

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 24th May 2005

Report Title Southfields Farm, Packington Lane,
Coleshill - Storage and Crushing of Waste
Brick and Relocation of Haulage Business
from Adjoining Building

Summary This report recommends the grant of planning permission for the change of use to mixed use for the storage and crushing of waste brick together with the relocation of haulage business from an adjoining building at Southfields Farm, Packington Lane, Coleshill.

For further information please contact Thomas Cox
Planning Officer
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thomascox@warwickshire.gov.uk

Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Submitted application and plans received 7/3/05.
Letter from the Environment Agency dated 11/3/05.
Letter from the North Warwickshire Borough Council (NWBC) Environmental Health Officer dated 23/3/05.
Letter from County Museum dated 18/4/05.
Email from Coleshill and District Civic Society dated 19/4/05.
35 representations.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s) Councillor P Fowler – No comments received
(With brief comments, if appropriate)
- Other Elected Members

- Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive
- Legal I Marriot – comments incorporated.
- Finance
- Other Chief Officers
- District Councils North Warwickshire Borough Council,
Environmental Health – No objection.
- Health Authority
- Police
- Other Bodies/Individuals See paragraphs 2 and 3

FINAL DECISION **YES/NO** *(If 'No' complete Suggested Next Steps)*

SUGGESTED NEXT STEPS :

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Regulatory Committee – 24th May 2005

**Southfields Farm, Packington Lane, Coleshill -
Storage and Crushing of Waste Brick and Relocation of
Haulage Business from Adjoining Building**

**Report of the Director of Planning, Transport and
Economic Strategy**

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the change of use to mixed use for the storage and crushing of waste brick together with the relocation of haulage business from an adjoining building at Southfields Farm, Packington Lane, Coleshill, subject to the application not being called in for determination by the Secretary of State, and subject to the conditions and for the reasons contained in **Appendix B** of the report of the Director of Planning, Transport and Economic Strategy.

APPLICATION NO: NW1584/05CM008

SUBMITTED BY: Tyler Parkes Partnership.

RECEIVED BY: The Director of Planning, Transport and Economic Strategy
on 07/3/05.

ADVERTISED DATE: 17/3/05

THE PROPOSAL: Change of use to mixed use for the storage and crushing of
waste brick together with the relocation of haulage business
from an adjoining building.

SITE & LOCATION: Southfields Farm, Packington Lane, Coleshill, Warwickshire,
B46 3EJ.

See plan in **Appendix A**.

1. Application Details

- 1.1 This application relates to the re-use of an agricultural building at Southfields Farm, Packington Lane, Coleshill. The building would be used to relocate the applicant's business from other parts of the farm.
- 1.2 The applicant operates a small haulage contractor's business which has been the subject of a temporary planning permission granted by North Warwickshire Borough Council on 10th February 2004. This permission expired on 31st December 2004.
- 1.3 The brick crushing element of the application is retrospective and has been submitted to regularise the storage and crushing of waste brick which currently operates in the open at Southfields Farm and is the subject of enforcement investigations.
- 1.4 The application seeks to contain both the haulage business and the storage and crushing of brick in a large building, surplus to the requirements of the farm. The crushing of brick is carried out in association with the haulage and plant business providing hardcore for engineering operations around the West Midlands.
- 1.5 Four lorries operate from the site which leave between 0700 and 0730hrs and at most return twice during the day. All vehicles return to the site by approximately 1630hrs, the hours of operation (including ancillary works) are proposed for Monday to Friday 0700 – 1800hrs.

