect climate change;
- potential Environmental Effects and Summary of Mitigation Measures;
- benefits of the Development; and
- conclusions

The EIA comprises the following chapters:

- chapter 1: Introduction;
- chapter 2: Site Description;
- chapter 3: Description of the development;
- chapter 4: Planning Policy considerations;
- chapter 5: Alternatives;
- chapter 6: Traffic;
- chapter 7: Air Quality;
- chapter 8: Noise;
- chapter 9: Hydrogeology;
- chapter 10: Cumulative Impacts; and
- chapter 11: Summary and Conclusions

Volume 2 of the ES contains a number of technical appendices, including a Phase 1 Ecological Report, Traffic Assessment, Noise Appendices, Hydrogeology Drawings and a Flood Risk Assessment (FRA), with associated appendices. A Land Quality report, including a preliminary Contamination Assessment and a Soil Contamination Assessment Report (April 2006) are also included.

A non Technical Summary (NTS) to the ES (Volume 3) and an Odour Management Plan (OMP) has been submitted.

The application has been treated as a departure from the Development Plan and has been referred to the Mayor of London.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

The existing recycling facility is located on two sites and has been the subject of separate planning applications. Relevant planning history of the application site is given below:

Pylon Farm

Planning permission was granted on 13 September 2002 for change of use from agriculture to organic composting site for open windrows (Ref:12579/M/99/2048). Since Council policy aims to increase green waste recycling, this was considered sufficient special circumstances to justify the use in this location, to the extent that the harm on the openness of the Green Belt had been outweighed. Therefore, even though the application was contrary to Green Belt policy, approval was recommended subject to a S106 Agreement to divert public footpath U36. Engineering and development of the compost maturation area (application site) commenced in May 2004 and the facility was opened to accept waste on 16th July 2004.

There are no restrictions governing the level of use on this site other than that the windrows shall not exceed 1.5 metres in height (condition 9). However, this permission was temporary until 6 May 2006.

On March 6th 2006 an application (Ref 12579/APP/2006/673) was submitted to allow the continued use of the original maturation area for a further five years and was granted. The permission expired on 17th August 2011.

On May 18th 2006 another application (ref:12579/APP/2006/ 1524) was granted on 18/8/2006 for increasing the size of the maturation area (to allow operations to become more efficient). The permission expired on 17 August 2011.

On 19th February 2007 an application Ref: 12579/APP/2007/534 submitted to relocate the drainage lagoon to the northern end of the site. The application was approved on 24/5/2007. The permission expired on 16th August 2011.

Further planning permissions were granted in October 2011, for the above mentioned temporary approvals for an period of one year, to allow maturation operations to continue whilst this planning application and associated Environmental Statement were being prepared.

Highview Farm

A permanent planning permission ref: 39755/APP/2002/3026 dated June 2003 was granted for the reception building and associated infrastructure. A further permanent planning permission ref: 39755/APP/2006/1446 was granted in June 2006 for the erection of 16 further vessels (June 2006).

There are restrictions governing the level of use on this site to a maximum of 50,000 tonnes of waste per annum.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management

- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- EC2 Nature conservation considerations and ecological assessments
- EC3 Potential effects of development on sites of nature conservation importance
- EC5 Retention of ecological features and creation of new habitats
- MIN16 Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
- MIN18 Safeguarding of existing civic amenity and waste transfer sites
- MIN22 Restriction on development proposals involving waste disposal near sensitive land uses
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- OL5 Development proposals adjacent to the Green Belt
- LPP 5.12 (2011) Flood risk management
- LPP 5.17 (2011) Waste capacity
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 6.12 (2011) Road Network Capacity

LPP 7.14 (2011) Improving air quality  
LPP 7.16 (2011) Green Belt  
LPP 7.21 (2011) Trees and woodland  
NPPF  
NPPF10  
NPPF11  
NPPF9

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **25th December 2012**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

The application has been advertised as a development that does not accord with the provisions of the Development Plan. Site notices were posted and 18 adjoining owner/occupiers have been notified. In addition, Harefield and Ruislip Residents Associations were notified. No responses have been received.

### **GREATER LONDON AUTHORITY**

The Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 60 of the Stage 1 Report; However, there are possible remedies set out in paragraph 60 of that report which could address these deficiencies.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow

the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, a statement of any conditions the authority proposes to impose and (if applicable), a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

### **Stage 1 Report (Summary)**

No change to the size and form of the buildings on site are proposed. However, the intensification of the use may pose some negative impacts on the Green Belt and surrounding receptors and sites, some of which have SSSI designations. Similarly it may pose impacts on environmental receptors and thus the applicant will need to demonstrate that this proposal does not negatively impact on the openness of the Green Belt in line with National Planning Policy Framework paragraphs 87-89; 122-124.

Clarification is required from the applicant as to whether the IVC infrastructure has the capacity to process a further increase in tonnage of green waste. The EA has indicated through discussions that the IVC is subject of a condition which restricts its throughput to 50,000 tpa for environmental



reasons. However the planning statement presumes that the facility can increase its throughput as the IVC potentially has a capacity of 100,000 tpa, hence the proposal to trial an additional 25,000 tpa.

The GLA has been in liaison with the EA and it is understood that there is further work required on the part of the applicant to make this proposal acceptable. The GLA will require this information alongside the additional material specified within this report.

The GLA supports this proposal as it is contributing to increasing composting levels in London. The intensification of the land use for increased throughput is supported subject to all other environmental impacts being reviewed and there being no adverse impact from the intensification. The applicant is however requested to clarify the following:

- where the feedstock is coming from
- whether there is sufficient storage and drying maturation land space to accommodate the increased tonnage of green waste intake
- what the market is for the end product and
- whether the end product is pas 110 standard

It is not clear if the cumulative impact of this development and any other permitted development has been assessed and this should be clarified.

The Air Quality assessment indicates that there have been some complaints made. It is not clear whether these are to the EA, applicant or Hillingdon Council. The consultants opinion is that the level of complaints during the period is non-trivial.

The information on the following is also required: potential pathways, odour emissions, odour exposure criterion, background levels (of odour), model description, emission parameters. The outstanding information is required by the GLA and Hillingdon Council to assess the potential impact. It is expected that the EA will also raise such issues.

The operation will handle more waste material and therefore, without changes to the operation odour nuisance would be expected to increase. In addition, since the original operation was permitted by the EA the assessment criterion has become tighter, reducing from 5 ouE/m<sup>3</sup> as a 98th percentile to 3 ouE/m<sup>3</sup> as a 98th percentile.

Studies indicate that bio aerosols generated during composting are reduced to background levels within 200 metres of a source and the Environment Agency suggests a risk based approach where composting occurs within 250 metres of a receptor. As there are residential receptors within 250m of the windrows a bio aerosol risk assessment should be provided.

The year of the data should be specified in para 6.68 of the AQ assessment. Ideally several years data should be considered as year to year variation can occur, for instance, in 2010 there was a significant proportion of winds from the northeast. However, this data is not directly used to assess impact and therefore looking at further years would not add anything to this report.

Further work and clarification is required to fully assess the application in terms of noise. The report should be updated to fully address any relevant planning and noise requirements of London Borough of Hillingdon and wider London planning & noise policies. A full BS4142 assessment should be carried out at the nearest noise sensitive receptors including St Leonards Farm and Elm Tree Farm.

The site lies in close proximity to numerous SSSI sites and nature reserves. it is also on the Green Belt and as such Natural England has advised the applicant to undertake an assessment of protected species at the site and to consider the Council's Biodiversity Action Plan (BAP). The

applicant should refer to London Plan policy 7.19 (biodiversity and access to nature) to ensure that its assessment is compliant with the London Plan.

#### Water Supply/Land Contamination

The Council to mitigate against [potential groundwater pollution] and will require the imposition of conditions to prevent such pollution.

TFL recommends that a construction logistics plan (CLP) and a delivery and servicing plan (DSP) are submitted for approval by Hillingdon Council and suggests this is secured by condition.

TFL recommends that the proposals are supported by a travel plan. Although one is not required for the scale of the development, it is suggested that one is devised to encourage sustainable travel. TFL also suggest additional cycle parking is provided on site to encourage sustainable travel.

(Comment: The applicant has responded to the points raised in the GLA Stage 1 report and the issues have been addressed in the main body of the report. There is no construction phase. A delivery service plan/travel plan has been secured by condition).

#### ENVIRONMENT AGENCY

This site is in an extremely sensitive location for groundwater quality and resources. The site lies within a Source Protection Zone (SPZ1) designated to protect the groundwater source in the chalk below. As this groundwater will be abstracted for public water supply nearby it is important that its quality is protected at present and for the future. We would normally object in principle to new developments of this nature in this location. However having reviewed the details of the application, we are satisfied that this is classed as intensification rather than new development. As this planning application seeks to increase the tonnage processed on site by 50% and is not new development we have no objections to the proposed planning application as submitted, subject to the inclusion of the following planning conditions detailed below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

#### Condition 1

##### Hydrogeological Risk Assessment

Within 12 months of the granting of planning permission (or other date as may be agreed in writing by the Local Planning Authority), a Hydrogeological Risk Assessment (HRA) for the activity on site must be submitted to and approved in writing by the Local Planning Authority. The findings of this assessment shall be implemented as approved.

