

- Other Elected Members
- Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive
- Legal I Marriott – agreed.
- Finance
- Other Chief Officers
- District Councils Stratford on Avon District Council – No objection.
Environmental Health Officer – No objection.
- Health Authority
- Police
- Other Bodies/Individuals 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 - 16th March 2006

**Kingston Grange Landfill, Lighthorne – Extension of Time
Period Permitting the Deposit of Inert Waste Materials**

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

Recommendation

That the Regulatory Committee authorises the grant of planning permission to vary condition No.10 attached to Planning Permission Ref: S594/95CM005 to permit the deposit of inert waste materials at Kingston Grange Farm, Lighthorne until 31st October 2007, instead of 31st October 2005, subject to the conditions and the reasons contained in **Appendix B** of the report of the Strategic Director of Environment and Economy.

APPLICATION NO: S594/95CM005

RECEIVED BY COUNTY: 21/6/2005

ADVERTISED DATE: 30/9/2005

APPLICANT: R & R White, Kingston Grange Farm, Lighthorne,
Warwickshire.

AGENT: Margetts, Chartered Surveyors, 12 High Street, Warwick,
CV34 4AP.

THE PROPOSAL: Section 73 Application: Variation of Condition 10 attached to
Planning Permission ref: S594/95CM005 to extend the life
of the landfill site at Kingston Grange Farm, until
31st October 2007.

SITE & LOCATION: Kingston Grange Landfill, Kingston Grange Farm,
Lighthorne.

See plan in **Appendix A**.

1. Application Details

- 1.1 This application proposes to extend the time limit by which the deposit of inert waste materials on land at Kingston Grange Farm must be completed from 31st October 2005 until 31st October 2007.
- 1.2 Since planning permission ref: S594/95CM005 was granted on 28th November 1995, the infill of the site has taken longer than expected due to the introduction of landfill tax and its effect in slowing the deliveries of inert waste to the site.
- 1.3 The cost of landfill tax has forced developers to find alternative 'on-site' methods when dealing with inert materials, rather than facing higher costs by sending this material to authorised landfill sites.

2. Consultations

- 2.1 **Stratford on Avon District Council** – No objection.
- 2.2 **Councillor D Booth** – No comments received as of 2/3/06.
- 2.3 **Councillor B Stevens** – No comments received as of 2/3/06.
- 2.4 **Lighthorne Parish Council** – No comments received.
- 2.5 **Gaydon Parish Council** – No further comments.
- 2.6 **Chesterton and Kingston Parish Council** – No comments received.
- 2.7 **Environmental Health Officer** – No objection.
- 2.8 **Environment Agency** – No objection.
- 2.9 **Highways Agency** – No objection.

3. Representations

- 3.1 None received.

4. Observations

- 4.1 The application site lies to the north west of junction 12 of the M40 motorway between the villages of Lighthorne and Gaydon. More precisely it is bounded to the south west by a track leading to the house at Castle Farm, to the north east by the M40, to the north west by Kingston Grange Farm and to the south east by an embankment up to the B4451 road.
- 4.2 Landfilling of the site is well advanced although it has taken longer than expected, due possibly to the introduction of the landfill tax. Tipping is currently taking place in the final phases of the landfill. Approximately, 135,000 cube of void space remains. Based on current inputs it would take 18 months to

complete and restore the remaining areas of the site. Tree planting has been undertaken as phases throughout the landfill have been completed. At the end of the time extension requested, all areas will be landscaped in accordance with the agreed restoration scheme.

- 4.3 Castle Farm is the nearest residential property and is approximately 30 metres away from the landfill area. The farm does not directly overlook the site and is screened by a bank of trees. The applicant has stated that he intends to construct an amenity bund along the boundary of the site adjacent to the farm house as a further protection for the property.
- 4.4 There have been no complaints from the residents at Castle Farm regarding operations at the existing landfill site and they have not objected to the variation of condition 10, proposing an extension of the life of the site.

