PLANNING DOCUMENT

Walsall
Metropolitan Borough Council

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION OF DECISION ON AN APPLICATION FOR PLANNING PERMISSION

Applicant: Mr. Graham Norville
Agent: Mr. M. Dale
S.A. Simmonds Ltd
Shutt Cross House
70 Walsall Wood Road
Walsall
Aldridge
WS9 8QT

Site: UNIT 2,MAYBROOK ROAD,WALSALL,WEST MIDLANDS,WS8 7DG
Application No: 04/1326/FL/M1
Particulars of Development: Change of use to non-hazardous waste transfer station
Date Accepted: 17 June 2004

Walsall Metropolitan Borough Council, as Local Planning Authority, hereby **GRANTS** planning permission for the development described above, as shown in the plans which accompanied the application.

Subject to the following conditions:

1. The development hereby permitted shall not be commenced after the expiry of five years from the date of this permission.

2. No use operation or activity hereby permitted shall be carried out outside of the confines of the building shown for such uses operations and activities on Plans SAS/BH/02 and SAS/BH/03 submitted with the application.

3. No waste or recycled material shall be imported onto, nor deposited or stored at the application site other than within the building shown on plans SAS/BH/02 and SAS/BH/03 submitted with the application.

4. The access into the building shall not be used at any time so that any vehicle enters or leaves the building other than in forward motion.

5. The total tonnage of waste material imported onto and/or recycled within the site shall not exceed 10,000 tonnes as measured over any 52 week period.

6. The waste transfer station shall not be operated other than in accordance with the internal layout for the building shown on plans SAS/BH/02 and SAS/BH/03 submitted with the application. No more than two skips for reclaimed materials shall be retained within the building at any time. No waste material shall be deposited within the building other than in the waste receiving bays shown on these plans. No reclaimed material shall be stored other than in the two skips shown on these plans

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7. No waste material shall be stored within the receiving tipping bays to a height that exceeds the containing walls of the bays.

8. The waste receiving bays shall not be constructed other than in accordance with the details specified in the application.

9. The site shall not be operated so as to permit any dust or litter arising from permitted operations to escape and give rise to visible emission of airborne dust or litter outside the building.

10. The development hereby permitted shall not be commenced prior to the submission to and approval in writing by the Waste Planning Authority of a scheme for the disposal of foul and surface waters arising from the site.

11. Any facilities for the storage of oils fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall not be less than equivalent to the capacity of the largest tank or vessel plus 10%, or the combined capacity of interconnected tanks or vessels. All filling points associated pipework vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipes shall be detailed to discharge downwards into the bund.

12. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have the capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

13. The development hereby permitted shall not be operated outside of the following hours:
    08.00 to 17.00 Mondays to Fridays.
    08.00 to 13.00 Saturdays
    And not at all on Sundays, all Bank and other Public Holidays including Christmas Day.

14. The following types of materials shall not be imported onto or deposited within the site:
    a) Any waste comprising liquids, sludges or slurries.
    b) Any waste of a putrescible nature.
    c) Any kitchen or food waste.

For the following Reasons:

1. Pursuant to the requirements of Section 91 of the Town & Country Planning Act 1990.

2. To prevent any adverse environmental impact arising on any sensitive uses in the vicinity.

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7. To prevent any adverse environmental impact arising on any sensitive uses in the vicinity.

8. To prevent any adverse environmental impact arising on any sensitive uses in the vicinity.

9. To prevent any incident of dust or litter emissions.

10. To prevent pollution of the water environment.

11. To prevent pollution of the water environment.

12. To prevent pollution of the water environment.

13. To safeguard the amenity of occupiers of nearby residential property from any potential adverse impact from duration of operations.

14. to prevent any incident of pollution and any risk of odours emanating from the site.

Date of Decision: 05 October 2004

Signed:

On behalf of Head of Planning and Transportation
Civic Centre, Darwall Street, Walsall, West Midlands. WS1 1DG

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTE

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Permission was granted 5/10/04 with the following conditions — Confirmation to follow

with other occupiers and uses, will be prevented by containment within the building. Considering this in isolation the conclusion is that subject to appropriate conditions it probably can be adequately contained and these objections should not be given overriding weight.

The Need For An Environmental Assessment

Every proposal in a planning application for a waste management facility is subject to a Screening Opinion as to whether or not an Environmental Assessment (EA) should be submitted with the application pursuant to the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999 and Circular 2/99. These statutory provisions establish threshold criteria for determining such a requirement. The thresholds above which the Planning Authority should consider requesting an EA for developments such as waste transfer stations are if the site area exceeds 0.5 hectares (1.25 acres) and/or exceeds an annual throughput of 50,000 tonnes. This application is for an area (0.2ha) and tonnage (10,000t) which are below these threshold levels. The nature of the business proposed in the application is such that it is considered that there are unlikely to be significant quantities of potentially odour generating waste materials. The Environment Agency have no objection in principle. Consequently no EA has been requested there is sufficient environmental information with the application to enable a determination.

Conclusion

The factors weighing in favour and against this proposal are finely balanced. Notwithstanding the objections received from local residents it is concluded that the proposed development could be operated from within this building subject to appropriate conditions that would prevent or mitigate any potential for an adverse impact on residential properties. These conditions which are subject to the test as to whether or not planning permission would have to be refused would include among other matters those ensuring that the scale and intensity of operation is limited by controls on hours of operation and limitation on the tonnage of material processed as measured over time and the confinement of all activities within the building. The conditions required by the Environment Agency are also to be incorporated. On this basis it is considered that the proposal can be supported.

Recommendation: Grant Permission subject to conditions

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To prevent pollution of the water environment.

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