

THURSTON PARISH COUNCIL

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The following paper was submitted by the Clerk to the Parish Council at its meeting of 4th May 2022

Agenda Item: 11c – PART - To consider the following proposals with regards to the Recycling Centre to be located at the lower car park at the New Green Centre.

Background Information: Timelines

1. Climate Awareness and Environment Committee approached New Green to discuss the possibility of installing a recycling centre at New Green – January 2021.
2. New Green supportive and agreed to work with the PC to bring forward such a facility. PC gave support to proceed February 2021.
3. May 2021 - CIL bid submitted to the PC for the Recycling Centre – based on drawings provided by New Green Trustees along with indicative costs for the whole centre - **£8,442.05**
4. Confirmation given by the LPA that planning permission for a change of use was required.
5. Landlords gave verbal (and then written) confirmation that they were in agreement that this project should proceed.
6. Planning Permission DC/21/02655 – sought and granted for the Change of use of land for the provision of an 8-bin recycling collection – 06.05.21 submitted and approved 12.08.21.
Note: Condition 5 “ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE AND ON GOING REQUIREMENT OF DEVELOPMENT: ACOUSTIC FENCE Prior to the siting of the bins, elevations and section drawings, illustrating the materials and finish colour, of the 2.5m high acoustic fence shall be submitted to and approved, in writing, by the Local Planning Authority and shall be implemented entirety as approved. The fence as described in section 13 of the Peak Acoustics Noise Impact Assessment (reference no. TW0406214NR, dated 22/07/2021) shall be constructed around the recycling bin area prior to the commencement of use of the bins. The fence shall be constructed to comply with the levels of mitigation proposed in the aforementioned report. The fence shall be maintained throughout the lifetime of the facility remaining operations. Reason - To secure good design and to enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.
7. Quotations sought by the Parish Council for the groundworks and the acoustic fence as mentioned above and agreed that the price for groundworks at circa **£2,150.00** and fencing at **£16,019.00** be accepted. **Total project cost £18,169.00.**
8. Site meetings ensued in October and New Green requested additional costs for membrane at an extra cost of £2,034.00
9. Further amendments were requested by New Green such as two entrances and two gates, so price revised to **£17,294.93** plus the extra over for membrane **£2,034.00** plus groundworks at circa **£2150.00. Total project cost £21,478.93.**
10. November 2021, the New Green Trustees now reject the proposed fencing as required to satisfy Condition 5 under the approved planning permission on the grounds that a 2.5 mtr. high fence will be aesthetically unpleasing.
11. December 2021, the Parish Council sought to supply details to the LPA to satisfy Condition 5 – completed 8th December 2021.

12. January 2022 – New Green informed the Parish Council that it would be supportive of the project if the following amendments were to be made:
The proposal is that the concrete base for the project is installed approximately half a metre below the existing footpath and a concrete block wall approximately half a meter high be installed to the perimeter of the project. An acoustic fence would then be installed on top of this block wall to establish an overall height of 2.5 meters above the slab. Entrances would be repositioned to the sides and a soakaway drain installed to prevent rainwater accumulating in the enclosed space.
They have sought indicative costs from a single contractor based on the provisional drawings showing the amendments above:
Excavation, concrete base and blockwork - £6647 Drainage work including soakaway in carpark - £4176; Pathways and level adjustments for side entrances £1743- Total for groundworks **£12,566** (original quotation was £2150 which creates an additional cost of £9274).
13. February 2022 – given the change of base, a revised quotation now needed to be sought from the installers and suppliers of the acoustic fencing – received later February 2022 – revised price is now **£17,410.36** plus membrane at **£2,034.00. Total Project cost £32,010.36.**

Your Officers concerns –

- a) The amended plans are contrary to that which has been granted planning permission. As such the LPA have stated that if we wish to proceed with the amended plans, a variation of condition will need to be submitted along with a new Acoustic Report (as there will be 20% less protective fencing). The LPA has also stated that indicative consultations with Environmental Health have suggested that the original mitigation measures may now not be sufficient.
- b) Of equal concern is the level of complaints that have arisen from surrounding neighbours for the temporary bins, (these have proved to be a popular facility), there is the very strong likelihood that the new application will not be given support by the LPA or even that mitigation measures that could be imposed will be cost prohibitive or visually unacceptable.
- c) Whether this project is now considered to be best value for money.
- d) Whilst there is a legal requirement under the provisions of the Local Government Finance Act 1992 (LGFA 1992) to set a balanced budget in relation to risks associated with the council's activities, it is expected that this project will be funded from the Council's CIL Reserves. However, if this project does not achieve a balanced position and continues to exceed budgeted figures, the Council will be at risk of being able to deliver further core objectives to the benefit of the community of Thurston.

Action for Council to consider:

- 1. Proceed with the revised project acknowledging that the following will need to take place – which must be added to the costs of £32,010.36 -**
 - a) Submission of a variation of conditions application to revise the plans.
Costs: variation of planning condition - £195**
 - b) Commissioning of a revised Acoustic Report to accompany the variation.
Costs of new report £1,300**
- 2. Revert to New Green indicating that the parish council will not accept the revised plans given the costs to the public purse and the knowledge that it does not comply with the planning conditions.**
- 3. Suspend the project until a more suitable venue within the parish can be found.**