

- Chief Executive
- Legal I Marriott - agreed
- Finance
- Other Chief Officers
- District Councils Rugby Borough Council – no objection but concerns. (See paragraph 2.1).
- Health Authority
- Police
- Other Bodies/Individuals Environment Agency – no objection subject to pollution prevention condition.

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

Arches Lane Industrial Estate, Rugby - Waste Transfer Station (Retrospective Use) as an Extension to Adjacent Site

Report of the Strategic Director of Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of retrospective planning permission for the extension of an existing waste transfer station at Arches Lane Industrial Estate, Rugby, and subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director of Environment and Economy.

1. Application Details

- 1.1 This application seeks retrospective consent for an extension to the site area of an existing Waste Transfer Station.
- 1.2 As part of the application it is proposed to construct a new building and use this a 54 metre long bay structure for the storage of waste types after sorting. This building is proposed along the western boundary of the site. The structure would be constructed of steel sheet and metal with an open elevation enabling the storage of waste materials. It would be divided into individual segregated bays measuring 3 metres in width with a maximum roof height of 6.2 metres. The bay area would stand upon a concrete floor and be fitted with a sprinkler system for dust suppression purposes.
- 1.3 The applicant has confirmed that the adjacent authorised site will be used for the primary acceptance of waste into the facility. Whilst, it is intended that the red line site for this application would provide more room to ensure the segregation of waste streams and meet recycling targets.

2. Consultations

- 2.1 **Rugby Borough Council** – No objection in principle but concerns regarding current visual appearance, the parking and movement of vehicles from both Arches Lane and Butlers Leap, and the bad surface of the site. Conditions requested relating to vehicle usage of the site and access, Environmental Controls, surface treatment, Environment Agency requirements, Environmental Health comments, and hours of operation.

- 2.2 **Councillor Ms K King** – No comments received as of 2nd March 2006.
- 2.3 **Councillor J Wells** – No comments received as of 2nd March 2006.
- 2.4 **Environment Agency** – No objection subject to a pollution prevention condition

3. Representations

- 3.1 None

4. Observations

Background

- 4.1 Planning permission R505/871999 granted consent for a waste transfer station for land off Butler's Leap near Arches Lane Industrial Estate, Rugby. Recently the owners have extended the transfer station to incorporate the adjacent site. This application seeks to regularise this site extension.

Site and Surroundings

- 4.2 The site lies within Arches Lane Industrial Estate, which incorporates a variety of industrial and waste uses, with Arches Lane forming the south western boundary. To the north lies the existing approved waste transfer station and beyond that the public highway of Butlers Leap and a large area of Open Space.
- 4.3 The nearest residential properties are located over 300 metres away. Beyond Butlers Leap lies Open Space. The site itself is surrounded by uses associated with Industrial Estates, including a scrap yard/car wreckers. Arches Lane itself is a relatively narrow roadway that penetrates into the Industrial Estate off Mill Road.

Planning History

- 4.4 Prior to the current unauthorised transfer station, use of the site was for the storage and recovery of scrap metal under a consent granted in 1991.
- 4.5 The adjacent authorised waste transfer station was granted consent in 1988, under Planning Reference R505/871999. The applicant has operated on the site since around this time, under the name of Cwik Skips.

Planning Policy

- 4.7 Within both the adopted and emerging Rugby Borough Local Plan, the site has no specific designation. However, more general policies contained within the plan are material considerations. Of particular relevance is policy R/G1(11) of the adopted plan which seeks to protect the amenities enjoyed by occupants of buildings and notes noise, vibration, pollutions and smell specifically.

- 4.8 These particular issues are repeated in policy GP3 – Protection of Amenity of the emerging plan.
- 4.9 Policy number 1 of the adopted Waste Local Plan for Warwickshire states that planning permission will be refused where proposals would have an adverse impact on the character of the locality or amenity of local occupiers, or when development would give rise to traffic that would adversely affect highway safety or have a significant adverse impact when traversing the routes which generated traffic are likely to take.
- 4.10 Policy number 8 of the Waste Local Plan relates specifically to waste transfer stations. This policy requires such development to be located within or adjacent to the sites of established waste disposal activities, on industrial estates or in the voids created by mineral workings, subject to compliance with policy number 1.