2. Consultations

- 2.1 **North Warwickshire Borough Council (NWBC)** – No planning comments received.
- 2.2 **NWBC Environmental Health Officer** – No objection subject to suggested conditions. The storage and crushing of brick waste has been carried out at the site for some while now and the activity has not given rise to any complaint to the Environmental Health Division. On visiting the site in November of last year the activity was being carried out in a satisfactory manner. The building into which the crushing operation and storage is to be re-located has slatted sides. It is recommended that these sides are made impervious to the weather in order to reduce the possibility of any wind borne dust into the environment.
- 2.3 **Councillor P Fowler** – No comments received.
- 2.4 **Coleshill Parish Council** – No comments received.
- 2.5 **Coleshill and District Civic Society** – **Object** to the scheme as the operation is "inappropriate in the Green Belt, even though the crushing process is to be carried out in an existing barn and may be less intrusive. There are no very special reasons for allowing this 'stand-alone' recycling operation on this site. It would be better accommodated at a larger site such as Packington. Although it is claimed that crushing will take place on only eight days a year, it is almost

certain that the operation will expand. Local residents report nuisance from noise and dust and it is unlikely that housing the machinery in the barn will obviate this problem. Hours of working and vehicle movements, however, do not seem excessive”.

2.6 **County Museum** – No objection.

2.7 **Environment Agency** – No objection subject to a condition.

3. Representations

3.1 Thirty five written representations have been received objecting to this application for the following reasons;

- (i) The proposal does not comply with the current development plan.
- (ii) The farm buildings do not suit the proposed use.
- (iii) Noise created from brick crushing and vehicle movements.
- (iv) Airborne dust created from brick crushing and vehicle movements.
- (v) Visual impact of the proposed development.
- (vi) An unacceptable change of use from agriculture to industrial.
- (vii) Access to the site is a designated public footpath which poses a danger to local walkers.
- (viii) The site haul road is in a poor condition and should be improved to reduce noise and dust from vehicle movements.
- (ix) Packington Lane was designated unfit for HGV movements during the construction of the Birmingham Northern Relief Road and should be considered unfit for this application.
- (x) There are constant fires on site.
- (xi) There is an enforced weight restriction of 7.5 tonnes serving Coleshill High Street which attempts to restrict larger vehicles such as those proposed in this application from passing through the High Street.
- (xii) There is a concern for road safety and the safety of local children as Packington Lane serves two schools and Coventry Road one school. Throughout the morning and late afternoon these roads are congested with pupils.