5. Conclusion

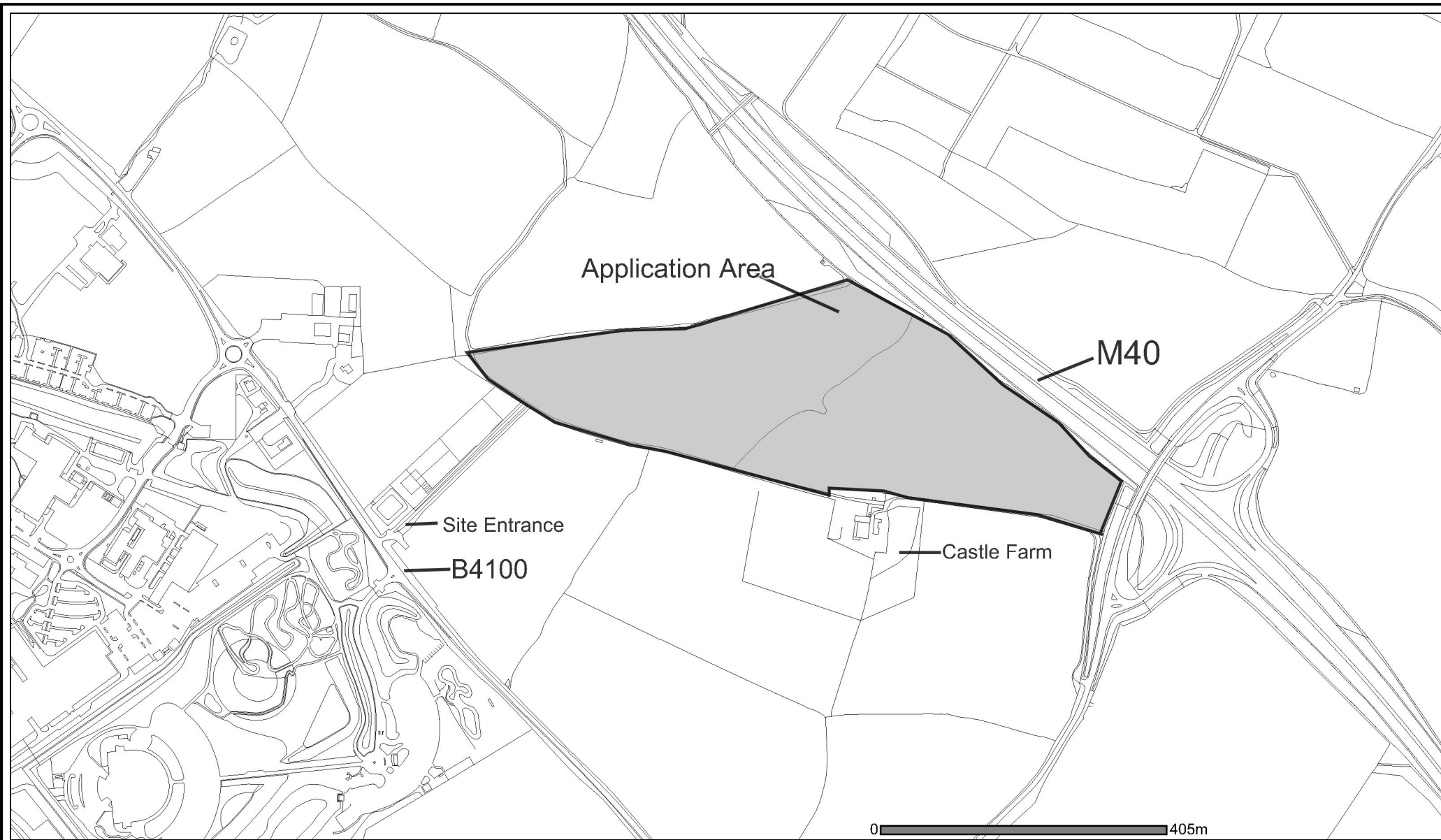
- 5.1 The original planning permission allowed for the completion of the infill of inert materials for the whole site, and as previously stated, much of the site has been afforested and completed.
- 5.2 Ceasing landfilling operations now would result in an incomplete landform and unsatisfactory standard of restoration. It is therefore considered reasonable and practical to allow completion of infilling and restoration of the site in accordance with the approved plans.

6. Environmental Considerations

- 6.1 The proposal would complete the landfill and benefit the visual amenities of the locality and produce an attractive area of woodland with facilities for angling. The necessity to continue tipping to achieve this, would however, mean that the area would continue to be disturbed by vehicles visiting the site for another 18 months.

JOHN DEEGAN
Strategic Director of Environment and Economy
Shire Hall
Warwick

1st March 2006



Scale 1: 7500

Ref No. S594/05CM029

Drawn Thomas Cox

Regulatory Committee - 16th March 2006

Subject

Kingston Grange Landfill - Extension of Time



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

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Regulatory Committee - 16th March 2006

**Kingston Grange Landfill, Lighthorne – Extension of Time
Period Permitting the Deposit of Inert Waste Materials**

Application No: S594/95CM005

1. Unless otherwise agreed in writing by the County Planning Authority the development shall not be carried out other than in accordance with the details given in application reference S594/95CM005 and letters dated 25th July, 26th September and 1st November 1995 and Landscaping Plan 898.4 Rev E and plans 898/7 Rev D, 898/2 Rev E, 898/4 Rev E, 898/3 Rev B, 898/1 Rev A.
2. Before tipping commences on the final part of the site all available topsoil from this phase shall be stripped and retained on site. The details of the amenity bund to be formed from some of the soil shall also be submitted to and approved in writing by the County Planning Authority and following that implemented accordingly.
3. Before tipping commences on this final phase of the site profile boards shall be erected at locations to be agreed with the County Planning Authority to show the final levels of the site.
4. Before tipping commences on this final phase of the site the site road shall be constructed with a tarmacadam surface to the satisfaction of the County Planning Authority.
5. No materials other than uncontaminated soil, subsoil, brick, stone and concrete rubble shall be tipped at the site.
6. No access other than the existing site access from the B4100 shall be used by vehicles visiting the site.
7. No tipping of waste shall take place above the final restoration levels shown on plan No. 898/2 Rev E.
8. The restoration of the site shall be carried out in a phased manner in accordance with the phases shown on plan 898/7 Rev D and the proposals outlined in the letters from Margetts dated 25th July and 26th September 1995 and Landscaping Plan 898.4 Rev E A detailed restoration scheme for each phase shall be agreed in writing with the County Planning Authority no later than 6 months prior to the completion of each phase. Following agreement these proposals should be implemented accordingly.
9. No tipping of waste shall take place after the 31st October 2007.

10. Vehicles and plant shall not cross topsoil in storage except for the purposes of spreading.
11. Except in such specific circumstances as may have received prior written approval of the County Planning Authority none of the operations or uses hereby permitted or any ancillary operation shall be carried out except between the following times:

0800 to 1700 Mondays to Fridays inclusive.

No operations or uses shall be carried out on Saturday, Sunday, Bank Holidays or other National Holidays.
12. No tipping shall commence unless measures for the control of dust have been submitted to and agreed in writing by the County Planning Authority. Following agreement these measures shall be implemented accordingly.
13. There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any other surface waters, whether direct or via soakaways.
14. 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.
15. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

Reasons

1. To protect the amenities of the area.
2. To ensure the satisfactory restoration of the site.
3. To monitor the final restoration levels of the site.
4. In the interests of highway safety.
5. To protect the amenities of the area.
6. In the interests of highway safety.

7. To ensure the satisfactory restoration of the site.
8. To ensure the satisfactory restoration of the site.
9. To protect the amenities of the area.
10. To protect the amenities of the area.
11. To protect the amenities of the area.
12. To suppress any dust that may be caused by the operation.
13. To prevent pollution and protect groundwater sources.
14. To prevent pollution and protect groundwater sources.
15. To prevent flooding and adverse effects on land drainage upstream and downstream of the development.

Development Plan Policies and Proposals Relevant to the Decision to Grant Permission

Warwickshire Structure Plan 1996 – 2011

- | | | |
|-------|-----|----------------------------------------------|
| (i) | GD1 | (Overriding Purpose). |
| (ii) | GD2 | (Regional and National Role). |
| (iii) | ER1 | (Natural and Cultural Environmental Assets). |
| (iv) | ER2 | (Environmental Impact of Development). |
| (v) | ER9 | (Waste Local Plan). |

Stratford on Avon Local Plan Adopted May 2000

- | | | |
|-------|-------|-------------------------------------------------|
| (i) | ENV1 | (General Principles of Acceptable Development). |
| (ii) | ENV2 | (Protection of Watercourses). |
| (iii) | ENV3 | (Pollution Control). |
| (iv) | ENV12 | (Farmland). |

Waste Local Plan for Warwickshire 1999

- | | | |
|-------|----------|------------------------------|
| (i) | Policy 1 | (General Land Use). |
| (ii) | Policy 2 | (Conditions and Agreements). |
| (iii) | Policy 3 | (Landfilling). |

Reasons for the Decision to Grant Permission

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

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