Considerations

Visual Amenity

- 4.11 The site fronts onto Arches Lane and consists of corrugated steel colour coated steel fencing up to around 3 metres in height, incorporating gates providing for vehicular access. This boundary treatment limits views into the site to those available through the open gates during the hours of operation.
- 4.12 Arches Lane itself is purely an access road serving the industrial estate and does not serve other types of development. The site concerned is located within the centre of the estate surrounded by industrial type commercial development. Therefore, any visual impacts would not affect the public domain.

Noise

- 4.13 The activities carried out as part of the proposed waste transfer use include the movement of plant and vehicles, loading and unloading of skips, and the sorting, loading and unloading of waste. All of these operations are inherently noisy.
- 4.14 The noise emissions from the site would be similar in nature to those associated with the previous site use for storage and recovery of scrap metal. In addition, there are a number of waste management sites located within Arches Lane Industrial Estate.
- 4.15 Rugby Borough Council's Environmental Health Officer has been consulted and has raised no objection. Considering this and the site's location is well away from residential properties the noise impacts associated with the development are considered to be acceptable.

Dust

- 4.16 The loading, unloading and sorting of materials has the potential to generate dust. In the past, Rugby Borough Council's Environmental Health Officer has received complaints from the occupiers of adjacent units regarding dust being generated from the existing authorised Tailby-Brack site.

- 4.17 As part of the application the use of a 54 metre long bay structure for the storage of waste types after sorting is proposed along the western boundary of the site. The structure would be constructed of steel sheet and metal with an open elevation enabling the storage of waste materials. The structure would be divided into individual segregated bays measuring 3 metres in width. The bay area would stand upon a concrete floor and be fitted with a sprinkler system for dust suppression purposes.
- 4.18 In view of the various consultation responses, further information was requested from the applicant's agent. This information includes an environmental risk assessment addressing various issues relating to the operation of the site. The Environmental Health Officer is satisfied with the application so long as the measures outlined in the submitted risk assessment are implemented.
- 4.19 The use of the waste bays with an integrated water suppression system and a concrete floor would help contain and alleviate against dust arising. A concrete floor base also helps the management of dust in the bay areas.

Litter

- 4.20 The nature of waste material being stored on site means that there is potential for the risk of windborne litter if not adequately managed. The provision and use of the proposed bays would help reduce this risk occurring, as would the existing solid boundary fencing that acts as a litter control measure.

Highways

- 4.21 The site currently has one vehicular access onto Arches Lane, this access is the access used for the previous authorised scrap yard use. In addition the site operator uses two vehicular accesses including one associated with the authorised waste transfer station.
- 4.22 The nature of vehicles using the Arches Lane access are similar enough in nature to those associated with the previous scrap yard use and other uses within the surrounding industrial estate. As part of further information submitted by the applicant this has been confirmed as rigid body HGVs with a gross vehicle weight of between 7.5 and 17 tonnes would account for the vast majority of vehicle movements using the site access. Other lower numbers of vehicle movements would cover larger vehicles up to articulated bulk transfer vehicles weighing up to 44 tonnes gross vehicle weight. It should also be noted that the operator holds an Operators Licence for the site allowing up to 22 HGVs. It is considered that the vehicles using the access would be acceptable in highway safety terms.
- 4.23 The type of operations conducted at a Waste Transfer Station of this type can give rise to mud and dust, that without sufficient control can lead to the deposition of mud onto the Highway. Conditions managing activities on site that may result in mud and dust are proposed to resolve this potential problem.

Other Issues

- 4.24 The proposed activities, as well as those conducted on the adjacent authorised site, are subject to regulation by the Environment Agency under the Waste Management Licensing. A Waste Licensing Management Licence contains controls upon operations to prevent pollution of the environment.