4. Observations

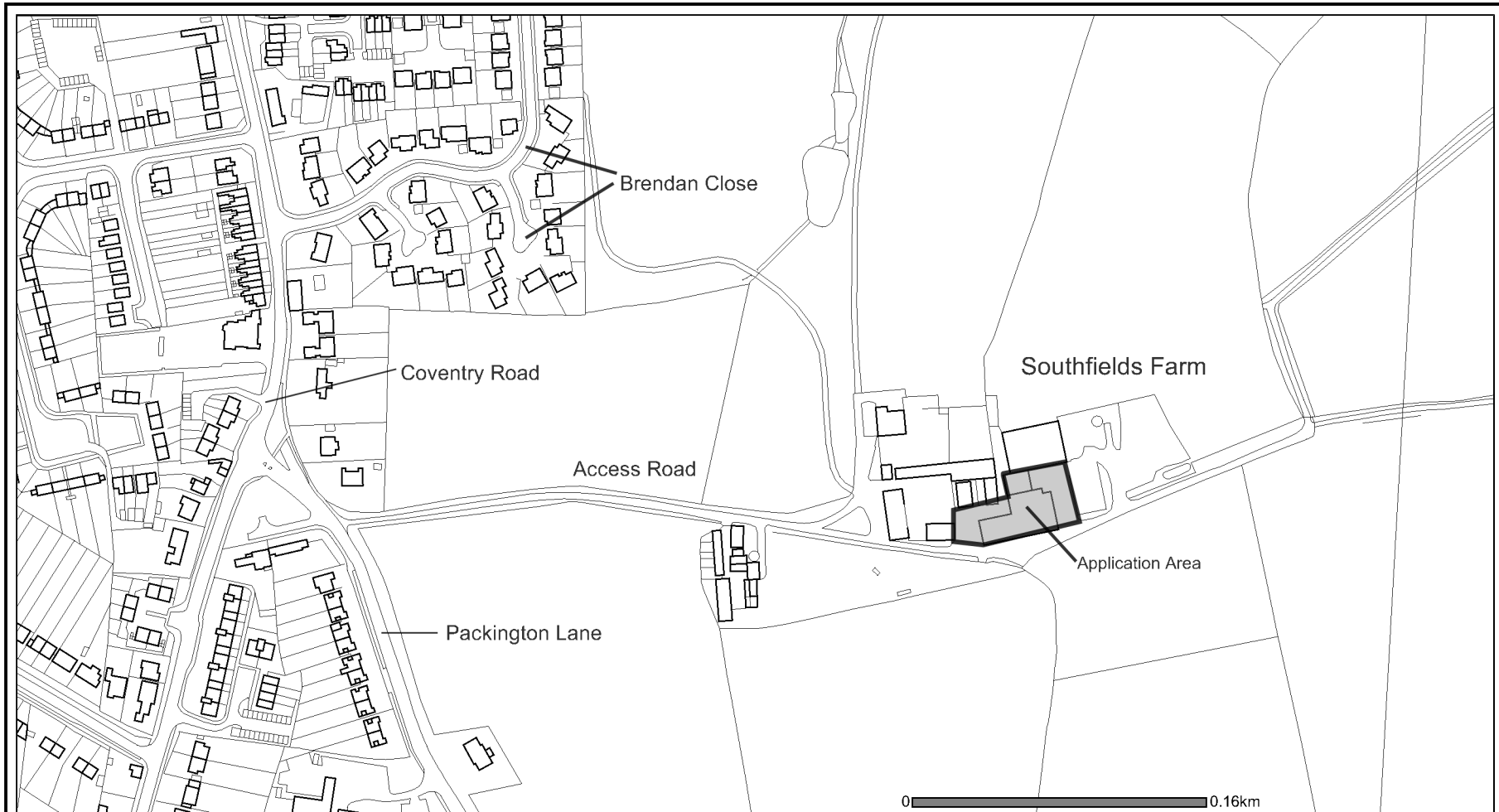
- 4.1 Southfields Farm is located on the south east side of Coleshill. Access to the site is from the east side of Packington Lane approximately 100 metres from its junction with Coventry Road. The cluster of buildings forming the farm complex is at the end of a track and is also used as a public footpath.
- 4.2 The application building is a large asymmetrical agricultural building with a height to its apex of 9.2 metres. The building has an open front to the yard on its north side and is divided internally into six bays and three bunkers. At its eastern end the structure extends out over the yard to provide a large circulation and covered storage area previously used for the storage of animal feed and farm equipment.
- 4.3 The open area to the east of the existing farm buildings, including the area previously used for the storage of waste brick comprises several compounds enclosed by concrete panels approximately 3 metres in height. Those adjacent to the building are included in this application to provide for open storage of materials.
- 4.4 The proposal involves the continuation of the applicant's haulage business. Four vehicles would operate from the site, namely 1 x 7.5 tonnes, 2 x 26 tonnes and 1 x 31 tonnes. The four lorries would be stabled in four of the bays in the building, and a further two bays would be used for the stationing of a trailer and materials. A portable office would also be relocated within the building, out of site.
- 4.5 Concerns have been raised regarding HGVs associated with the development using Coleshill High Street. Coleshill High Street is subject to an environmental weight limit of 7.5 tonnes. The previous temporary permissions for operation of the haulage business from Southfields Farm have been subject to a condition preventing HGVs from using the High Street. It is considered appropriate for this condition to be repeated. Concern has also been raised that HGVs accessing the site pose a danger to users of Public Footpath M80. The footpath runs parallel to the site access and at no point crosses it. It is considered that traffic associated with the proposed development presents no greater danger than that associated with the farm or previous haulage use.
- 4.6 The applicants handle in the order of 3000 tonnes of brick waste at the site in a year. Crushing is not a continuous process and is carried out only as and when required, with a hired 12 tonne water suppressed silent running crusher. The applicants may crush on approximately 2 days per quarter, or up to 8 days per year.
- 4.7 The storage and crushing of brick waste has been carried out at the site in the open for approximately 2 years and the activity has not given rise to any complaint. The Environmental Health Officer (EHO) visited the site during November 2004 and was satisfied that the operation was being carried out in a satisfactory manner. Relocation of the operation within a building, reclad in accordance with the EHO's recommendation, will further limit the potential for noise and dust nuisance.

