

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 11th July 2006

Report Title Hampton-on-the-Hill, Warwick - Use of Incinerator for Animal Cremation

Summary This report recommends the grant of planning permission for the use of land at Hampton Lodge for the siting and operation of a mobile incinerator to cremate animals (domestic pets) at Hampton Lodge, Henley Road, Hampton-on-the-Hill, Warwick.

For further information please contact Thomas Cox
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Submitted application and plans received 27/3/2006. Email from Sherbourne Parish Council received 5/4/06. Email from Budbrooke Parish Council received 7/4/06. Letter from Warwick District Council received 11/4/06. Email from Environmental Health Officer received 11/4/06. Letter from Libraries, Adult Learning and Culture received 20/4/06. Four representations.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s) Councillor R Randev – No comments received as of 27/6/06.
(With brief comments, if appropriate) Councillor L Caborn – No objection.
- 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 Warwick District Council – No objection.
Environmental Health Officer – No comment on application.
- 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 - 11th July 2006

Hampton-on-the-Hill, Warwick - Use of Incinerator for Animal Cremation

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the use of land at Hampton Lodge, Henley Road, Hampton-on-the-Hill, Warwick, for the siting and operation of a mobile incinerator to cremate animals (domestic pets), subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No: W1338/06CM010.

Received By County: 27/3/2006.

Advertised Date: 31/3/2006.

Applicant: Mr and Mrs N Wyatt, Partridge Cottage, Henley Road, Hampton-on-the-Hill, Warwick, CV35 8QT.

The Proposal: Use of incinerator for animal cremation.

Site and Location: Hampton Lodge, Henley Road, Hampton-on-the-Hill, Warwick.

See plan in **Appendix A**.

1. Application Details

- 1.1 This is a retrospective planning application for the use of land at Hampton Lodge for the siting and operation of a mobile incinerator to cremate animals (domestic pets) at Hampton Lodge, Henley Road, Hampton-on-the-Hill, Warwick.
- 1.2 The incinerator is mobile and therefore does not require planning permission in its own right. The parking and operation of the incinerator is a change of use of the land and requires planning permission.

- 1.3 Animal cremation at Hampton Lodge has been in operation since 2000, approximately six years, without planning permission. This planning application seeks to regularise the unauthorised development.
- 1.4 The incinerator is mounted on a mobile trailer and measures 3 metres in length x 2 metres in width x 4 metres in height.
- 1.5 The incinerator is capable of burning up to 50kg of carcasses per hour. On average the applicant incinerates 150-170kgs of domestic animal per week.
- 1.6 The average number of vehicles expected to deliver to the site each day is seven, a minimum of one and a maximum of 15, usually by car or van.

2. Consultations

- 2.1 **Warwick District Council** – No objection.
- 2.2 **Councillor R Randev** – No comments received as of 27/6/06.
- 2.3 **Councillor L Caborn** – No objection.
- 2.4 **Environmental Health Officer** – No comment on the application.
- 2.5 **Warwick Town Council** – No comments received.
- 2.6 **Budbrooke Parish Council** – No objection.
- 2.7 **Sherbourne Parish Council** – No objection.
- 2.8 **Environment Agency** – No further comments to make.
- 2.9 **Libraries, Adult Learning and Culture** – No further comments to make.

3. Representations

- 3.1 Four representations have been received. Two letters and two emails, none of which object to the application. The content of those representations received question the detail of the application and discuss other planning issues within the site boundary but outside of the County Council's control e.g. living accommodation.
- 3.2 In particular one representation asks about the likely impact of emissions on the local environment, and ultimately the overall effect on air quality.

4. Observations

General

- 4.1 Hampton Lodge is located south of Hampton-on-the-Hill and north of the M40 motorway. Access to the site is gained via a haul road off the A4189 which runs south approximately 300 metres.
- 4.2 Hampton Lodge is a cluster of agricultural buildings and a single residential unit, which forms the farm complex. The applicant's father lives at Hampton Lodge and has no objection to the application.
- 4.3 The area between the agricultural buildings is irregular in shape and has been hard surfaced with concrete. The mobile incinerator is located on this hard standing and is screened from outside view by the peripheral farm buildings.
- 4.4 Whilst the incinerator unit is mobile in nature, it is only operated within the hard standing area which measures approximately 90 metres x 90 metres.
- 4.5 The deceased pet can either be collected from the owners home or veterinary surgery, or alternatively can be delivered to an out building (chapel of rest) of Partridge Cottage. Partridge Cottage is the residential home of the applicant which is located 300 metres north-west of Hampton Lodge, adjacent to but south of the A4189.
- 4.6 The pet is taken for individual cremation at Hampton Lodge. Once the cremation is finished the ashes are removed from the burner and prepared for return to the owners.