The HRA will include:

- 1) The collection of relevant site specific data to characterise the aquifer and local geological conditions.
- 2) A Detailed Quantitative Risk Assessment (DQRA) which will consider the risk the operation and current management techniques pose to groundwater should be produced, based on the findings of part 1).
- 3) Based on the risks identified in part 2), a review of available mitigation measures should be undertaken and following interpretation of the DQRA and the available mitigation measures, proposals to minimise risks to groundwater should be undertaken and justified.
- 4) Recommendations and findings of part 3 should be provided in the HRA.

#### Reasons

Ongoing development and intensification of this site poses a significant risk to groundwater. The application as submitted fails to give adequate assurances that the risks the activity poses to groundwater are fully understood or that the sensitivity of the environmental setting has been appropriately considered. As previously identified in our response dated 16 March 2012 and supported by our position in GP3 (Groundwater: Protection, Policy & Practice), a more in depth assessment is required to assess the risk at this site. The site is located above a principal aquifer and within 50 days travel time of the public abstraction (SPZ1) at Ickenham. This abstraction point is a very sensitive receptor and requires a high level of protection to conserve water resources to provide public drinking water in the area.

#### Condition 2

Surface Water Drainage scheme to be agreed

The development (the increased tonnage) hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

#### Reasons

To ensure that all drainage from the site is adequately managed to protect the quality of the sensitive groundwater. The existing use has the potential to impact the quality of the water within the aquifer. We support the commitment to upgrade the drainage system, as mentioned in chapter 6 of the Environmental Statement (SLR, Sept 2012).

#### Condition 3

SUDS Infiltration of surface water into ground

No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

#### Reasons

To ensure that all drainage from the site is adequately managed to protect the quality of the sensitive groundwater. This condition will complement but not duplicate any drainage conditions in the environmental permit. This is due to the permit controlling waste management areas and this condition applying to all other areas of the site.

We support the proposed upgrade to the drainage system, as mentioned in chapter 6 of the Environmental Statement (SLR, Sept 2012).

To ensure that the relevant aims and objectives of the Water Framework Directive are met. The Radlett Tertaries and mid-Chilterns Chalk groundwater body management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination entering the land on site or in the catastrophic failure scenario could cause deterioration of a quality element to a lower status class and/or prevent the recovery of a protected area because it would:

- result in failure of the prevent or limit objective for groundwater and cause rising trends in chemicals in the waterbody and result in release of priority hazardous substances.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

#### Condition 4

Flood Risk

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) SLR Ref: 416.00996.00006 August 2012 and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

#### Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

#### Advice to LPA/Applicant

##### Infiltration

Of the drainage options for a site, infiltration techniques generally pose the highest risk of polluting the groundwater. Therefore, some general information is provided below in relation to the use of infiltration techniques. Ultimately, any drainage design must be protective of the groundwater and in line with our Groundwater Protection Policy (GP3) for the use of infiltration techniques to be approved.

- infiltration should not be focused in areas where ground contamination has been identified. Surface water infiltrating through contaminated ground can mobilise contaminants and result in pollution of the groundwater. If contamination is present in areas proposed for infiltration, we will require the removal of all contaminated material and provision of satisfactory evidence of its removal;
- the point of discharge should be kept as shallow as possible to ensure the maximum distance between the point of discharge and the groundwater table is achieved. Deep bored infiltration techniques are not acceptable;
- the point of discharge should not intercept the groundwater table;
- the distance between the point of discharge and the underlying groundwater should be a minimum of five metres;
- only clean, uncontaminated roof water should be discharged into the ground within SPZ1.

##### Environmental Permitting

There is a history of odour complaints in the local area from this composting activity, and also from a nearby composting operation. The operator has submitted additional documentation relating to the odour management and any other improvements to operations, in light of the proposed increased tonnages. These are currently being reviewed by our Environmental Management team as part of the permitting regime. Please note that we have not reviewed these documents as odour is not one of our considerations when commenting on planning applications.

(Comment: These conditions have been incorporated in the recommendation for approval).

#### NATURAL ENGLAND

The continuation of existing recycling operations at land to the North and South of New Years Green Lane for an organic composting facility operation to handle a maximum throughput of up to 75,000 tonnes per annum of organic waste for a temporary period of five years Location: West London composting land & land to the north and south of New Years Green Lane Harefield.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This application is in close proximity to Ruislip Woods Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Aside from the comments on designated sites above, we would expect the LPA to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

#### Protected species

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on BAP and protected species and their consideration in the planning system.

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments.

#### Paragraph 98 and 99 of ODPM Circular 06/2005 Page 2 of 2

This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

#### Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, e.g. Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application.

#### Local landscape

Natural England does not hold information on local landscape character, however the impact of this proposal on local landscape character (if any) is a material consideration when determining this application. Your authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assessed the impacts of this development (if any) as part of the determination process.

#### Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Section 40(3) of the same Act also states that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

Should the proposal be amended in a way which significantly affects its impact on the natural

environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

## TRANSPORT FOR LONDON

### Site and Surroundings

The West London Composting Land site is split across two separate areas of land located north and south of New Years Green Lane. The majority of the northern site is bounded by open land, with 4 residential units to the south west and St Leonard's Farm to the south east of the site, the south boundary is New Year s Green Lane. The south site is bounded by New Years Green Lane to the north, open land to south, east and west with Elm Tree Farm situated to the north east of the site.

The nearest section of Transport for London Road Network (TLRN) is the A40 Western Avenue, which lies 2.6km to the south of the site. The nearest section of the Strategic Road Network (SRN) is the A404 Rickmansworth Road located approximately 3.5km north of the site.

Bus route 331 operates between Ruislip Station and Belmont Road; this can be accessed from Leaholme Way, approximately 1km from the site. West Ruislip Station which is 2km to the east of the site and provides both a Central line service between Epping and West Ruislip and mainline service to Marylebone and Gerrards Cross. The West London Composting Land site is estimated to have a poor Public Transport Accessibility Level (PTAL) of 2, on a scale of 1-6 where 6 is most accessible.

The site is located on New Years Green Lane, which is not part of or in close proximity to either the TLRN or SRN. Therefore TfL is satisfied that the proposed development is unlikely to impede vehicle movements on the TLRN or SRN.

TfL recommends that a Construction Logistics Plan (CLP) and a delivery and Servicing Plan (DSP) are submitted for approval by Hillingdon Council and suggest this is secured by condition.

In accordance with London Plan policy 8.3, Community Infrastructure Levy, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within the Borough of Hillingdon, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

HAREFIELD RESIDENTS ASSOCIATION: No response.

RUISLIP RESIDENTS ASSOCIATION: No rsonse.

### WARD COUNCILLOR

I have previously informed Jean Palmer of ongoing air quality problems emanating from this site, and I have also had several meetings with the Environment Agency in the last few years to discuss this problem. A series of "action plans" have failed to resolve this, and on one occasion the waste licence was rescinded by the EA. Whilst I welcome any changes which might help to improve the situation - the prospect of an increase in waste throughput does concern me at a time when I am hearing from residents about air quality blight on a regular basis. I believe this to be a genuine planning consideration - and would be unhappy to see this granted without getting the best possible advice on measures which will prevent these air quality problems in the future - and with appropriate conditions. I would also question whether the road network will be adequate to deal

with increased vehicle movements.

(Comment: Odour issues would be addressed by conditions on the Environmental Permit issued by the Environment Agency. Additional conditions for odour control are recommended for the open maturation site. These issues have been covered in the main body of the report).

### **Internal Consultees**

#### **POLICY AND ENVIRONMENTAL PLANNING**

Proposal: The continuation and formalisation of existing recycling operations for an In Vessel Composting Facility (IVC) operation to handle a maximum throughput of 75,000 tonnes per annum of organic waste for a temporary period of five years.

#### **West London Waste Plan**

1. Plan status: The draft West London Waste Plan (WLWP) Proposed Sites and Policies Consultation Document (February 2011) is a material consideration - it has been published for public consultation.

2. WLWP Policy 1: Waste development on sites not listed for safeguarding will need to comply with other WLWP policies. The site has not been identified as a waste management site considered having potential for development; as an existing waste treatment use it is safeguarded by the WLWP (in line with London Plan policy 5.17 G (a)).

3. WLWP Policy 2: All waste development proposals will be required to demonstrate

- adequate means of controlling dust, noise, odours and other emissions
- no significant adverse effects on established, permitted or allocated land uses and where necessary produce an Environment Impact Assessment
- that the development is of a scale, form and character appropriate to its location
- the development has no significant adverse effects on biodiversity
- no significant impact on the quality of surface and ground water

4. Composting: European, UK legislation and the London Plan require increasing amounts of waste to be recycled, composted and processed in facilities closer to the source of waste. The WLWP supports the management of waste according to the waste hierarchy as identified in the Waste Strategy for England (2007, DEFRA) and the London Plan, which states that we should firstly try and reduce and reuse waste, then recycle waste into useful materials and if this is not possible, recover energy from waste before considering disposal of waste (usually landfill) as a last resort. The waste hierarchy is as follows:

- Waste Prevention (First)
- Re-use
- Recycle/compost
- Energy recovery
- Disposal (Last)

5. Location within Green Belt: The site is located within designated Green Belt and as such, any intensification would be inappropriate and go against National, Regional and Local Green Belt policy.

The National Planning Policy Framework (March 2012) core planning principles include protecting the Green Belt. Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The use is not one

specified at paragraphs 89 and 90 as an appropriate use for locating in the Green Belt.

6. Intensification of use: The proposal is to increase the throughput from 50,000 tonnes per annum of organic waste to 75,000 tonnes per annum. This is an increase of 50%, and it seems likely that such an intensification of use would create a number of adverse environmental impacts e.g. through increased traffic generation, operational noise and odour.

7. Adverse effects - noise, odours: Noise - The GLA report notes that the applicant has submitted a noise assessment but that there are matters that need further clarification. One such matter is the choice of noise measurement locations. The ones identified in the noise report were not the closest noise sensitive receptors available, and therefore the actual noise levels for residential units closest to the composting site might be significantly higher than those reported.

Odours - the GLA report notes that although the odour is within the remit of the Environment Agency (EA) and controlled under the existing environmental permit, there have been odour complaints over a long period regarding the site (para. 37). An enforcement notice was issued in 2009, and an Odour Management Plan was required as part of the permit. However, the Odour Impact Assessment is incomplete. It is expected that the increase in waste throughput will increase odour nuisance.

8. Road traffic: According to the GLA, the site will give rise to 30 extra vehicle movements per day. An independent assessment by the GLA states that the impact from road traffic emissions will be negligible. However, the current number of vehicle movements per day is not stated. It is possible that additional vehicle movements could have a substantial impact on local traffic, local residential areas and noise levels.

9. Biodiversity: The site lies close to several SSSIs, nature reserves and woods. According to the GLA report, Natural England has advised the applicant to undertake an assessment of protected species at this site (biodiversity impact assessment). The WLWP requires all applications to demonstrate that the development has no significant adverse effects on biodiversity.

10. Water contamination: WLWP Policy 2 requires all applications to demonstrate that the development will have no significant impact on the quality of surface and ground water. According to the GLA report, it is apparent that this proposal for intensification is likely to lead to ground water pollution (para.50) which would be against WLWP Policy 2.

11. Proximity to residential development: As well as the farms and public house mentioned in the GLA report, there is a major residential development within 750 metres of the site. Intensified operations on the site are likely to increase noise, odours and traffic impacts on neighbouring developments and need to be taken into consideration.

12. Conclusion: Whilst the WLWP is committed to minimising waste and ensuring that waste is managed as far up the waste hierarchy as possible, it also seeks to protect the environment and balance the needs of west London's communities.

Ideally, the composting facility should be located somewhere more suitable, outside the Green Belt. Due to the many negative impacts that are affecting the environment and local communities with the current level of throughput, the WLWP would not support an increase in tonnage of waste throughput.

FLOOD AND DRAINAGE OFFICER

The proposals put forward, which include improvements to the surface water management system,



to ensure water quality is managed, are considered acceptable. These will also have benefits to ensure that surface water is managed for all return period rainfall events, including climate change.

The standard SUDS condition would be appropriate.

## ENVIRONMENTAL PROTECTION UNIT (EPU)

### Air Quality

The following information was submitted with the application for air quality:

- Chapter 6 of the Environment Statement Volume 2A Air Quality by SLR, dated September 2012

Chapter 6 did not include an air quality assessment. There was some review of odour issues from the existing development. We are not recommending any specific air quality conditions for the following reasons:

- The development site is located outside of the AQMA and the additional capacity would result in up to 30 more vehicle movements a day (the reason for a lack of air quality assessment, although the transport assessment suggests there will be an additional 22 vehicle movements a day);
- The development does not appear to include a construction phase;
- Odour issues at the site have been identified in the air quality review. These can be addressed by conditions on the Environmental Permit by the Environment Agency, as they have been to date; and
- As the site is located within the LEZ (Low Emission Zones) it is assumed the vehicle fleet are compliant with LEZ requirements (where this is not the case, it may be necessary to include the Fleet Management Condition).

The following was noted when reviewing chapter 6 and 7 of the Environment Statement:

- It is not clear why air quality impacts on the SSSI (Ruislip woods) to the north of the site were not considered as part of the air quality review. There is no reference to this in the air quality chapter although in chapter 10 Cumulative Impacts, it states the potential effects of air quality emissions on ecological receptors has also been considered with regard to the existing background and no exceedances of applicable standards are predicted, so no cumulative impacts as a result of the proposed increase in tonnage have been identified.

- The Transport chapter (7) indicates at present there are 56 inbound vehicles and 56 outbound vehicles per day and this will increase to 67 inbound vehicles and 67 outbound vehicles per day. Condition 13 on planning permission 12579/APP/2006/1524 indicates vehicle movements should be limited to 26 in and 26 out per day. It is not clear if the above figures are accurate and if a written application to vary this condition was submitted.

It is advisable to include updated versions of planning conditions 13, 17, 18 and 19 on planning permission 12579/APP/2006/1524 on any new approval, to limit emissions from the development.

## CONTAMINATION

Odour: This is within the remit of the EA and controlled under the environmental permit. There have been odour complaints over a long period regarding the site and this has been an issue with some Member involvement. Given the permit the EPU has been working in a liaison role between residents, the EA and West London Composting, 'WLC'. As odour emissions from the site are controlled under the Environmental Permit, complaints are now referred by the EPU to the Environment Agency, or more often made direct to the Agency on their hotline. The permit covers the North and South areas of the site. There is an Odour Management Plan, 'OMP' for the site. The

current version dates to 2009 following an enforcement notice dated 15/2/2009 by the EA. The OMP is a requirement of the permit and odour is controlled by two conditions, 3.4.1 and 3.4.2 of permit, EPR/UP3893EC dated 29/3/2011. The EA have indicated that they will vary the permit given the increased tonnage from 50,000 to 75,000 tonnes. As a consequence the EA indicate they will require an assessment of the odour implications, and modifications to the OMP if necessary. The Council is consulted on variations to environmental permits and will receive the details of any proposed changes to the permit conditions for comment.

Some of the permissions being consolidated have odour conditions. The odour conditions seem to apply to the northern maturation site, requiring an odour suppression system around this part of the site (where the maturation mounds are rather than the southern composting vessels area). We consider that odour will be controlled under the permit using the OMP. However the conditions for the northern area could be retained to protect the adjacent cottages from any odour from the maturation heaps. Odour can emanate from both the north and south areas and the odour controls in the OMP are quite detailed, including process controls for the vessels.

I would advise an informative explaining that odour is controlled under the EA permit is added to any new permission. There is an informative on 12579/APP/201/1991 indicating that the EA have other requirements but this probably needs to clarify that environmental matters are controlled by an EA permit under the Environmental Permitting Regulations 2010 as amended.

I would also recommend adding a condition:

Any modifications to the current 'Odour Management Plan' as agreed under the environmental permit with the Environment Agency shall be submitted to the Council by the developer within 2 weeks of issue'.

Reason: To ensure that the LPA are updated on the current and future odour controls at the site in accordance with Policy OE6 of the Hillingdon UDP Saved Policies 2007 .

Contaminated Land: As regards the contaminated land information, there have been site investigations by SLR consultants at the development, and the site investigations for the northern maturation area are included in the Environmental Statement. These are reports from 2005, 2006, 2007 and 2011. All of the investigations were for the northern area apart from the 2007 report which was on the area for the extension of the in-vessel composting units to the south. One of the northern reports was for an old pig slurry pit in the field beyond the site boundary. The 2007 report was submitted with the application to extend the in vessel area in 2007 but I cannot find this report in the ES. The reports show that there was some fill on the Northern maturation area but there did not appear to be a human health risk in the locations given the commercial use. Likewise the 2007 report showed some fill and contamination in the southern area, but a low risk was again concluded given the commercial use. The risk would be low and therefore we would not be looking for a further site investigation on the land if permission is given for this development.

From the previous reports by SLR consultants there does not appear to be a significant human health risk given the commercial use. Therefore we would not require further contaminated land investigations at this site as regards human health.

Groundwater Issues: This is within the remit of the EA and they have made their concerns clear in their consultation letter. However the EPU has a strong interest in the groundwater quality in the area given the issues with pollution from New Years Green Landfill Site. SLR consultants have advised an up-gradient and down-gradient borehole. This would mean a borehole on the maturation area and south of the composting site. Currently we are discussing installing boreholes using EA funding south of the site for our investigations of New Years Green landfill and the public water supply borehole. The EA are looking to prove that there is sufficient depth of clay so there is no risk to groundwater as indicated by SLR consultants. It is likely that the EA will require this

information. The ES provides information on 'Hydrogeology and Hydrology' and references many of the investigations carried out on groundwater pollution in the area, the composting site falling into the source protection zone of the public water supply.

Having referred to previous permissions now being consolidated, it appears the main conditions are the odour conditions, one on the odour system around the maturation plant and one on the restriction of wastes to organic biodegradable (eg's: condition 8 and condition 9 of 12579/APP/201/1991 or condition 14 and condition 15 of 12579/APP/2006/1524). Providing these do not conflict with the permit, they could be retained. There are also some noise conditions that are still required (eg: conditions 14 and 17 of 12579/APP/2006/1524).

#### TREES AND LANDSCAPE OFFICER

LANDSCAPE CONTEXT: The site is occupied by an existing food and green waste composting operation at land to the north and south of New Years Green Lane. Many of the trees and hedge screens which exist on site were planted in compliance with previous planning approvals associated with the current land use. Trees on the site are not protected by Tree Preservation Order or Conservation Area designation, although they are to be retained and managed in accordance with the approved plans.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other significant landscape features will be affected by the proposal
- The increased throughput will be accommodated and processed utilising the existing facilities and space required for the current (approved) operations of 50,000 tonnes per annum.
- The native woodland planting along the site boundaries, planted in accordance with previous applications, is now well-established and is providing a visual screen and natural buffer between the site activities and vantage points from the surrounding Green Belt - including Bayhurst Wood to the north and local public footpaths.
- Following the successful establishment of the planted buffer on the western boundary of the maturation site (north side of Newyears Green Lane) a line of golden conifers has been established to provide an evergreen re-inforcement at the top of the slope. This will become an alien feature in the Green Belt if it is permitted to grow unchecked. It is recommended that this hedge should be annually maintained at a maximum height of 4 metres in order to protect the visual amenities of the locality.

RECOMMENDATIONS: No objection, subject to the above considerations and a condition to retain existing shelter belts and hedge planting and to restrict the height of the golden conifer hedge to 4 metres above ground level

#### S106 OFFICER

The Highway Engineer has advised that there will be a need for highway improvements to the carriageway at the entrance to the site. S106 and highways agreements will need to be entered into, to secure these works. I do not consider there to be any other planning obligations required as a result of this proposal.

#### HIGHWAY ENGINEER

Further to undertaking a site visit and an assessment in relation to the above, I would comment as follows.

The development proposals are for the continuation of the existing composting operation at the site

and to allow for an increase in capacity from 50,000 to 75,000 tonnes per annum. The increase in capacity will be contained within the existing site and will not require additional staff, plant or equipment to be provided.

As part of the development, it is proposed to widen and resurface a section of carriageway adjacent to the western site access to provide an improved link between the north and south of the site along New Years Green Lane.

When considering the proposals it is noted that New Years Green Lane is narrow highway, which varies in width. However, there are a number of passing places located along the carriageway, which allow vehicles to pass side by side. Additionally, it is noted that mud and other debris are brought onto the carriageway by vehicles travelling between the north and south of the site over the adjacent highway.

In order to identify the impact of the development along the adjacent highway network, a Transport Assessment (TA) has been included within the Environmental Impact Assessment submitted with the planning application. The TA considers the increase in vehicle trips based on the existing operation at the site and provides a capacity analysis of the priority junction of New Years Green Lane and Breakspear Road South. Additionally, an analysis of accidents along the surrounding highway has been undertaken.

When determining the additional traffic generated from development proposals, it is considered that there will be an increase of 48 two way trips during the working day (between 0730 hrs and 1800 hrs) above that of the existing operation at the site. This will include 24 additional two way trips by HGV's, equating to an overall total of 82 two way HGV trips generated by the development based on an output 75,000 tonnes per annum.

As a result of the increase in vehicle trips, an assessment of the junction of New Years Green Lane and Breakspear Road South has been undertaken, which has demonstrated that the junction will continue to operate within capacity during the future year assessment 2017 in both the AM and PM peak hours, with additional trips assigned to the highway network.

Analysis of accidents along the highway adjacent to the site has been undertaken for a 5 year period up to October 2011. It is noted that the study area within the TA extends from the development site to the junction of the A40, some 3.5km to the south. However, for the purpose of this assessment, consideration has been given to those accidents that occurred adjacent to the site.

The analysis has identified that no accidents have occurred along New Years Green Lane during the study period or at the junction of New Years Green Lane and Breakspear Road South. However, 4 accidents occurred at the junction with New Years Green Lane and Harvil Road, 3 of which were classified as slight and 1 classified as fatal. Additionally, 5 accidents have been identified at the junction of Breakspear Road and Breakspear Road South, which were classified as slight.

From the analysis it is noted all accidents involved cars except for one, which involved a motorcycle and it has been demonstrated that all accidents occurred due to driver behaviour. Therefore, it is considered that there are no established patterns identifying specific road safety issues that relate to the current operation of the site.

When considering the proposed improvements along the highway adjacent to the western access to the site, it is noted that the carriageway will be widened and resurfaced to provide an improved link between the north and south of the site. It is clear that these works are required as a result of continued use by large vehicles transporting compost within the site, which has caused significant

damage to the carriageway. As a result, the carriageway at this location is required to be reconstructed and strengthened and not just resurfaced, to allow for the continued and increased use at the site. The extent of the works are shown on drawing 001 Proposed Highway Improvements (February 2012), provided as part of the TS.

Therefore, it is considered that the development would not be contrary to the policies of the adopted Hillingdon Local Plan, 2012, (Part 2) provided that a suitable planning condition/S106 Agreement is imposed on the planning consent, requiring the following.

- 1 The total number of traffic movements to and from the site shall not exceed 100 in and 100 out in any one day.
- 2 The total number of HGV movements (those vehicles above 7.5t) to and from the site shall not exceed 50 in and 50 out in any one day.
- 3 The highway improvements that are proposed as part of the development access shall also include for the strengthening of the carriageway, which shall be implemented prior to any increase in capacity/production at the site, at the applicants expense.
- 4 Wheel-washing facilities are required to be provided prior to any increase in capacity/production within both parts of the site, adjacent to the western access and thereafter retained for the lifetime of the development.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The application seeks an intensification of use of the composting facility at both Pylon and Highview Farms and an extension of the temporary use of the maturation site (Pylon Farm), both for a period of 5 years. With regard to Pylon Farm, the existing open composting, although contrary to Green Belt Policy, was previously considered to outweigh the harm to Green Belt objectives. National and local requirements to increase green waste recycling still apply and it is considered that this need continues to constitute the very special circumstances to justify inappropriate development. This policy justification is set out below.

The application site is located in the Green Belt and both the London Plan and the Hillingdon Local Plan (parts 1 and 2) contain policies based on national guidance enshrined in the NPPF, which seek to protect Green Belts from inappropriate development, unless very special circumstances have been demonstrated.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

'The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance'.

Policies in the Hillingdon Local Plan endorse national and London Plan guidance. Strategic Part 1 Policy EM2: (Green Belt, Metropolitan Open Land and Green Chains) states that the Council will seek to maintain the current extent, hierarchy and strategic functions of the Green Belt, Metropolitan Open Land and Green Chains and that any proposals for development in Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test.

Local Plan Part 2 Policy OL1 states that within the Green Belt, as defined on the Proposals Map, the following predominantly open land uses will be acceptable:

- Agriculture, horticulture, forestry and nature conservation;
- Open air recreational facilities;
- Cemeteries

Commercial composting, if it is not small scale or ancillary to a residential or farm use, is normally considered to be an industrial use, being a form of recycling, where waste undergoes a process that will break down the matter and be converted into useable material. In principle this type of use is to be encouraged (policy MIN16 of the Hillingdon Local Plan: Part 2 Saved UDP Policies) in an appropriate location. However, proposals for industrial and waste uses are not normally considered appropriate in a Green Belt location. The continued use of the maturation site (Pylon Farm) for composting is therefore contrary to Saved Policy OL1 of the Local Plan part 2 and constitutes inappropriate development within the Green Belt. It is therefore necessary to demonstrate very special circumstances as to why it should be located and continue to operate from this location. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The very special circumstances for this proposal are set out below:

- The need to achieve national, regional and local recycling and composting targets and move to more sustainable waste management options;

Government planning policy is primarily set out in the National Planning Policy Framework (NPPF). However the NPPF does not contain waste planning policies, as these will be set out in the forthcoming National Waste Management Plan. PPS10: Planning for Sustainable Waste Management therefore remains in place until the National Waste Management Plan is published. These address general principles and policies, together with detailed guidance on waste management, and form a material consideration to the consideration of a planning application.

PPS10 focuses on achieving a step change in the way waste is handled and moving the management of waste up the waste hierarchy of reduction, re-use and recycling. Paragraph 1 of PPS10 recognises that in achieving a more sustainable waste management framework, this can only be achieved through significant new investment in waste management facilities.

PPS10 looks for the achievement of sustainable waste management based on the following objectives:

- Help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option but one which must be adequately catered for;
- Provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- Help implement the national waste strategy, and supporting targets, and are consistent with obligations required under European legislation;
- Help secure the recovery or disposal of waste without endangering human health and without harming the environment and enable waste to be disposed of in one of the nearest appropriate installations;

- Reflect the concerns and interests of local communities, the needs of waste collection authorities, waste disposal authorities and business and encourage competitiveness; and
- Protect green belts but recognise the particular locational needs of some types of waste management facilities when defining detailed green belt boundaries and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management are material considerations that should be given significant weight in determining whether proposals should be given planning permission.

Policy EM11 of the Hillingdon Local Plan: Part 1- Strategic Policies deals with waste management and aims to reduce the amount of waste produced and to work to identify and allocate suitable new sites for waste management facilities within the Joint West London Waste Plan. It also commits the Council to promote waste as a resource and encourage increased re-use and recycling and to maximise the use of existing waste management sites through intensification and co-location. The proposed development is therefore considered to comply with Policy EM11, by seeking to maximise the use of an existing waste management site.

Relevant Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) waste policies include MIN16, which encourages the provision of facilities for the efficient and environmentally acceptable recycling of waste materials with which the proposed development complies.

MIN18 safeguards existing civic amenity and waste transfer sites. Although this facility does not fall strictly into the aforementioned categories, it is considered that this approach could also be applied to other types of waste management facilities, such as the application site.

The applicant has also put forward a case for the need of the development. The applicants currently have contracts with 3 of the 6 constituent boroughs of the West London Waste Authority (West Waste), to accept green waste and household foodstuffs from kerbside and civic amenity collections and submits that they need this facility to continue to operate. The current facility enables the applicant to accept all of the contracted green waste and kerbside collected foodstuffs from the Borough and West Waste, thus meeting the requirements of the local market and conforming to the proximity principle.

The proposed development is considered to be in accordance with the need to achieve national, regional and local recycling and composting targets and move to more sustainable waste management options. The composting of organic material is considered to be in accordance with the objectives for sustainable waste management, as it will maximise the recovery of materials which would have previously been landfilled. By driving the management of this waste up the waste hierarchy, it will contribute to relevant national, regional and local targets for recycling.

- The need to maintain existing and provide additional capacity within London, to enable the sufficient and timely provision of waste management facilities to meet the needs of the local community;

The London Plan (July 2011) Policy 5.16 (Waste Self Sufficiency) seeks to ensure that as much as London's waste as practicable is managed within London and that authorities work towards zero biodegradable waste to landfill by 2031. It is considered that the proposed continuation of composting activities, with an increase in capacity, will help to

deliver both elements of this policy.

London Plan (July 2011) Policy 5.17 (Waste Capacity) identifies the criteria against which proposals for waste management will be evaluated. This includes: locational suitability, proximity to waste, nature and scale of activity, positive carbon outcome of waste treatment method, environmental impact on the surrounding area and the transport related impacts. It also seeks land to manage the Borough waste apportionments to come forward through protecting and facilitating the maximum use of existing sites. The continuation of composting activities at an existing site, which has already been considered and found acceptable for this use, is considered to comply with this policy.

Paragraph 5.76 of the London Plan recognises that increasing London's waste processing capacity is a major mayoral priority. The proposed development will help deliver this objective. It is considered that the development proposals would provide additional capacity and would be in compliance with the waste policies of the London Plan, to allow for greater waste processing capacity within London.

With regard to this application, the Mayor in the GLA Stage 1 report supports the intensification of the land use for increased throughput, as it would contribute to increasing composting levels in London, subject to all other environmental impacts being reviewed and there being no adverse impact from the intensification. It is considered that the continuation of this facility will enable the Borough to continue to provide a local composting facility, without which waste would have to be exported from London for treatment.

It is noted that with respect of the application site, the loss of this facility would lead to an immediate shortfall in capacity and would lead to waste being exported from London for treatment, contrary to the aims of the London Plan.

· The lack of suitable alternative sites identified in the emerging West London Waste Plan;

Consideration has also been given to the emerging Local Plan. Of particular weight is the West London Waste Plan. Six west London Boroughs (Brent, Ealing, Harrow, Hounslow, Hillingdon and Richmond upon Thames) have joined together to prepare the West London Waste DPD, known as the West London Waste Plan in the plan area up to 2026. The draft West London Waste Plan (WLWP) Proposed Sites and Policies Consultation Document (February 2011) is a material consideration and has been published for public consultation. WLWP Policy 1 states that waste development on sites not listed for safeguarding will need to comply with other WLWP policies. This site has not been identified as a waste management site considered having potential for development. However, as an existing waste treatment use, it is safeguarded by the WLWP, in line with London Plan policy 5.17 G (a).

Whilst it is noted that the application site is not allocated within the WLWP, the plan does outline the approach towards unallocated sites, which includes the need to demonstrate that the allocated sites are not suitable for the use proposed, that identified sites have not come forward and there is an emerging shortfall in capacity.

The sites currently allocated in the West London Waste Plan appear to be industrial sites, which are not always best suited to accommodating composting facilities, which require a more rural location, with a large land take for the open maturation phase of the composting process.



- The environmental and economic advantages of locating waste management facilities as close as practicable to where the waste arises without having an unacceptable impact on those communities.

The principle of composting development at this location on a permanent basis for up to 50,000 tonnes per annum has already been established on Highview Farm and a series of temporary permissions for the maturation site have been granted over the years for the maturation site at Pylon Farm.

The underlying principles of current National and Regional planning policy and guidance relate to the Proximity Principle, the Waste Hierarchy and Regional Self-Sufficiency.

With regard to particular locational needs, the applicant has submitted that these are;

- the need for the open maturation of the compost after the in vessel stage and
- the principle use of the compost produced being applied to agricultural land.

Composting facilities, both for green waste and in-vessel, are therefore considered to be best suited to a more rural location, where the required site area is available and a suitable accommodation with adjoining uses can be achieved, rather than established industrial sites. It is therefore considered that this proposal has particular locational needs.

In addition, PPS10 acknowledges that, whilst Green Belts should be protected, the particular locational needs of some types of waste management and that the wider environmental and economic benefits of sustainable waste management are material considerations that should be given significant weight in determining whether proposals should be given planning permission.

## CONCLUSION

It is considered that the reasons given above are the very special circumstances to justify the intensification of use of the composting facility and the continued temporary use of green waste maturation site for a 5 year period, to the extent that the harm on the openness of the Green Belt has been outweighed. Therefore, even though the use is contrary to Policy OL1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), no objections are raised to the principle of the development.

### **7.02 Density of the proposed development**

Not applicable to this development.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Not applicable to this development.

### **7.04 Airport safeguarding**

Not applicable to this development.

### **7.05 Impact on the green belt**

The change of use from agricultural land to an open composting maturation site and the intensification of use of the facility as a whole will involve development within the Green Belt, Colne Valley Park and within proximity to nationally protected woodland. There is therefore potential for long-term effects on biodiversity, landscape character, visual impacts on these areas and on the amenity of the Green Belt for its users.

However, there are no physical changes proposed as part of this application. The original proposal for the maturation site (Pylon Farm) included young woodland and hedgerow plantations to the north and west of the site, to provide shelter and visual screening. This

planting was required, in order to screen and mitigate the visual impact of the windrows when viewed from surrounding public footpaths. These existing hedgerows and field/hedgerow trees around the site are now established and will not be affected by the proposal.

The site is an existing waste management facility and no new buildings or extension of the currently permitted area is sought. The proposal is to utilise spare capacity within the existing composting facility. The assessments undertaken in the ES demonstrate that there will be no material increase in impacts as a result of the proposed increase in tonnage and emissions will continue to be controlled by the Environmental Permit regime.

The permission is for a temporary period and given there is no increase in buildings or operational area of the composting facility, it is considered that there will be no additional impact on the openness of the Green Belt as a result of the proposed development, in compliance with Policy OL5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### **7.06 Environmental Impact**

Environmental considerations relating to this application, namely air and ground water quality, have been addressed in the relevant sections of this report.

#### **7.07 Impact on the character & appearance of the area**

This issue has been dealt with at Section 7.07 above.

#### **7.08 Impact on neighbours**

The main impact on neighbours arising from the continued use of the composting facility relate to air quality and noise. These matters have been dealt with in relevant sections of this report.

#### **7.09 Living conditions for future occupiers**

Not applicable to this application.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Policies AM1, AM2, AM7, AM9, AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) are concerned with traffic generation, road capacity, on-site parking, access to public transport and provisions for parking for people with disabilities.

A Transport Assessment (TA) has been included within the Environmental Impact Assessment, submitted with the planning application. The TA considers the increase in vehicle trips based on the existing operation at the site and provides a capacity analysis of the priority junction of Newyears Green Lane and Breakspear Road South. Additionally, an analysis of accidents along the surrounding highway has been undertaken.

In terms of the additional traffic generated from development proposals, the Highway Engineer estimates that there will be an increase of 48 two way trips during the working day (between 0730 hrs and 1800 hrs) above that of the existing operation at the site. This will include 24 additional two way trips by HGV's, equating to an overall total of 82 two way HGV trips generated by the development, based on an output 75,000 tonnes per annum.

An assessment of the junction of Newyears Green Lane and Breakspear Road South has been undertaken, which has demonstrated that the junction will continue to operate within capacity during the future year assessment (2017) in both the AM and PM peak hours, with additional trips assigned to the highway network.

It is noted that Newyears Green Lane is unsuitable for HGV traffic for much of its length, due to the width of the road and further traffic increases ought to be discouraged. The applicants have already implemented measures to ensure that delivery and collection vehicles use only the short stretch of Newyears Green Lane, between the site and Breakspear Road (South). These measures include site signage and profiling the junction to the access road to Highview Farm, so that vehicles are physically prevented from turning towards Harvil Road. In addition, operators are informed of the preferred route for all vehicles entering and leaving the site. These measures were secured by conditions on the previous consents and have been incorporated into the Waste Management Licence, issued by the Environment Agency. It is recommended that these conditions be re-imposed on this application, in the event of an approval.

Analysis of accidents along the highway adjacent to the site has been undertaken for a 5 year period up to October 2011. The analysis has identified that no accidents have occurred along Newyears Green Lane during the study period or at the junction of New Years Green Lane and Breakspear Road South, although some accidents occurred further afield. Nevertheless the Highway Engineer considers that there are no established patterns identifying specific road safety issues that relate to the current operation of the site.

The application includes proposals to widen and resurface the carriageway between the two sites, to provide an improved link between the north and south of the site. The Highway Engineer notes that these works are required as a result of continued use by large vehicles transporting compost within the site, which has caused significant damage to the carriageway. As a result, the Highway Engineer requires the carriageway at this location to be reconstructed and strengthened and not just resurfaced, to allow for the continued and increased use at the site. The proposed mitigation measures can be secured by way of a S106 Agreement.

In summary, the Highway Engineer raises no objections to the scheme subject to the above highway improvements and conditions securing the following:

- 1 limiting the total number of traffic movements to and from the site to 100 in and 100 out in any one day.
- 2 limiting the total number of HGV movements (those vehicles above 7.5t) to and from the site to 50 in and 50 out in any one day.
- 3 Wheel-washing facilities are required to be provided prior to any increase in capacity production, within both parts of the site, adjacent to the western access and thereafter retained for the lifetime of the development.

Subject to the above, it is considered that the development would not be contrary to the policies of the adopted Hillingdon Local Plan, 2012, (Part 2).

#### **7.11 Urban design, access and security**

There are no urban design issues associated with this application.

#### **7.12 Disabled access**

There are no disabled access issues associated with this application.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

LANDSCAPING:

The young woodland and hedgerow plantations to the north and west of the site which

were planted as part of the original scheme are now well established. It is considered that the maturation area benefits from good screening on all boundaries. No landscape or visual effects have been identified by allowing the continuation or intensification of use of the facility for a further 5 years.

The Tree and Landscape Officer advises that the management, maintenance and replacement planting of any failed trees or shrubs should continue, in accordance with the previous approvals. No objections are raised, subject to the above considerations and a condition to retain existing shelter belts and hedge planting and to restrict the height of the golden conifer hedge to 4 metres above ground level. Subject to compliance with landscape conditions, the development is considered to comply with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### ECOLOGY:

The application site is in close proximity to Ruislip Woods Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England considers that the proposal is not likely to be an adverse effect on this SSSI site, which does not therefore represent a constraint in determining this application.

An Extended Phase I Habitat survey has been undertaken of the application site. Habitats on site mainly comprise hard-standing, composting vessels and port-a-cabins; around the periphery is screen planting on a low bank with small patches of unmanaged grass areas, with plant species recorded typical of nutrient enriched soils/disturbed ground, such as common nettle *Urtica dioica* and creeping thistle *Cirsium arvense*.

There are no features or habitats of particular ecological significance on site. Around the periphery of parts of the site are habitats with some potential to support common reptile species, great crested newt (if present in ponds within the wider landscape), and nesting birds; there was one building of low bat roost potential, and an off-site tree with potential to support small numbers of roosting bats.

No mitigation measures are considered necessary, as no habitats of significant ecological value were recorded. Overall, it is concluded that there would be no significant residual impacts associated with the application, with respect to ecology. It is therefore considered that the scheme will not have an adverse impact on ecology and nature conservation in the area, in accordance with Saved Policies EC1 and EC3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and London Plan Policy 7.19.

#### **7.15 Sustainable waste management**

This is an application for the continued use of a composting facility, which will help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource.

#### **7.16 Renewable energy / Sustainability**

This is an application for the continued use of a composting facility, which will help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource.

#### **7.17 Flooding or Drainage Issues**

The potential environmental effects of the proposed development on the geological, hydrogeological and hydrological environments have been assessed in the Environmental Impact Assessment, submitted in support of this application.

## CONTAMINATION

Given the nature of the operations on the site, the protection of ground water and flooding / drainage issues are closely interlinked. London Plan Policy 5.14 seeks to protect and improve water quality, whilst Policy OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies seeks to protect the environment from toxic or harmful substances. The NPPF at paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

The site currently undertakes the composting of up to 50,000 (tpa) of waste, using in-vessel systems, followed by maturation in open windrows. The applicant maintains that effective operation and management of the facility is already in place to contain contaminated effluent within the site, where it is treated as leachate. Measures are already in place to minimise the risk of abnormal operational conditions resulting in increased risk of effluent release to receptors on the form of a Surface Water Management System. This includes water quality treatment and mitigation measures, comprising bunded and contained surface water drainage and attenuation storage, which reduces the overall risk to downstream receptors.

A detailed review of the existing Surface Water Management System has been undertaken to establish whether it contains adequate capacity to prevent the release of potentially contaminated surface water runoff from the site for all return period rainfall events up to and including 100 years, including consideration of climate change. The hydrogeological review has found the overall capacity of the network to provide attenuation storage and containment of contaminated water within the site to be good, although there is a requirement for slight upgrade of certain areas of the system, to ensure containment throughout all stages of extreme rainfall events over the lifetime of the development. Without the upgrade of the existing surface water management system, the ES recognises that the more intensive operation of the facility has the potential to impact on the quality of surface and ground waters.

The ES concludes that the likelihood of groundwater contamination by fuels and other potentially polluting liquids, including leachate in contaminated runoff from site operations is negligible. However, in order to further minimise any potentially negative impacts on groundwater, additional safeguards are identified. In addition the ES concludes that surface water run-off from the compost treatment and maturation areas has the potential, without appropriate upgrades to existing mitigation measures to result in pollution of nearby watercourses, although the probability of occurrence is considered to be low and the magnitude of impact is assessed as being moderate. It is also concluded that the likelihood of occurrence of significantly altering or reducing the groundwater recharge would be negligible, due to the presence of the existing facility (no change in form), and the presence of a significant thickness of London Clay beneath the site, which will have minimal recharge potential. Therefore the magnitude of impact is assessed as negligible with a corresponding near zero level of overall risk.

A slight impact may also arise from the minor excavation of additional storage within the surface water lagoon, although the Site Investigation Report indicates the presence of made ground and a significant thickness (at least 12m) of clay (London Clay and Lambeth Group Clay) beneath the site. The excavations are likely to be minor and unlikely to expose the chalk layer or result in a

reduction in the clay thickness between the base of the pond and the upper chalk layer at depth; therefore no impacts related to the loss of soils are anticipated.

Given the above conclusions of the ES with regard to potential contamination, a number of operational mitigation measures and best available techniques have been incorporated into the scheme design, which would reduce the potential risk to ground and surface water. The following prevention measures are proposed:

- Expansion of attenuation lagoon to increase storage volume
- Raising of bund around perimeter of the northern (maturation) site
- Intercept drainage at entrance to reception hall to isolate potentially contaminated surface water and contain it within site;
- Full CQA testing of the base and bunds (including the northern attenuation lagoon) will be undertaken to ensure the site is fully impermeable;
- All surface water from treatment areas to be treated as leachate and directed to a separate sump to be tankered off site for processing. Surface water will be contained within hard surfaced pad area using bunding and contouring and the input of speed humps/topographical barriers to flow in the southern composting site;
- Surface water filter screens on inlets to storage areas;
- Upgrade wheel wash facilities as appropriate; and
- Upgrade/input Petrol Interceptor.

It is also proposed as an additional safeguard, to install groundwater monitoring boreholes up and down gradient of the site to provide further confirmation of site geology and to monitor groundwater quality in the Upper Chalk beneath the site.

The following upgrades to the existing surface water management system, in addition to those outlined above, are also proposed:

- Increase volume of attenuation lagoon and include 300mm freeboard on the embankment to allow for fluctuating water levels. Include emergency overflow weir on southern bank to direct water back within site;
- Increase bund height on western boundary of northern maturation area to provide additional floodable areas including 300mm freeboard for fluctuating water levels;
- Input intercept drainage on eastern boundary of northern (maturation) and southern (composting) sites to direct surface water flooding from land to east away from site;
- Input intercept drainage at gateway to northern (maturation) area to prevent inflow of surface water from offsite areas;
- Divert water from storage tank/sump to tanks in Area B, where spare capacity exists to prevent surcharge of existing attenuation storage; and
- Input topographical barriers to flow at entrances to composting areas to provide additional floodable area for surface water storage including 300mm freeboard.

It is considered that the above measures will help to reduce the risk to both surface water and groundwater quality. Nevertheless, the Environment Agency notes that this site is in an extremely sensitive location for groundwater quality and resources. The site lies within a Source Protection Zone (SPZ1), designated to protect the groundwater source in the chalk below. As this groundwater will be abstracted for public water supply nearby, it is important that it's quality is protected at present and for the future. This abstraction point is a very sensitive receptor and requires a high level of protection to conserve water resources to provide public drinking water in the area. The Agency considers that the ongoing development and intensification of this site poses a significant risk to groundwater and would normally object in principle to new developments of this nature in this location. However given that this is intensification of use rather than new development, the Agency raises no objections subject to the inclusion of a condition

requiring a Hydrogeological Risk Assessment (HRA) for the activity on site. This should include the collection of relevant site specific data, a detailed Quantitative Risk Assessment and a review of available mitigation measures to minimise risks to groundwater.

The Environment Agency explain that the reason for imposing this condition is that not withstanding the submitted information and proposed mitigation measures summarised above, the application as submitted, fails to give adequate assurances that the risks the activity poses to groundwater are fully understood, or that the sensitivity of the environmental setting has been appropriately considered. A more in depth assessment would therefore be required to assess the risk at this site.

## FLOODING AND DRAINAGE

Policies OE7 and OE8 of the Hillingdon Local Plan Part 2 (Saved UDP Policies) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. Policy 5.12 of the London Plan seeks to minimise the risks of flooding. A Flood Risk Assessment has been submitted as part of the application, taking into consideration the principles of the National Planning Policy Framework (NPPF) and other relevant regional and local policies.

As stated above, measures have been proposed in the site design to upgrade the existing Surface Water Management Systems, which manage and control surface water runoff, so that the application site would not pose an increased flood risk to users of the site or downstream land and property.

The applicants point out that the upgrade to the Surface Water Management Systems is not required as a direct result of surface water flood risk, as there will be no changes to the site layout or form. However measures are proposed to upgrade the potentially contaminated areas of the site, to ensure the continued containment of all potentially contaminated surface water from the composting and maturation areas and separate treatment as leachate. In order to reduce the risk of failure of the pond embankment the following measures would be implemented:

- 300mm freeboard to allow for settlement/fluctuations in water level;
- The embankment would be constructed using engineering best practice and under the guidance of a geotechnical specialist to ensure that risks of collapse or failure are appropriately mitigated. This would include the input of inclinometers to alert the team to excessive settlement or potential failure;
- The embankment will continue to be inspected regularly by a competent engineer under the guidance of a geotechnical specialist to ensure that its structural integrity is maintained and that maintenance is carried out, as required, to prevent the risks of collapse or failure;
- An emergency spillway would be provided directing water back to within the sites open drainage channel network and floodable areas;
- A water level monitor would be installed to ensure that the site facilities manager is alerted in the event of excessive water levels.
- A site Management Plan exists which would be updated to account for the upgrades to the surface water management and treatment systems. This will include the following measures:
  - Visual inspection of Surface Water Management and Treatment Systems;
  - Management and Maintenance of the sites Surface Water Management Systems, ensuring the removal of silts and sediments from waters discharged from the site and
  - the regular removal of sediment build up from site Surface Water Management Systems;
  - Visual inspection of the bunds on the attenuation lagoon and at the site perimeters;

- Continued monitoring to ensure the impermeability of the pad and surface water isolation systems to prevent seepage to groundwater; and
- Good site management to ensure no rubbish or debris enters the sites Surface Water Management System or local watercourses/drainage channels.

The Environment Agency has requested a condition requiring the development to be carried out in accordance with the approved Flood Risk Assessment (FRA) and the mitigation measures detailed within the FRA, limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This is to prevent flooding, by ensuring the satisfactory storage of/disposal of surface water from the site.

With regard to drainage, the Environment Agency has recommended a condition requiring a Surface Water Drainage scheme to be agreed, in order to ensure that all drainage from the site is adequately managed, to protect the quality of the sensitive groundwater, as the existing use has the potential to impact the quality of the water within the aquifer.

The Environment Agency also requires a condition prohibiting surface water drainage into the ground, other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Again, this is to ensure that all drainage from the site is adequately managed, to protect the quality of the sensitive groundwater. The Agency notes that this later condition will complement, but not duplicate any drainage conditions in the Environmental Permit. This is due to the permit controlling only the waste management areas, whilst the condition will apply to all other areas of the site.

Subject to the above mentioned conditions being imposed and discharged, it is considered that the continued and intensified use of the facility for an additional 5 year period would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected, in compliance with Policies OE7, OE8 and OE11 of the Hillingdon Local Plan Part 2 (Saved UDP Policies), Policies 5.12 and 5.14 of the London Plan (July 2011) and the provisions of the NPPF.

## **7.18 Noise or Air Quality Issues**

### **AIR QUALITY:**

The decomposition of organic materials in the composting process produces characteristic odours. Aerobic decomposition is characterised by a sweet woody smell. If however, conditions within the decomposing material become anaerobic, the odours become stronger, sulphurous and more offensive in nature.

An assessment of the air quality impacts associated with the proposed development has been undertaken in the ES. The assessment has considered:

- Air Quality Strategy Pollutants from vehicle exhausts; and
- Odour, dust and bioaerosol emissions during the operational phase.

The assessment of dust and bioaerosols has found that the additional risk of impacts associated with the increased tonnages is insignificant, given the controls in place and regulation by the Environment Agency.

In terms of air quality, during 2005, a significant volume of odour complaints from the



residents of neighbouring residential developments in the Ruislip and Harefield area were received by the Environment Agency (EA) and the Council's Environmental Protection Unit (EPU). The odours were attributed to two composting facilities, one of which was West London Composting (the application site). Approximately 100 odour complaints were received by the EA during this period.

There were 25 odour complaints to the Council's EPU in 2005, 22 in 2006, 20 in 2007, 56 in 2008, 17 in 2009, 6 in 2010 and 1 in 2011. (It is noted that 2008 was the year when the expansion of vessels came online and there were some teething problems with the operation.)

It is noted that effective from 6th April 2008 the new Environmental Permitting Regulations 2007 requires regulated waste sites such as this to hold an Environmental Permit, in place of the former Waste Management Licence. Critically, this legislation ended local authority powers under the Environmental Protection Act 1990, to take action for statutory nuisance against regulated waste sites. The intention was to remove the 'double jeopardy' for operators that had existed under Waste Management Licences. As a result, the Environment Agency is effectively the sole regulator and members of the public are advised to contact them directly. Therefore complaints to the Council's Environmental Protection Unit would reflect this in recent years from 2009 to date.

It is also noted that in 2006, the applicant produced an action plan, which included a number of measures to improve the operations at the composting facility, in order to mitigate the air quality (odour) issue. All these measures have been put in place, allowing the composting process to be lengthened, thereby discouraging the formation of malodorous substances. The increasing of the number of vessel clamps has enabled a more stable compost before it is transported to the open maturation area (Pylon Farm). A more stable compost at this stage has led to less odour being produced during the maturation process.

The applicant has submitted that the enclosed composting system used at the site is designed to ensure that aerobic conditions are maintained within the waste at all times, reducing the potential for creating obnoxious odours. Air is drawn through the material via a series of fans and pipework within the enclosed bays. The maturation pile (open windrows at Pylon Farm) also has the potential to generate and release bio-aerosols. However careful management of the moisture content of the pile minimises their formation and dispersal.

The applicant has stated that in the interest of air quality and amenity of the wider area the development proposals will continue to adopt the following good practice odour management techniques:

- storage of feedstock on site will be minimised;
  - feedstock handling operations will be minimised;
  - the development of anaerobic conditions will be minimised through the use of aeration systems and an appropriate compost turning regime;
  - the site will be kept as clean as possible including approach roads; and
  - moisture within the composting material will be controlled to prevent the material becoming water-logged and restricting the movement of air
- Any open facility has the potential to generate dust, which can be spread around the local area during windy conditions. During the open air maturation stage, the generation of dust is controlled by spraying with water in dry and windy conditions. Road and surfaced areas are similarly damped down with water to prevent dust generation. Material movements can be suspended if very high winds develop. There is provision for water

storage from both the roofs of buildings and pad water runoff. There will be sufficient recycled water to be able to adequately control the moisture content of the material thereby prevent dust formation.

- vehicles would be sheeted to prevent loss of materials off-site;
- storage locations for all materials that create dust, including soil, would be located away from development boundaries as far as practicable;
- regular inspection of local roads to check for dust deposits and any deposits removed;
- use water as a dust suppressant as and when required; and
- a trained site manager (or his deputy) would be on site during working hours to be responsible for proper implementation of dust mitigation measures.

The environmental design measures to mitigate the risk of odour generation and release during the operation of the proposed development will also continue to be adhered to as follows:

- enclosure of the handling and sorting of wastes within a building;
- fast acting roller action doors to ensure effective containment within the building;
- adoption of good housekeeping measures which would minimise the magnitude of odour generation, to include regular cleaning of waste reception area and minimise the storage time of raw waste; and
- extraction of air from within reception building and effective odour abatement;

In response to concerns raised by the Mayor in the GLA Stage 1 report, the applicant notes that the original development at Highveiw Farm in 2004 saw 16 vessels being built, 8 in Barrier 1 and 8

in Barrier 2. The site was extended and a further 16 vessels were built and came into use in 2008. The new bank of 16 vessels incorporated 4 biofilters, allowing for greater odour control in the

first part of the process (Barrier 1). The original 16 vessels now are all used as Barrier 2, or the second stage in the process. The additional space also allowed for more flexibility regarding retention times for the material in the vessels especially at peak periods.

The total capacity the site could therefore handle in theory would be 100,000 tpa although the current permit only allows for 50,000 tpa. The applicant also has a permit variation application lodged with the EA, to increase this to 75,000 tpa, alongside this planning application. The applicant submits that this additional unused capacity results in there being empty vessels on site throughout the year, which could be employed in the future to house the additional tonnage.

There is an existing Odour Management Plan, 'OMP' for the site. The current version dates to 2009 following an enforcement notice dated 15/2/2009 by the EA. The OMP is a requirement of the permit. The proposed increased in the allowed tonnage of material to be accepted for composting will require a variation to the Environmental Permit for the site, which is regulated by the Environment Agency. Odour can emanate from both the north and south areas and the odour controls in the OMP are quite detailed, including process controls for the vessels.

As part of this Permit variation process, detailed assessments of odour management, monitoring and control techniques (an Odour Management Plan (OMP)), and other fugitive releases (i.e. dust and bioaerosols) will be submitted for approval to the EA. As part of the OMP, the EA will need to be satisfied that the additional tonnages can be effectively treated within the existing infrastructure, without compromising environmental protection. The Council will be consulted on variations to environmental permits and will receive the details of any proposed changes to the permit conditions for comment.

The Council's Environmental Protection Unit (EPU) notes that the development site is located outside of the Air Quality management area (AQMA) and the development does not include a construction phase. Whilst odour issues at the site have been identified in the air quality review, EPU notes that these can be addressed by conditions on the Environmental Permit by the Environment Agency (referred to above), as they have been to date. In addition, whilst the additional capacity would result more vehicle movements a day, as the site is located within the LEZ (Low Emission Zones), it is assumed the vehicle fleet are compliant with LEZ requirements.

EPU previously recommended a number of conditions in connection with the open maturation site, in order to ensure that the odour mitigation measures are effective as possible. These included a requirement that an odour suppression system is installed around the proposed extended maturation site, to mitigate odour emanating from the windrows, while the hours of operation were to be controlled. It is recommended that these conditions be re-imposed in the event that a further 5 year temporary permission is granted, to protect the adjacent cottages from any odour from the maturation heaps, in accordance with Policy OE11 of the Local Plan Part 2.

Notwithstanding the above, it is acknowledged that this composting process is ground breaking technology and there remains some uncertainty surrounding the effectiveness of the improved management of the facility to reduce the potential for creating offsite odours. The temporary permission for the continued but more intensive use of the facility will allow the Council to continue to monitor the site and assess the impact on the amenities of the locality.

Overall, subject to adherence with the suggested conditions and the updated Odour Management Plan, it is concluded that there would be no significant environmental effects associated with the application, with respect to air quality and odour.

## NOISE

An assessment of noise has been carried out with reference to British Standard and other government guidance. Noise issues relating to the operation of the proposed development have been considered to the nearest noise-sensitive properties surrounding the site. The assessment has considered the potential for noise generated by heavy good vehicles to give rise to impacts at the closest noise-sensitive receptors and has found that there would be a minor, barely perceptible impact on the ambient noise levels at all the noise-sensitive receptors assessed. No mitigation measures are considered necessary to reduce the impacts of heavy goods vehicle movements. Based on the results of the assessment, noise should not pose a material constraint for the proposed development.

In order to continue to mitigate the likelihood of complaints during the operational phase it is proposed that all doors at the facility continue to remain closed during operational hours.

A number of conditions in connection with the open maturation site were imposed on previous permissions, in order to protect the residential amenity of the adjacent cottages. It is recommended that these conditions be re-imposed in the event that a further 5 year temporary permission. Subject to this condition, it is considered that there would be no significant environmental effects associated with the application, with respect to noise, in accordance with Policy OE3 of the Hillingdon Local Plan Part 2 (Saved UDP Policies).

### **7.19 Comments on Public Consultations**

One response from a local councillor has been received. The primary concern relates to odour, noise and traffic impacts. These issues have been dealt with in the main body of the report.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon Local Plan Part 2 (Saved UDP Policies) states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals.'

The applicant has agreed to to widen and resurface the carriageway (Newyears Green Lane), between the western access to of Highview Farm and the maturation site. This section of carriageway is regularly used by operational vehicles transferring semi processed waste from the enclosed composting vessels at Highview Farm to the open maturation site at Pylon Farm. The Highway Engineer notes that damage to the carriageway has occurred as a result of continued use by large vehicles transporting compost within the site. As a result, the Highway Engineer requires the carriageway at this location to be reconstructed and strengthened and not just resurfaced, to allow for the continued and increased use at the site. The proposed mitigation measures can be secured by way of a S106 Agreement.

#### **7.21 Expediency of enforcement action**

There are no enforcement issues associated with this site.

#### **7.22 Other Issues**

There are no other issues associated with this application.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or

other status'.

## 10. CONCLUSION

The proposed development would continue to make a significant contribution to waste management in this part of Hillingdon and the surrounding area of West London and maximise the diversion of waste from landfill. It is considered that national and local requirements to increase green waste recycling constitute the very special circumstances to justify the continued and intensified use of the facility. These circumstances are considered to outweigh the fact that the proposals are inappropriate development in the Green Belt.

The proposals have been fully assessed through a comprehensive EIA process, the findings of which are reported in an Environmental Statement, which concludes that with the detailed mitigation proposed, the increase in tonnage would be acceptable for a temporary period of five years at the site.

It is not considered that the visual amenities or the open character of the Green Belt would be adversely affected by the proposal. It is not considered that the scheme will have an adverse impact on ecology and nature conservation in the area, or on the highway network.

Subject to adherence with the suggested conditions and the updated Odour Management Plan, it is concluded that there would be no significant environmental effects associated with the application, with respect to air quality and odour. In addition, subject to the recommended conditions being imposed and discharged, it is considered that the proposal would not compromise the statutory functions of the Environment Agency, the risk of flooding will be minimised and the quality of the water environment will be protected.

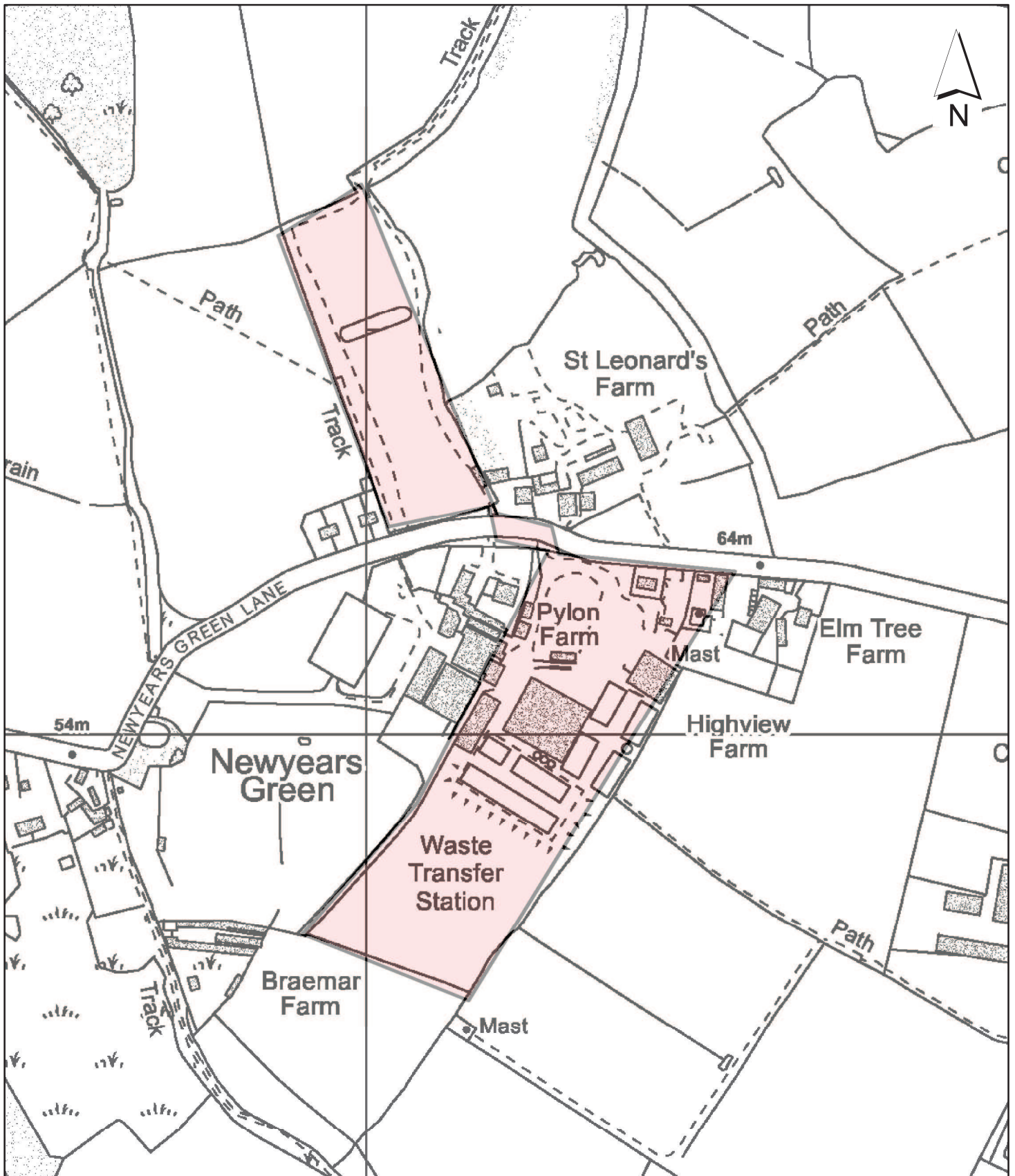
It is recommended that a further 5 year temporary permission be granted for the continued use of the existing open maturation site and and for the intensification of use of the facility as a whole, to handle an increased maximum throughput of up to 75,000 tonnes per annum of organic waste. The temporary permission will allow the Council the opportunity to monitor the site and assess the effectiveness of the proposed mitigation measures on the amenities of the locality and the environment. On this basis approval is recommended.

## 11. Reference Documents

NPPF  
The London Plan (July 2011)  
Hillingdon Local Plan  
Planning Policy Statement 10: Planning for Sustainable Waste Management  
European Directive (revised Waste Framework Directive)  
Waste Strategy for England (May 2007)  
Government Review of Waste Policy in England (June 2011)  
Meeting the Energy Challenge White Paper (May 2007)

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**West London Composting Land  
and land to the north and south of  
Newyears Green Lane, Harefield**

Planning Application Ref:

**12579/APP/2012/2366**

Planning Committee

**North**

Scale

**1:4,000**

Date

**April  
2013**

**LONDON BOROUGH  
OF HILLINGDON  
Residents Services**

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