- 4.8 The application site is located within the Green Belt as defined within the North Warwickshire Local Plan adopted 1995. PPG 2 indicates that the most important attribute of Green Belts is their openness and seeks to safeguard them from encroachment. However, this application proposes the re-use of a building and such re-use should not prejudice the openness of the Green Belt because the buildings are already there.
- 4.9 “With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of the land in Green Belts.
- 4.10 The re-use of buildings inside a Green Belt is acceptable providing:-
- (i) It does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it.
 - (ii) Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it.
 - (iii) The buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and the form, bulk and general design of the buildings are in keeping with their surroundings (PPG2 Paragraphs 3.7-3.8)”.
- 4.11 However, the application also includes the storage of waste brick outside of the building in screened concrete enclosures. Additional screening to the south end of the concrete enclosure and restrictions on height of open storage to the height of the concrete enclosures would minimise visual impact.
- 4.12 The proposal is, however, contrary to the Waste Local Plan adopted 1999, although the applicants provide a small but valuable contribution to the Council’s objective of substantially increasing the volume of recycling. In terms of Local Plan Policy the proposal complies in all respects with the general land use criteria in Policy Number 1 but fails to meet the site selection criteria of Policy 6.
- 4.13 The re-use of an existing building in the Green Belt and the diversification of an agricultural unit for the crushing and storage of waste brick is accepted by PPG 2 and Policy 1 of the Waste Local Plan along with supporting material considerations such as improvements in recycling targets and the proximity principle such that locational factors are outweighed by these special circumstances. It is therefore considered that sufficient overriding considerations exist to enable the proposal to be supported although not in compliance with Policy 6 of the Waste Local Plan.
- 4.14 The proposal is consistent with development plan objectives of reducing waste going to landfill and provides a suitable outlet for the source supplier. The

change of use of the building would have no adverse effect on the openness of the Green Belt or the principles of including land within it. The building, to local residents and users of the nearby footpath, would retain the appearance of a substantial farm building, with vehicles and equipment stored within and accessed from the internal farmyard.

JOHN DEEGAN
Director of Planning, Transport and Economic Strategy
Shire Hall
Warwick



13th May 2005



Scale 1: 3500	Ref No. NW1584/05CM008	Drawn Thomas Cox
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Regulatory Committee 24 May 2005
 Subject
Brick Crushing, Southfields Farm

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Warwickshire
County Council

John Deegan
 Director of Planning, Transport
 and Economic Strategy
 Shire Hall, Warwick, CV34 4SX

APPENDIX A OF AGENDA NO.

Regulatory Committee – 24th May 2005

**Southfields Farm, Packington Lane, Coleshill -
Storage and Crushing of Waste Brick and Relocation of
Haulage Business from Adjoining Building**

Application No: NW1584/05CM008

General Operations

1. The development whereby approved shall be commenced no later than 5 years from the date of this permission.
2. Unless otherwise approved in writing by the County Planning Authority the development shall not be carried out other than in accordance with the details contained in the submitted application number NW1584/05CM008 and with the supporting statement and drawings and with any details or samples approved pursuant to these conditions.
3. 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 a capacity and details compatible with the site being drained. Roof water shall not pass through interceptor.
4. Unless otherwise agreed in writing by the County Planning Authority the use of heavy goods vehicles and plant shall not be carried out except between the hours of:

0700 – 1730 on weekdays.

No operations or uses shall be carried out on Saturdays, Sundays or Bank Holidays.
5. No Heavy Goods Vehicle leaving or entering this site shall do so from the High Street in Coleshill. All traffic leaving the site shall thus turn left at the junction of Packington Lane with Coventry Road, and all traffic entering the site shall turn right into Packington Lane from Coventry Road.
6. No more than five heavy goods vehicles shall be parked within the application site at any one time.
7. 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 should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or vessel or the combined capacity of

interconnected tanks or vessels plus 10%. 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 pipe outlets should be detailed to discharge downwards into the bund.

8. The development hereby approved shall not be commenced until full details of the new cladding to be used on the external walls and roof of the building have been submitted to and approved in writing by the County Planning Authority.
9. No development shall take place until full details of soft landscape proposals have been submitted to and approved in writing by the County Planning Authority. These details should include a planting plan, written specifications, schedules of plants noting plant species, sizes and proposed numbers/densities where appropriate.
10. Signs shall be erected where Heavy Goods Vehicles emerge from the application site onto the public footpath warning drivers to be aware of pedestrians on the track ahead.
11. No materials shall be stockpiled or deposited to a height exceeding 3 metres from ground level.

Reasons for the Condition

1. To comply with the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of development in the interest of visual amenities of the area.
3. To prevent pollution of the water environment.
4. To protect the amenities of local residents.
5. In the interests of safety to all road users in the vicinity of the site, and in the interests of the amenities of Coleshill.
6. In the interests of controlling the traffic generated from the site.
7. To prevent pollution of the water environment.
8. In order to ensure the satisfactory appearance of the completed development and to protect the amenity of the area and local residents from dust.
9. In the interests of visual amenity.
10. In the interests of highway safety.
11. In the interests of visual amenity.

Notes to the Applicant

1. This operation will need either a waste management licence or an exemption from a waste management license.
2. With the information given it would appear that the operation is more likely to be exempt from the requirements of a license but the applicant should contact Paul Marlow on (0121) 2412000 to confirm this.
3. Any crushing unit used at the site must have a valid Air Pollution Permit issued under the Pollution Prevention and Control Act 1999.
4. Public footpath M80 must not be obstructed or encroached upon in any way.
5. The building which will be affected by the proposals does not appear to be suitable for use by bats, so we do not recommend a bat survey prior to determination of the application in this instance. However, bats can be found in many buildings, even those which initially appear to be unsuitable. Therefore if any evidence of bats is found on site, work should stop while a bat survey is carried out by an experienced bat worker, and recommendations made following the survey are undertaken. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000, and are also deemed a European Protected Species.
6. Although full building works are not part of the proposals it should be noted that any work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000. The main nesting season lasts approximately from March to September, so work should take place outside these dates if at all possible.

Development Plan Policies Relevant to this Decision

Warwickshire Structure Plan 1996 – 2011

- GD1 Overriding Purpose
- GD2 Regional and National Role
- GD3 Overall Development Strategy
- GD6 Green Belt
- RA4 Conversion of Existing Rural Buildings
- ER4 Protection and Enhancement of the Landscape
- ER9 Waste Local Plan

Waste Local Plan for Warwickshire 1999

- Policy 1 General Land Use
- Policy 6 Material Recycling Facilities
- Policy 13 Proposed Facilities

North Warwickshire Local Plan 1995

- ENV1 Green Belt
- ENV6 Special Landscape Area
- BEM6 Re-Use of Rural Buildings

Reasons for the Decision to Grant Permission

The development is contrary to Policy 6 of the Waste Local Plan for Warwickshire. However, it is considered that sufficient overriding considerations exist to allow the proposal to be supported. Furthermore the development will not in the opinion of the County Planning Authority result in an unacceptable impact upon the amenities of the locality by reason of noise, dust, traffic or visual intrusion and is therefore held to be acceptable in land use terms.

Note: The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.