Environmental

- 4.7 Although the Environment Agency have agreed in principle to a 'Waste Management Licence' for the site, it cannot be issued unless and until planning permission has been granted.
- 4.8 Due to the size, scale and location of the incinerator, the visual impact created by this development is minimal and of no detriment to the surrounding area. To assess the impacts of noise and emissions to air from the development, the District Council's Environmental Health Officer has been consulted.
- 4.9 The closest residential property outside the application area is approximately 350 metres north-west of Hampton Lodge. The Environmental Health Officer responded with no comment on the retrospective planning application.

Policy

- 4.10 Planning Policy Guidance 23 – 'Planning and Pollution Control' states that incinerator plants have an important role to play in the disposal of animal carcasses.

- 4.11 Hampton Lodge is located within the Warwickshire Green Belt as defined within the Warwick District Local Plan. Policy DAP1 makes it clear that there is a general presumption against inappropriate development. The policy sets out a number of circumstances, including uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, where development will be permitted.
- 4.12 Planning Policy Guidance Note 2 – ‘Green Belts’ sets out the purposes of the Green Belt that include preventing urban sprawl and safeguarding the countryside from encroachment and maintaining openness.
- 4.13 The use of land at Hampton Lodge for the siting and operation of the incinerator unit is a change of use of the land. However, the incinerator is a mobile unit with no physical attachment to the ground. The incinerator is operated in and around the existing farm building complex and is similar in size and nature to items of agricultural machinery. The incinerator facility therefore has no greater impact on the openness of Green Belt than existing farm development. In the circumstances, the proposed development is therefore considered to accord with Green Belt policy.
- 4.14 Furthermore the ‘chapel of rest’ has been created through the conversion of an existing outbuilding (a former garage building) at Partridge Cottage. As a change of use of an existing building this element of the development likewise does not harm the openness of the Green Belt and therefore constitutes appropriate development in the Green Belt.
- 4.15 Policy 5 of the Waste Local Plan for Warwickshire relates to incineration. It requires that new incineration facilities include efficient recovery of energy from incineration and should not undermine the economic viability of material recycling facilities. The policy is intended to relate to large municipal waste incinerators rather than small specialist operations such as this and it is not considered to be appropriate to apply this policy to this small and specialist activity. The development does however accord to Policy 1 of the Waste Local Plan in that no unacceptably adverse environmental impacts would result from approval of this application.