Conclusion

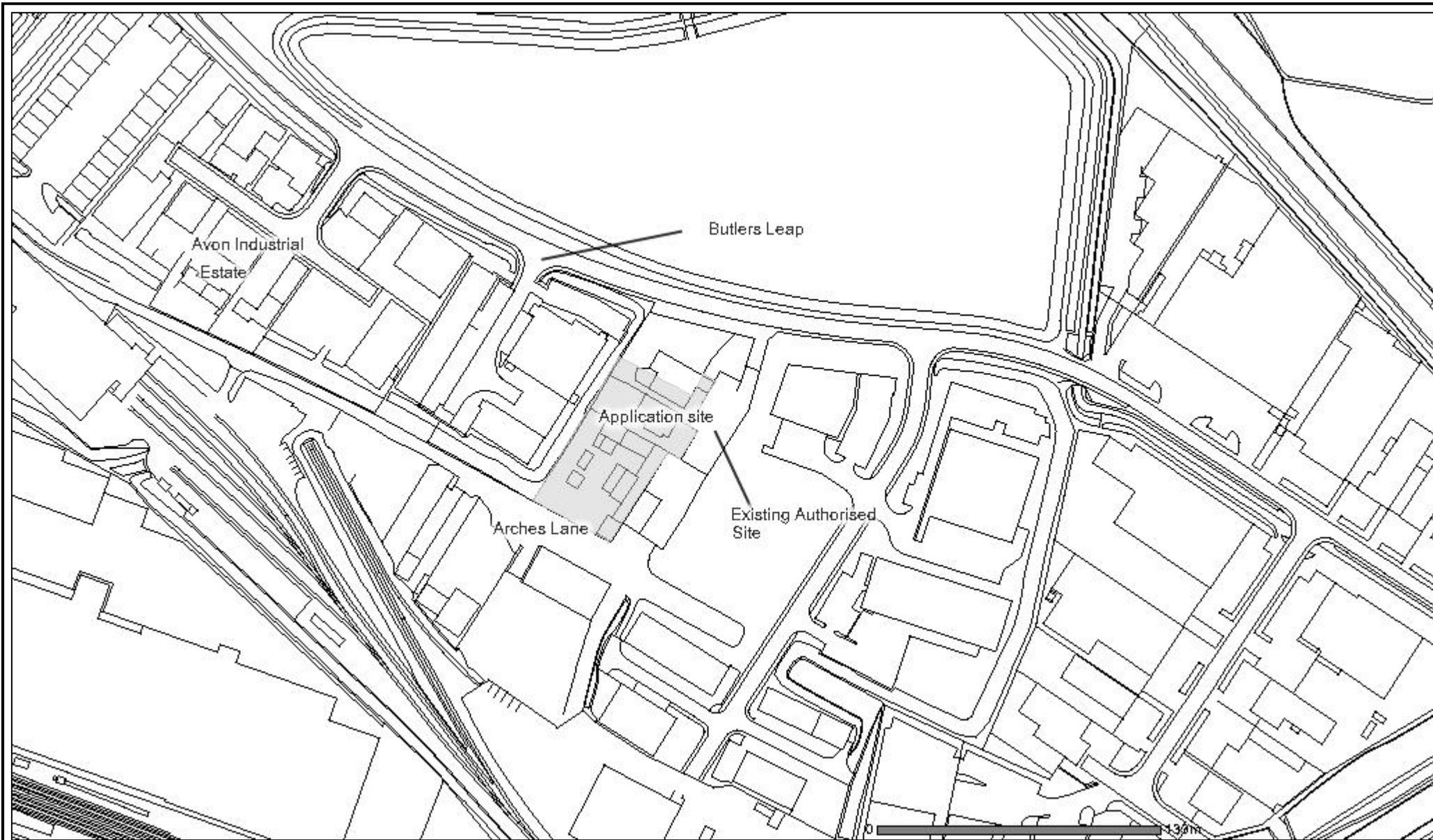
- 4.25 The expansion of the operational area would enable the segregation of waste materials processing and sorted for recycling of material. Without the expansion of the existing, the sorting and processing would be difficult to carry out due to the limitations of the approved site in terms of surface area.
- 4.26 The facility would not be fully enclosed, however the provision of bays for the storage of waste material, and other proposed measures would mitigate against the environmental impacts associated with such operations. The location of the site, within an industrial estate and means that the development, in principle, accords with the policies of the development plan. Subject to good site management the facility is unlikely to have an adverse Impact on 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 significant adverse impacts upon local amenities. Indeed, the provision of an additional operational area would enable a greater proportion of waste accepted to be recycled enabling more sustainable waste management.

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

1st March 2006



Scale 1: 2467

Ref No. R505/05CM026

Drawn Richard Forbes

Regulatory Committee 16/03/2006

Subject

Arches Lane Waste Transfer Station, Rugby



John Deegan
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Regulatory Committee – 16th March 2006

Arches Lane Industrial Estate, Rugby - Waste Transfer Station (Retrospective Use) as an Extension to Adjacent Site

Application No: R505/05CM026

1. The development hereby permitted shall not be carried out other than in accordance with the submitted application, the statement of environmental management controls attached to the letter dated 25th October 2005 received from Chiltern Environmental Ltd, the location plan shown on drawing number 25-6-816-2, drawing numbers 25-6-816-2A, 25-6-816-3 and details contained within the letter received 12th January 2006 from Cwik Skip Waste Management Services.

Reason: To ensure development is carried out in accordance with the planning permission hereby granted.

2. None of the operations or uses authorised by this permission and planning permission ref. R505/871999 shall be undertaken in the redline areas shown on drawing number 25-6-816-F1 and the site plan attached to planning application R505/871999 except between the following hours:

Monday to Friday	07:00 – 18:00
Saturday	07:00 – 14:00
Sunday	08:00 – 12:00

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

Reason: In the interests of the amenities of the locality.

3. The existing fencing and boundary treatment shall be maintained as such for the lifetime of the development hereby approved, unless an amended scheme for fencing and boundary treatment is submitted to the County Planning Authority for approval. Following approval the scheme shall be implemented accordingly and maintained as such for the remaining lifetime of the development.

Reason: In the interests of visual amenity, and to minimise the transportation of windborne material off site

4. Within three months of the date of this permission the controls stated within the Statement of Environmental Controls, attached to Chiltern Environmental Ltd's letter dated 25th October 2005, shall be implemented and maintained for the lifetime of the development.

Reason: To minimise the impact of the development on the surrounding environment and to reduce the impacts on the occupiers of the adjacent properties.

5. Within six months of the date of this permission the surface of the site, used for the receipt, storage and processing of wastes, the storage and movement of plant machinery and vehicles shall be finished in concrete or similar hard surface. This surface shall be kept in a mud/dust free state.

Reason: To minimise dust and mud arising that may be transported off site.

6. In order to minimise the raising of dust, the following steps shall be taken:
- (i) All areas of the site used by vehicles shall be damped down as necessary during dry conditions.
 - (ii) Stockpiles and the working area shall be damped down as necessary during dry conditions.
 - (iii) Atomisers shall be used on any crushing and screening plant at all feed and discharge points.
 - (iv) Drop heights from any crushers, screens and conveyor belts shall be kept to the minimum operational height.

Reason: To minimise the impacts, relating to the generation of dust, on the amenities of the area.

7. All reasonable steps shall be taken to ensure the drainage from areas adjoining the site is not impaired or rendered less effective by the permitted operations.

Reason: To protect the amenities of the area.

8. The facility shall not be open to the public either for the deposit of or purchase of materials.

Reason: To protect the amenities of the area.

Highway

9. No mud or debris shall be carried onto the public highway from the site.

Reason: In the interests of highways safety.

10. All loaded lorries entering the site shall be sheeted or netted as appropriate.

Reason: In the interests of highways safety.

Pollution Control

11. Immediately following the deposit of each load of waste it shall be checked to ensure that no litter which could become airborne is present. Should any such material be found it shall be removed from the waste and suitably disposed of. Should litter blow from the working area it shall be collected at once and disposed of.

Reason: To minimise the impacts, relating to litter, on the amenities of the area.

12. There shall be no discharge of foul or contaminated drainage (including trade effluent) from the site into either groundwater or any surface water, either direct or via soakaways.

Reason: To prevent pollution of the water environment.

15. 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, 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.

Reason: To prevent pollution of the water environment.

Development Plan Policies

Regional Spatial Strategy for the West Midlands – **Policy WD1**

Warwickshire Structure Plan – 1996 – 2011 – **Policies GD.1, GD.2, GD.3, ER.2, ER.4 and ER.9.**

Rugby Borough Local Plan June 1997 – **Policy R/G1(11)**

The Waste Local Plan for Warwickshire – Adopted August 1999 – **Policies 1, 2 and 8.**

Reasons for the Decision to Grant Permission

The proposal accords to the provisions of the development plan. In addition, the expansion of the existing approved facility would allow further waste material to be recycled. Furthermore there are no contrary material considerations to justify with holding planning permission.