

AGENDA MANAGEMENT SHEET

Name of Committee

Regulatory Committee

Date of Committee

21st November 2006

Report Title

**Highways Depot, Leicester Lane,
Cubbington – Materials Recycling**

Summary

This report recommends the grant of planning permission for the periodic processing (crushing) of waste construction materials for recycling at the Highways Depot, Leicester Lane, Cubbington, Warwickshire.

For further information please contact

Thomas Cox
Planning Officer
Tel. 01926 412247
thomascox@warwickshire.gov.uk

Would the recommended decision be contrary to the Budget and Policy Framework?

Yes/No

Background Papers

Submitted application and plans received 23/8/2006.
Email from Environmental Health Officer received 5/9/2006.
Email from Cubbington Parish Council received 13/9/2006.
Email from Libraries, Adult Learning and Culture received 18/9/2006.
One letter of representation.

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

.....

Local Member(s)

(With brief comments, if appropriate)

Councillor M Doody – no comments received as at 7/11/2006.

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 Warwick District Council – No comments received.
- 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 - 21st November 2006

Highways Depot, Leicester Lane, Cubbington – Materials Recycling

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 the Highways Depot, Leicester Lane, Cubbington, for periodic processing (crushing) of waste construction materials for recycling purposes, 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: W748/06CM025.

Received by County: 23/8/2006.

Advertised Date: 1/9/2006.

Applicant: Network Management, