

**AGENDA MANAGEMENT SHEET**

**Name of Committee**                      **Regulatory Committee**

**Date of Committee**                      **22nd December 2005**

**Report Title**                                **Bayton Road Industrial Estate, Bedworth -  
Materials Recovery Facility**

**Summary**                                      This application proposes the operation of a materials  
recovery facility and transfer station on land at No. 3  
Yard, Colliery Lane, Bayton Road Industrial Estate,  
Bedworth.

**For further information  
please contact**                                Matthew Williams  
Planning Officer  
Tel. 01926 412822  
matthewwilliams@warwickshire.gov.uk

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

**Background Papers**                              Submitted application, received 19/9/2005.  
Letter and amended plans, received 7/11/2005.  
Letter from County Museum, dated 12/10/2005.  
Letters from Environment Agency, dated 12/10/2005  
and 30/11/2005.  
Letter from Nuneaton and Bedworth Borough Council,  
dated 24/10/2005.  
Letter from Nuneaton and Bedworth Borough Council  
(Environment Health Officer), dated 24/10/2005.

**CONSULTATION ALREADY UNDERTAKEN:-**                      *Details to be specified*

- Other Committees                                       .....
- Local Member(s)                                       Councillor K Singh – 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 Marriott – comments incorporated
- Finance  .....
- Other Chief Officers  .....
- District Councils  Nuneaton and Bedworth Borough Council – no objection .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Environment Agency, County Museum – see paragraph 2 .....

**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 – 22nd December 2005**

**Bayton Road Industrial Estate, Bedworth -  
Materials Recovery Facility**

**Report of the Strategic Director of  
Environment and Economy**

**Recommendation**

That the Regulatory Committee authorises the grant of planning permission for the operation of a materials recovery facility and transfer station on land at No.3 Yard, Colliery Lane, Bayton Road Industrial Estate, Bedworth subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director of Environment and Economy.

APPLICATION : N37/05CM027

RECEIVED BY COUNTY : 19/9/2005

ADVERTISED DATE : 26/9/2005

APPLICANT : Budget Skip Services Ltd,17-19 Colliery Lane, Exhall  
Bedworth, Coventry, Warwickshire. CV7 9NW

AGENT : Professor Stephen L Willetts, 35 Bishops Cleeve, Austrey,  
Atherstone, Warwickshire. CV9 3EU

THE PROPOSAL : Materials recovery facility (mrf, including scrap metals) and  
transfer station.

SITE & LOCATION : Land at No.3 Yard, Colliery Lane, Exhall, Bedworth,  
Warwickshire  
[Grid ref: 358.859].

See plan in **Appendix A.**

## 1. Application Details

- 1.1 The application proposes the development and operation of a materials recovery facility (MRF) and waste transfer station on land at No.3 Yard, Colliery Lane, Bayton Road Industrial Estate. The facility would be operated by Budget Skip Services Ltd.
- 1.2 The open air facility would consist of a series of uncovered storage bays used to contain general rubbish, soil and hardcore. Raised areas would be provided between the bays upon which waste handling machines would operate. The site would be surfaced with concrete and drained towards an existing gully and interceptor. A mobile office building would be provided at the entrance to the site. The facility would be enclosed on two boundaries by 2.5 metre high corrugated sheets with 1 metre cranked top.
- 1.3 Waste materials delivered to the site would be deposited on the concrete pad and sorted to recover materials for recycling. Residual waste remaining after sorting would be loaded into containers, skips or other vehicles for transfer off-site. Reclaimed/recovered materials would be stored in the bays until sale and/or removal off-site.
- 1.4 Waste materials would be handled on site using a variety of plant and equipment, such as rubber-tyred or tracked excavator machine fitted, alternatively, with a 4-in-1 bucket, a grab, a rake, a rotary sieve, jar crusher, 'nibbler' and other equipment.
- 1.5 Materials imported to the site for recovery would be general skip waste typically comprising household waste (not domestic refuse) (70%), commercial waste (20%) and industrial waste (10). The facility would handle 25,000 tonnes of waste per annum or up to 500 tonnes per week.
- 1.6 Hours of operation are proposed to be 0730 – 1830 Monday to Friday and 0730 – 1800 Saturdays.
- 1.7 A new access (rationalisation of two existing accesses) would be provided onto Colliery Lane.
- 1.8 Vehicles accessing the site would typically be two-axle skip lorries. The development would generate an average of 30 vehicles (60 movements) per day and a maximum of 50 vehicles (100 movements) per day.
- 1.9 Empty skip storage and vehicle parking would be undertaken on a nearby site.

## 2. Consultations

- 2.1 **Nuneaton and Bedworth Borough Council** – no objection.
- 2.2 **Councillor K Singh** – no comments received.
- 2.3 **Environment Agency** – no objection subject to imposition of conditions to prevent pollution of the water environment.

2.4 **County Museum** – no objection.

### **3. Representations**

3.1 None received.

### **4. Observations**

#### **Planning History**

4.1 The site has in recent years been used for the operation of a scrap metal processing and car breaking business. Originally operated without the benefit of planning permission this use was regularised in 1996 under the provisions of planning permission N37/96CM014. The scrap business ceased operation earlier this year.

#### **Recent Planning Applications in Vicinity**

4.2 Earlier this year planning applications were submitted by Sita UK and Budget Skip Services proposing the operation of materials recovery facilities on two sites located a short distance from the current application site. Both of these sites differed from the current application site in that they were located on the edge of the Industrial Estate adjoining residential properties. In addition they were within a area allocated in the Nuneaton and Bedworth Local Plan for comprehensive redevelopment for uses compatible with/sympathetic to the adjoining residential uses. Both proposals were refused (one subsequently at appeal) as it was considered that they would adversely affect the amenities of neighbouring residents to an unacceptable degree by reason of odour, noise, dust and visual intrusion and were in conflict with the policies of the development plan.

#### **Site and Surroundings**

4.3 Bayton Road Industrial Estate is a large long-established industrial area on the south-eastern fringe of Bedworth. The application site is located on the northern side of Colliery Lane at a bend in the road.

4.4 The application site is adjoined on each side by existing waste facilities. To the east is located a waste recovery facility and transfer station operated by Hammond Skip Hire (similar in nature to current proposal) and to the north-west is a facility for the storage and treatment of liquid waste operated by Cleansing Services Group. Land at the rear of the site is occupied by an engineering businesses. Land on the opposite side of Colliery Lane is occupied by a series of yards used largely for open storage.

4.5 The nearest residential properties are located approximately 70 metres to the west of the site in a residential area known as the Cedars Estate.

4.6 The application site is roughly a wedge shape measuring approximately 50 metres long by 25 metres at its widest point (narrowing to a little over 12 metres

in width). The site is predominantly clear, having recently been vacated by the previous occupier, and partially hard surfaced. A small portable office unit is located at the frontage of the site. The site boundary is currently demarcated by a mix of palisade and chain link fencing. A line of Leylandii trees run along the north-western boundary of the site. The site currently has two accesses onto the Colliery Lane.