5. Conclusion

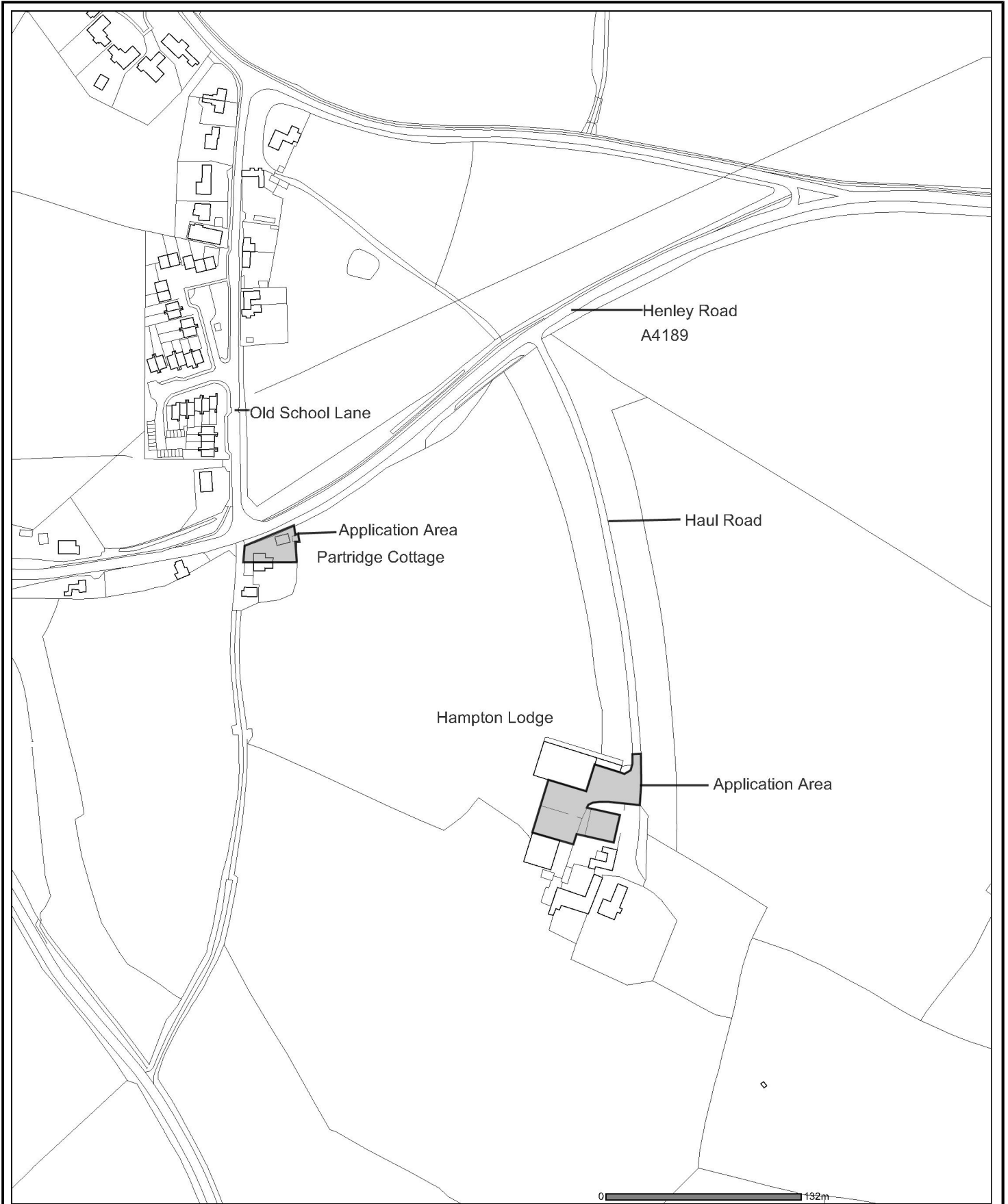
- 5.1 This is a retrospective planning application for the formalisation of unauthorised development. The incineration of animals has been in operation for the last six years without complaints to Warwickshire County Council or the District Council Environmental Health Department. The incinerator is well screened and at least 350 metres from the nearest residential dwelling.

5.2 The incinerator is small in size and scale and intermittent in combustion. The development accords with local and national planning policy guidance and has minimal environmental impacts as a result of its use.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

23rd June 2006

APPENDIX A OF AGENDA NO.



Scale 1: 3500

Ref No. W1338/06CM010

Drawn Thomas Cox

Regulatory Committee - 11th July 2006

Subject

Animal Cremation - Hampton Lodge, Hampton-on-the-Hill.

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Warwickshire
County Council

John Deegan
Strategic Director for
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Shire Hall, Warwick, CV34 4SX

Regulatory Committee - 11th July 2006

**Hampton-on-the-Hill, Warwick - Use of Incinerator
for Animal Cremation**

Application No: W1338/06CM010

General Operations

1. Unless otherwise approved in writing by the County Planning Authority the development including all operations carried out at the site, shall not be carried out other than in accordance with the details contained in the submitted application number W1338/06CM010, the supporting statement and drawings.
2. The incinerator shall only be stored and operated within the red line area on the map produced by www.magic.gov.uk on 22nd March 2006.
3. There shall be no external storage of carcasses.
4. The incinerator shall burn no more than 50kg of animal carcasses per hour.

Reasons

1. To ensure a satisfactory standard of development in the interest of visual amenities of the area.
2. To protect the amenities of local residents.
3. To protect the environment from pollution.
4. To protect the environment from pollution.

Development Plan Policies Relevant to this Decision

Warwickshire Structure Plan 1996–2011

- (i) GD6 Green Belt.
- (ii) ER4 Protection and Enhancement of the Landscape.
- (iii) ER9 Waste Local Plan.

Waste Local Plan for Warwickshire adopted 1999

- (i) Policy 5 Incinerators.

Warwick District Local Plan Revised Deposit 1996–2011

- (i) DAP1 Green Belt.

Warwick District Local Plan adopted 1995

- (i) ENV1 Green Belt.
- (ii) C8 Special Landscape Areas.

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 Committee report.