

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 21st November 2006

Report Title "Longstaples" Warwick Road, Ettington - Construction of Waste Station

Summary Construction of transfer waste station consisting of bunkers, storage shed and associated yards and roadways at "Longstaples", Warwick Road, Ettington.

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

Background Papers Submitted Planning Application No. S4365/06CM021 and associated plans and papers.
Letter from Stratford on Avon District Council's Environmental Health Department dated 23/8/06.
E-mail from Councillor Mrs I Seccombe received on 3/9/06.
Letter from the County Ecologist dated 5/9/06.
Letter from the applicants agent dated 11/9/06.
Letter from Stratford on Avon District Council's Planning Department dated 15/9/06.
Letter from the resident of 2 Nelson Close dated 5/9/06.
Two letters from the residents of Glebe Farm dated 6/9/06.
Letter from the residents of Springfield Farm dated 7/9/06.
Letter from the residents of Thornton Manor dated 9/9/06.
Two letter from the residents of Station Bungalow dated 4/9/06.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s) Councillor Mrs I Seccombe – see comments in
(With brief comments, if appropriate) paragraph 2.4.
- Other Elected Members

Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

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Chief Executive

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Legal

I Marriott – comments incorporated.

Finance

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Other Chief Officers

.....

District Councils

Stratford on Avon District Council – Planning Department – see comments paragraph 2.1.
Stratford on Avon District Council - Environmental Health Department – see comments in Paragraph 2.3.

Health Authority

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Police

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Other Bodies/Individuals

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FINAL DECISION

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

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by this Committee

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To Council

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To Cabinet

.....

To an O & S Committee

.....

To an Area Committee

.....

Further Consultation

.....

Regulatory Committee - 21st November 2006

**"Longstaples" Warwick Road, Ettington - Construction of
Waste Station**

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

Recommendation

That the Regulatory Committee authorises the refusal of planning permission for the construction of a waste transfer station consisting of bunkers, storage shed and associated yards and roadways at "Longstaples", Warwick Road, Ettington, for the following reason:-

The proposed development constitutes sporadic development in the open countryside unrelated to the needs of agriculture or forestry and as such is contrary to policies GD.3 and GD.5 of the Warwickshire Structure Plan, policies STR.1, CTY.1 and CTY.3 of the Stratford on Avon District Local Plan Review 1996 – 2011, and furthermore does not receive support from policies 1 and 8 of the Waste Local Plan for Warwickshire; the proposal would therefore produce an essentially unsustainable pattern of development which would be damaging to the character and appearance of the countryside by consolidating commercial and essentially urban land uses in an attractive rural location and would if approved set an undesirable precedent for further similar proposals within the county which in equity would prove increasingly difficult to resist.

Application No : S4365/06CM021

Received by County : 8/8/2006

Advertised Date : 17/8/06

Applicant(s) : T D Goodman Esq, Longstaples Warwick Road Ettington Nr
Stratford upon Avon

Agent(s) : Mr A D Bishton - (Associated Construction Consultants),
45/46 Rother Street, Stratford-upon-Avon Warwickshire

The Proposal : Erection of waste transfer bunkers to hold sorted and unsorted
plastics, glass and paper waste, and erection of separation
shed, together with associated roadways and landscaping.

Site & Location : 0.5115 Ha. of Land at Longstaples Warwick Road Ettington Nr
Stratford-upon-Avon Warwickshire [Grid ref: 267.501].

See plan in **Appendix A**

1. Application Details

- 1.1 This application seeks planning permission to establish a waste transfer station on land adjacent to (the west and north of) the existing slaughterhouse and animal waste incinerators located at “Longstaples” Warwick Road (A429), Ettington.
- 1.2 The proposal seeks consent to construct nine open roofed bunkers for sorted and unsorted materials and a four bay separation shed measuring 23.2 metres long x 9.6 metres wide. The site would have the sole use of a service yard measuring some 60 metres x 24 metres. To provide for the parking of vehicles and heavy goods vehicles (HGV) turning and manoeuvring within the site boundary. A further five bunkers are shown on the plans as part of the “future expansion” of the site. It is proposed that the separation shed would be constructed in red facing bricks up to a height of 2.1 metres with the upper sections of the walls and roof being constructed in profiled metal sheeting. The overall appearance of this building would be that of a modern farm building or a small industrial unit. The height of the structure would be some 6.5 metres to the ridge line. In addition the application proposes the construction of a new access road to the south of the slaughterhouse to separate traffic to the slaughterhouse from traffic accessing this site. The construction of the new access road would require the construction of a culvert over the existing brook which runs to the east of the slaughterhouse site and the removal of two large willow trees which are currently growing in the banks of the brook.
- 1.3 In the supporting statement supplied with this planning application the applicants agent states that it is intended to create a facility which will recycle waste collected by local authorities. It will not receive waste directly from the general public. The facility would operate independently from the slaughterhouse use which currently operates on the site. Material would be stored in the bunkers and sorted and then taken off site to be recycled elsewhere. The site would generate a maximum of 12 7.5 tonnes rigid delivery vehicles and 13 15/16 tonne collection lorries per day. Approximately 75% of the material processed by the site would be plastics, 15% paper and 10% glass.
- 1.4 In a letter dated 11th September written in support of this application the applicants agent further states that;
- (i) A measured survey of the access indicates that vision splays of 185 metres can be achieved to the north and 260 metres to the south. Additional hedge trimming will achieve the required visibility of 215 metres to the north.
 - (ii) It is specifically not the intention to incinerate waste on the site or to reactivate the incinerators.
 - (iii) The development accords to policy 8 of the Waste Local Plan and is centrally located for the collection of waste from Southam, Shipston on Stour, Stratford-upon-Avon and Banbury. The site has good communication links and meets the requirements of the proximity principle.

- (iv) Policy COM.17 of the Stratford on Avon Local Plan permits the “expansion of existing groups of rural buildings”. This development accords to this policy.

1.5 In addition to this application the applicants also submitted a planning application to Stratford on Avon District Council seeking permission to demolish a range of dilapidated buildings located immediately to the west of the slaughterhouse buildings and to construct two light industrial units on the site of the demolished buildings. That application has now been withdrawn.

2. Consultations

2.1 **Stratford on Avon District Council (Planning Department)** - Object to this application on the following grounds:-

- (i) There is a concern from a sustainability and countryside protection point of view.
- (ii) Policy GD.5 of the Structure Plan clearly states that the majority of new development should be located within towns. This is reflected in Policy STR.1 of our Local Plan. Allowing developments which can only be reached by car would undermine the general sustainability and locational principals of both the Structure Plan and our Local Plan.
- (iii) Further activity would undermine policy CTY.1 which restricts development which would be harmful to the countryside. The intensification of development here may have the potential to undermine rural tranquillity and introduce further built development which would affect the open character of the countryside.
- (iv) The application seeking permission for two industrial units adjacent to this application site, which had been submitted to the District Council, has been withdrawn after planning officers advised that they were unwilling to support the application.

2.2 **Ettington Parish Council** - Oppose this application on behalf of local people and further state that:-

- (i) It is not clear if the current slaughter house is to continue to operate.
- (ii) There is a water course on the site, pollution levels should be checked.
- (iii) The amount of traffic generated is unacceptable in a rural village.
- (iv) It is adjacent to an Area of Restraint.
- (v) Dust and dirt would damage the environment and could be a health hazard.

- (iv) It is understood that previous conditions put onto the site by the District Council have not been adhered to.

2.3 **Stratford on Avon District Council (Environmental Health)** - Advise that the one issue of concern regarding this application is that of noise emissions from activities typical of the use applied for. As the nearest property is located approximately 250 metres to the north-east of the site boundary no adverse impact from noise is however, anticipated. However, the incinerator building is annotated on the plans as "carcass rendering". This building was built as an animal incinerator but has not been used for that purpose since September 2004. It is currently used to store animal carcasses/waste pending collection and is undoubtedly a major cause of offensive smells observed off site. This problem should be resolved and not exacerbated. Any changes on site which may contribute to the smell nuisance must be carefully considered. In this respect "carcass rendering" is a significant cause for concern.

2.4 **Councillor Mrs I Seccombe** - Advises that although farm diversification is encouraged she is concerned that a proliferation of such schemes will produce a haphazard approach to development in rural areas and points out that there are already a number of small complexes in the Parish. She further advises that the Fosse Way is a naturally fast and free flowing road and if we continue to randomly increase business site then we may have an impact on this traffic particularly from slow vehicles. She is not aware of any public transport available to bring employees to the site so we would have to consider the impact of more traffic movements to and from the site. Furthermore she would be very concerned if there was to be a significant visible change to this attractive area of countryside and in conclusion she thinks that we need to take a cautious approach to development here and on that basis would generally not favour this development proposal.

2.5 **Libraries, Adult Learning and Culture** – The County Ecologist advises that the two large willow trees which are shown to be removed may be used as bat roosts and that a bat survey should be carried out before this application is determined to ensure that the development will not adversely affect bats or their habitats.

2.6 **Environment Agency** – No comments received.

3. Representations

3.1 Seven letters have been received from local residents objecting to this development on the grounds that:-

- (i) We are very concerned that we could now have rendering and rubbish sorting on our doorstep as the existing operations on the site cause significant environmental problems for local residents. Since the incinerators have been decommissioned we do not get the smoke and fumes that we used to but we still suffer the obnoxious smells emanating from dead stock. This has gone on for the last five years affecting my family, my workers and my tenants. We have been plagued by smells of burning flesh and rotting carcasses.

- (ii) We were promised that dead stock stored at the site would be kept in refrigerated units but these have not been installed. Thus we have no confidence that environmental protection measures required here will adequately be adhered to.
- (iii) Although recycling should be encouraged the environmental gains from recycling on this site would soon be outweighed by its close proximity to a watercourse and the general running of the existing enterprise, as past records will show.
- (iv) There is no guarantee as to the types of waste to be brought onto the site or how long they will be stored. With the close proximity of the water course there is a real potential for pollution from rainwater runoff from the open bunkers and yards.
- (iv) Rubbish from the open yards would be blown around half of Warwickshire and we are not confident that the daily inspections would occur. We were promised such inspections to detect odours but they did not materialise.
- (vi) The supporting statement submitted with this application contains quite a number of inaccuracies. Particularly it should be noted that houses are located close to the site and local residents have suffered considerable nuisance from the operation of the existing site. The statement suggests that the plastic could go to “the Polypipe factory on the adjacent Goldicote Industrial Estate”. The site is not adjacent but 1.5 miles away, is actually called the Goldicote Business Park (reflecting the nature of the site) and Polypipe is not based there. JFC Plastics are located there but it is understood that the applicants have not even tentatively discussed any links to this business. Such inaccuracies undermine the credibility of this application.
- (vii) Developments of this nature should be located in very remote areas away from settlements.
- (viii) The submission alludes to a larger waste processing development to be submitted shortly. This is a totally unsuitable location for such major development. It is a rural area and an attractive part of Warwickshire. Approval of this application could pave the way for future large developments, which would be a mistake.

4. Observations

The Site Location and Description

- 4.1 The application site is located in an isolated rural location approximately one and a half miles to the north east of the village of Ettington, adjacent to a small farm complex consisting of a modern residential bungalow, a single storey slaughterhouse building, a range of dilapidated farm buildings which historically may also have been used in association with the slaughterhouse/knackers yard

activities on the site and a large modern two storey animal incinerator building with associated chimney flues.

- 4.2 The application site is located to the west of this complex of buildings and is located within a large open yard (measuring approximately 100 metres x 75 metres). The yard is partially cluttered with agricultural equipment and other materials associated with the activities undertaken on the holding. The yard area has been excavated into a shallow hillside and at its deepest point at the western extremity of the yard is now approximately 5 metres below natural ground level. These excavations have been carried out without the benefit of planning permission and remain unauthorised.
- 4.3 The fact that the new building and its associated activities are to be contained within this excavated area means that the development will have only a very limited landscape impact and that this landscape impact can be rendered acceptable by the imposition of an appropriate landscape scheme.

Environmental Issues

- 4.4 The incinerator building was approved in 1999 and was used at full capacity during the foot and mouth crisis but has not operated since September 2004. Since the incinerator ceased to operate the building has been used to store dead stock generated by the slaughterhouse/knackers business operation at the site. Both the operation of the incinerator and the storage of dead stock has given rise to complaints about smell nuisance from local residents. These activities are however, outside the application area and unrelated to the submitted application, other than the fact that the applicant is the same person as operates the other businesses on the holding. This application should therefore be determined on its own planning merits.
- 4.5 The proposal involves the sorting of plastics, paper and glass. Glass and paper are inert materials and should not give rise to pollution or vermin problems, whilst the litter problem associated with paper recycling can potentially be resolved by the imposition of appropriate management regimes, which can be made the subject of appropriate planning conditions.

The Planning Policy Context.

- 4.6 The development plan consists of the Regional Spatial Strategy, The Warwickshire Structure Plan (WASP) adopted by the County Council in August 2001, the Waste Local Plan for Warwickshire adopted by the County Council in August 1999, and the Stratford on Avon District Local Plan Review 1996-2011 adopted by the District Council in July 2006.
- 4.7 Structure Plan Policies GD.3 and GD.5 seek to direct most new development to the nine towns with a (1991) population of 8,000+ people. The intention of these policies is to produce compact and sustainable patterns of development. This development is contrary to WASP policies GD.3 and GD.5.
- 4.8 Policy STR.1 of the Stratford on Avon District Local Plan review 1996-2011 establishes a settlement hierarchy directing development within the district to

Stratford town and the larger settlements within the district. This policy is reinforced by Policy CTY.1 which indicates that all forms of development will be resisted in the rural areas unless they comply with other policies in the plan. Policy COM.17 (d) and policy CTY.3 do potentially permit “the expansion of groups of rural buildings for industrial uses where they are readily accessible by means of transport other than by car from Stratford-upon-Avon or a Main Rural Centre or similar sized settlements in adjoining Districts”. The location of this development does not meet the requirements of policy CTY.3 thus the development must be considered to be contrary to CTY.3 and thus CTY.1 and STR.1.

- 4.9 The development however, receives some considerable support from policy 8 of the Waste Local Plan which states that :

“ Proposals for waste transfer stations will only be approved, subject to compliance with policy number 1, within or adjacent to the sites of established waste disposal facilities, on industrial estates or in the voids created by mineral workings.”

- 4.10 On the face of it this application complies with policy 8. However, the policy is supported by paragraph 3.13.1 of the waste local plan which advises that transfer stations operate most effectively close to the source of waste in or on the fringes of urban areas. In addition policy 1 of the waste local plan requires that developments should adhere to the proximity principle (where waste should be processed as close as possible to its generating source). From the information supplied to date it has not been clearly demonstrated that the proposed facility meets the requirements of the proximity principle. If it fails to meet the proximity principle it will fail to accord to policy 1 and thus policy 8.
- 4.11 The development, potentially, meets the requirements of policy 8 because the site is adjacent to the existing incinerator site. However, a consistent interpretation of policy 8 in this manner would mean that transfer stations could potentially be established on farmland adjacent almost any waste site positioned in a rural location.
- 4.12 To take this interpretation would produce unsustainable patterns of development which are specifically discouraged by the Structure Plan and the District Council's adopted Stratford on Avon District Local Plan both of which, along with the Waste Local Plan, form part of the development plan. Policy 8 does not exclude the necessity to comply with the other policies of the development plan. It is therefore considered that this development is contrary to the provisions of the development plan, when considered as a whole.

Other Material Planning Considerations

- 4.13 The Planning Act requires that planning applications are determined in accordance with the provisions of the development plan unless material planning considerations indicate otherwise. There are two material planning considerations which lend support to this application. Firstly it should be acknowledged that the proposed new facility will have only a very limited landscape impact as it will be shielded from general view by existing buildings

on the site and the topography of the surrounding farmland. Secondly it should be recognised that there is a considerable need for recycling facilities within the county and such facilities must be brought into existence if the County is to meet the recycling targets set by central government.

- 4.14 However, the development would create a precedent which could be used to justify the establishment of waste recycling sites in a great number of relatively isolated rural locations contrary to established planning policies, thus it is considered that the material considerations referred to above should be given relatively limited weight in this case.

Highway Safety

- 4.15 The application site takes access directly onto the A429 to the north of the village of Ettington. The site is therefore easily accessible to the "A" road network in the southern half of the county. The access onto the A429 from the site is however, potentially substandard in visibility terms. Given the status of the "A" road the applicant would be expected to achieve a visibility standard of 2.4 metres x 215 metres. The applicants agent contends that this figure can be achieved and this conclusion will be investigated and the result of these findings will be reported to the Committee.

5. Conclusions

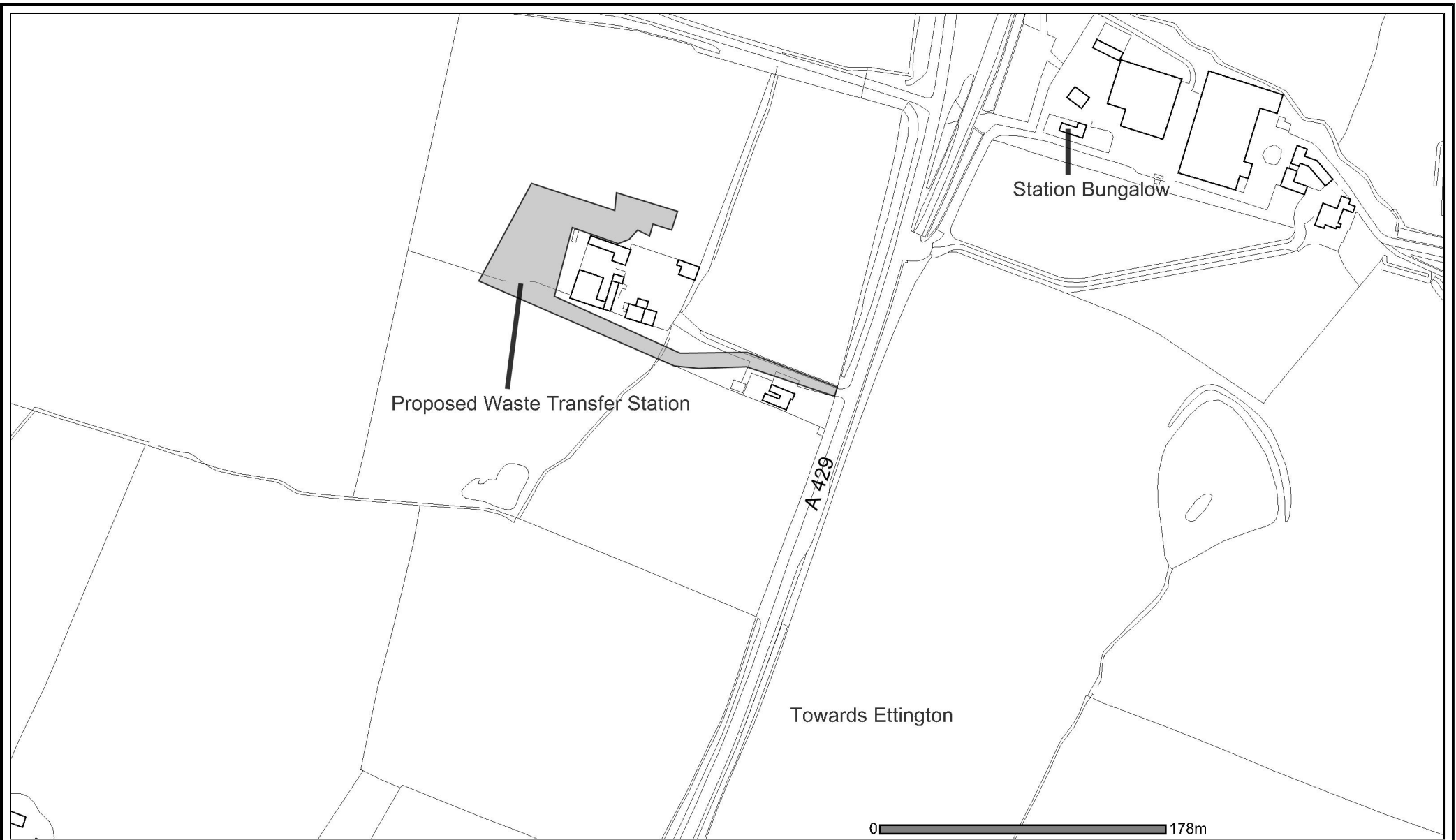
- 5.1 It is concluded that the proposed development constitutes sporadic development in the open countryside which is contrary to the provisions of the development plan. It is further considered that there are no material planning considerations which justify determining this application other than in accordance with the policies of the development plan and the application is therefore recommended for refusal.

6. Environmental implications

- 6.1 In principle proposals which increase the quantity of waste material to be recycled in the County will have a positive environmental impact and are to be encouraged. These facilities should however, be sited in appropriate locations otherwise they will undermine the locational policies contained within the County Structure Plan and establish unsustainable patterns of development across the County.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

2nd November 2006



Scale 1: 3290

Ref No. S4365/06CM021

Drawn Richard Forbes

Regulatory Committee - 21st November 2006

Subject

Longstaples, Ettington - Waste Transfer Station



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