## **Planning Policy**

- 4.7 The adopted Waste Local Plan for Warwickshire encourages recycling and seeks a reduction in the amount of waste taken to landfill sites. Policy 1 sets out the environmental considerations, including noise, dust, traffic and visual impacts, which should be taken into account when considering any waste applications. Proposals should make a positive contribution to the re-use and recycling of materials as well as satisfy the proximity principle.
- 4.8 The proposed development would undoubtedly make a contribution towards the reuse and recycling of waste materials. It is also recognised that the site is within relatively close proximity to potential sources of waste materials. The application site is located well within the industrial estate surrounded by industrial/commercial uses. The site itself and adjoining sites have and continue to be used for waste related activities with no complaint. It is therefore considered that the proposed development accords in principle with Policy 1.
- 4.9 Policy 6 of the Waste Local Plan relates specifically to material recycling facilities and states that such proposals will be permitted, as an integral part of new and established waste disposal facilities, on industrial estates and on other land that has been used for a commercial use where the proposed use would be compatible with adjacent land uses. In this case the application site has previously been used for the operation of a waste facility, is located within an established industrial estate and is sandwiched between two existing waste facilities. Therefore, the proposed development is compatible with adjacent land uses and accords with Policy 6.
- 4.10 Policy 8 states that proposals for waste transfer stations will only be approved, subject to compliance with Policy 1, within or adjacent to the sites of established waste disposal facilities, on industrial estates or in the void created by mineral working. The industrial estate location and established waste uses in the vicinity result in the proposed development being in accordance with Policy 8.

## **Visual Amenity**

- 4.11 The frontage of the application site is demarcated by a galvanised palisade fence which allows reasonably open views into the site. A condition of the planning permission relating to operations at the adjacent site, operated by Hammond Skip Hire, required the erection of a solid fence and landscape planting along the frontage. This effectively screens operations on that site and it is considered that similar screening should be provided to this site. This could be secured by condition.

- 4.12 The site is some 70 metres from the nearest residential properties with various industrial/commercial activities undertaken in-between. It is considered that the proposed development would have no greater visual impact than the previous scrap metal operations on site. Furthermore, additional screening to the frontage of the site would further assist with limiting visual impact.

### **Noise**

- 4.13 Operations proposed to be undertaken on site, including movement of plant and vehicles, loading and unloading of skips, loading and unloading of waste/recovered materials which can all be inherently noisy.
- 4.14 The application states that, vehicles, plant and equipment would be fitted with proprietary manufacturers silencers, where fitted shrouds and hoods would be kept in place and plant would be configured so as to minimise noise generation. Therefore, ensuring that noise generation should neither be excessive nor intrusive to the nearest neighbours.
- 4.15 The scrap metal dismantling activities previously undertaken on the site and waste related activities undertaken on adjacent sites are similar in nature and in terms of the type of plant and machinery that would be operated. The operations of the existing waste facilities have not resulted in noise related complaints.
- 4.16 The Environmental Health Officer at Nuneaton and Bedworth Borough Council has been consulted and has raised no objection. However, the offices of Cleansing Services Group immediately adjoin the application site and it is therefore considered that the use of crushing and screening equipment should be prevented. A suitably worded condition is suggested.

### **Dust**

- 4.17 The loading, unloading and sorting of materials has the potential to generate dust. However, good management of operations on site should prevent dust from causing a nuisance. The adjacent materials recycling facility has operated for a number of years without cause for complaint in respect of dust. The Environmental Health Officer at Nuneaton and Bedworth Borough Council has been consulted and has raised no objection.

### **Odour**

- 4.18 The facility would handle general skip waste comprising a mix of commercial, industrial and household waste. Household waste in particular has the potential to create adverse odours if not appropriately managed. The type of waste disposed of by households, industry and businesses via skips tends not to be the most likely odorous wastes, such as domestic waste. However, any waste has the potential to be malodorous if not appropriately handled and managed. The application states that only limited amounts of biodegradable wastes will be handled on site and wastes will only be retained on site for short periods before processing and therefore does not anticipate odour being a problem. With good site management it is considered that odour would not be cause for complaint.

## **Litter**

- 4.19 The nature of the waste proposed to be handled/processed on site has the potential to generate litter problems if not adequately managed. The potential exists for litter to be generated from open storage and processing of materials and loading such materials into vehicles. However, good management of site operations and with containment of the site as proposed litter should not be a problem.

## **Vermin**

- 4.20 The biodegradable nature of elements of household waste has the potential to attract vermin. However, good management of the facility and adequate pest control could prevent vermin becoming a problem.

## **Access and Traffic**

- 4.21 The application site currently has two access points onto Colliery Lane which the applicant proposed operating as one for in coming traffic and the other for out going vehicles. The site is located on a bend in the highway where the appropriate visibility standards cannot be achieved. However, the site has been used in recent years as a scrap yard, with similar traffic generation, and could resume this use at any time. Notwithstanding this it is considered that improvements to highway safety could be secured by rationalising the two existing access points to one access. Suitably worded conditions are suggested to secure closure of one access, improvement/widening of the remaining access and provision of sufficient visibility splays.

## **Other Issues**

- 4.22 The nature of the activities proposed to be undertaken on the site would also require licensing by the Environment Agency under the provisions of the Waste Management Licensing regime. A Waste Management Licence contains controls upon operations to prevent pollution of the environment.
- 4.23 The application site is relatively small in size for an operation of this nature. However, a waste facility has previously operated from the site and the applicant proposes retaining a nearby site for the parking of vehicles and storage of empty skips. Therefore, with good management the relatively restricted nature of the site should not result in adverse impacts.

## **Conclusion**

- 4.24 The proposed development would make a contribution towards the reuse and recycling of waste materials, occupies the site of a former waste facility, is situated between two operational waste facilities on an industrial estate and therefore accords with the policies of the development plan. Subject to good management of operations undertaken on site the facility is unlikely to have an adverse impact of neighbouring occupiers. Consequently, the proposed development is considered appropriate in this location.

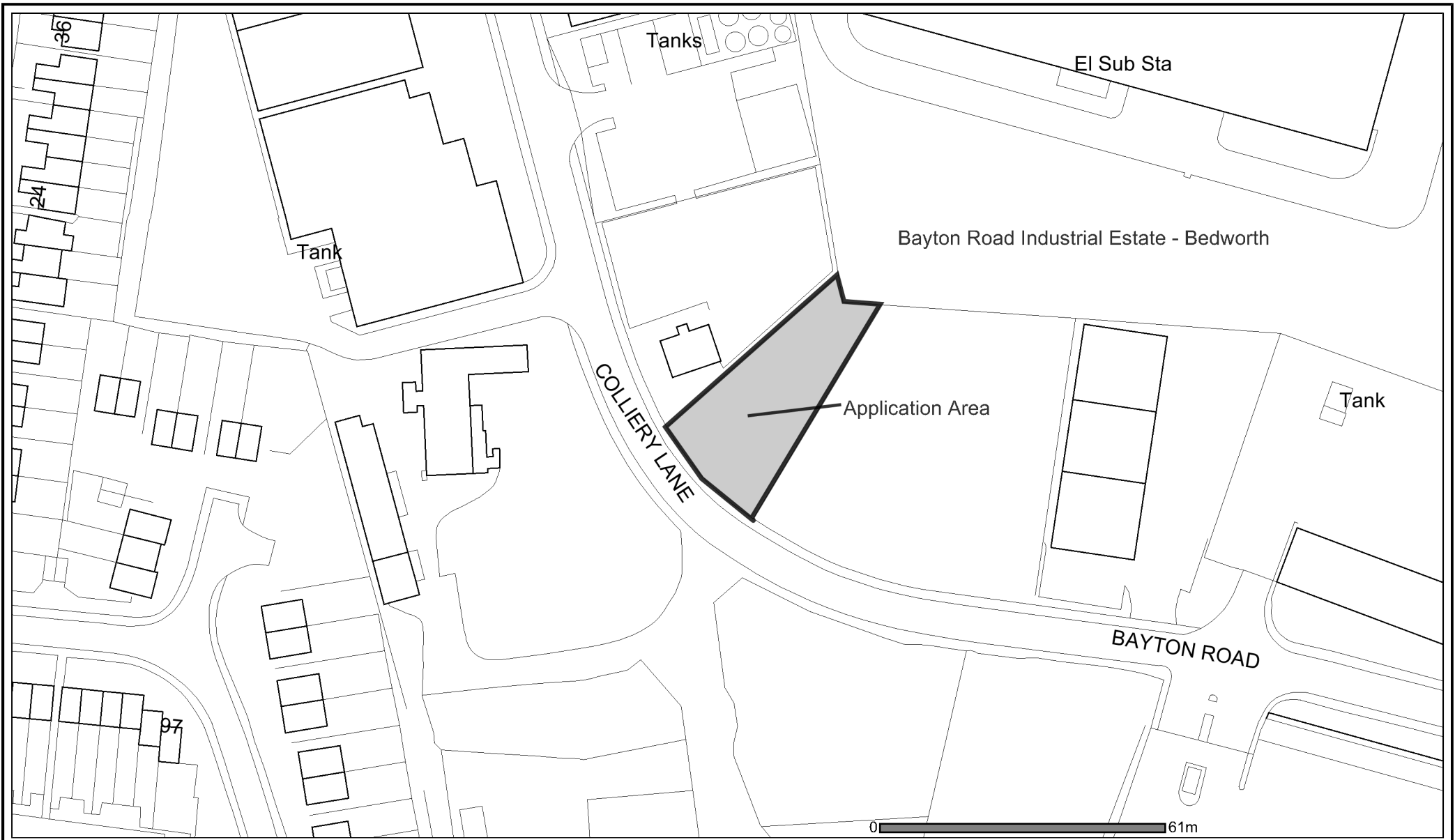


## **5. Environmental Implications**

- 5.1 The proposed development is unlikely to have any adverse impacts upon the environment or residential amenity based within this industrial site location.

JOHN DEEGAN  
Strategic Director of Environment and Economy  
Shire Hall  
Warwick

9th December 2005



Scale 1: 1135

Ref No. N37/05CM027

Drawn Matthew Williams

Regulatory Committee 22nd December 2005

Subject

**Materials Recovery Facility - Bayton Road Ind Est**



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

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APPENDIX A OF AGENDA NO.

**Regulatory Committee – 22nd December 2005**

**Bayton Road Industrial Estate, Bedworth -  
Materials Recovery Facility**

**Application: No.N37/05CM027**

**Commencement Date**

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

**Reason:** Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

**Pre-Commencement**

2. The development hereby permitted shall not be commenced until a landscaping scheme for the frontage of the site, to include; proposed planting, ground preparation, maintenance programme and physical features to ensure protection of the landscaped area has been submitted to and approved in writing by the County Planning Authority. Following approval in writing the scheme shall be implemented accordingly in the first available planting season.

**Reason:** In the interests of the visual amenity of the area.

3. The development hereby permitted shall not be commenced until a detailed scheme for the fencing and visual screening of the site, to include details of location, height, materials, colour, etc, has been submitted to and agreed in writing by the County Planning Authority. Following approval in writing the scheme shall be implemented accordingly prior to the facility becoming operational.

**Reason:** In the interests of the visual amenity of the area.

4. The development hereby permitted shall not be commenced until a detailed scheme for protection of existing boundary trees, including replacement planting where appropriate, has been submitted to and agreed in writing by the County Planning Authority. Following approval in writing the scheme shall be implemented accordingly prior to the facility becoming operational.

**Reason:** In the interests of the visual amenity of the area.

## General Operations

5. The development hereby permitted shall not be carried out except in accordance with the submitted application, letter dated 05/11/2005 received from Professor Stephen Willetts, plans ref Location Plan for Budget Skips dated September 2005, Drawing No. SW/PS3.

**Reason:** To ensure a satisfactory standard of development.

6. None of the operations or uses hereby permitted shall be undertaken except between the following hours:

|             |                  |
|-------------|------------------|
| 0730 – 1830 | Monday to Friday |
| 0730 – 1800 | Saturdays        |

No operations or uses shall be carried out on Sundays, Bank or Public Holidays.

**Reason:** In the interests of the amenities of nearby residents.

7. Materials, waste or plant shall not be stored on site except in areas designated for such a purpose Drawing No. SW/PS3, stockpiles shall not exceed 3 metres in height.

**Reason:** To ensure a satisfactory standard of development.

8. No waste or recycled materials other than those identified in the supporting statement submitted with the application shall be stored on site.

**Reason:** To ensure a satisfactory standard of development.

9. The best practicable measures shall be adopted to prevent or minimise noise emissions from the site. All vehicles, plant and machinery employed within the site shall be properly maintained and silenced in accordance with the best practicable standard.

**Reason:** To safeguard the amenities of adjoining occupiers and nearby residents.

10. The best practicable measures shall be employed to prevent or minimise the raising of dust. Such measures shall include, amongst others, the damping of stockpiles and working areas, cleaning of roadways and the suspension of operations during adverse weather conditions that are likely to render the control of dusts and litter blown material impossible.

**Reason:** To safeguard the amenities of adjoining occupiers and nearby residents.

11. The best practicable measures shall be adopted to prevent the creation of unpleasant odours from the site. Such measures shall include, amongst others,

the regular removal of material likely to give rise to the creation of odours from the site and the regular emptying and cleaning of the rubbish bays.

**Reason:** To safeguard the amenities of adjoining occupiers and nearby residents.

12. No loaded lorries shall enter or leave the site unless sheeted/netted, or their loads are otherwise appropriately secured.

**Reason:** In the interests of highway safety.

13. No mud or other deleterious material shall be deposited on the public highway

**Reason:** In the interests of highway safety.

14. There shall be no screening or crushing of materials on the site.

**Reason:** To safeguard the amenities of adjoining occupiers and nearby residents.

15. No external lighting shall be installed on site unless a scheme of lighting has been submitted to and approved in writing by the County Planning Authority. Following approval the scheme shall be implemented accordingly.

**Reason:** To safeguard the amenities of adjoining occupiers and nearby residents.

16. 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 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, 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 shall be detailed to discharge downwards into the bund.

**Reason:** To prevent pollution of the water environment.

17. All waste handling areas must drain to either a sealed sump or to foul drainage with the agreement of Severn Trent Water.

**Reason:** To prevent pollution of the water environment.

18. Vehicles shall not enter or leave the site other than by the access identified on Drawing No. SW/PS3.

**Reason:** In the interests of highway safety.

19. The facility shall not be used until the access identified on Drawing No. SW/PS3 has been widened so as to be not less than 6.1 metres, as measured from the edge of the public highway carriageway.

**Reason:** In the interests of highway safety.

20. The facility shall not be used until all parts of the existing access within the public highway identified on Drawing No. SW/PS3 has been closed off and the kerb has been reinstated in accordance with the standard specification of the highway authority.

**Reason:** In the interests of highway safety.

21. The facility shall not be used until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 33 metres to the centre line of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

**Reason:** In the interests of highway safety.

22. The facility shall not become operational until a turning area has been provided within the site so as to enable skip lorries to leave and re-enter the public highway in a forward gear.

**Reason:** In the interests of highway safety.

### **Development Plan Policies Relevant to this Decision**

- (a) Warwickshire Structure Plan – 1996-2011 – Policies GD.1, GD.2, GD.3, GD.4, GD.5, RA.1, ER.1, ER.2, ER.4, ER.5 and ER.8.
- (b) Nuneaton and Bedworth Borough Local Plan – Adopted February 1993 – E32 and E33
- (c) Nuneaton and Bedworth Borough Local Plan – Two Thousand and Five : Proposed Modifications – Env31
- (d) The Waste Local Plan for Warwickshire – Adopted August 1999 –Policies 1, 2, 6 and 8.
- (e) West Midlands Spatial Strategy – Policies QE1.

### **Reasons for the Decision to Grant Permission**

The development hereby permitted is in accordance with the relevant provisions of the development plan and would secure the most satisfactory standard of development overall and there are no contrary material considerations sufficient to require refusal.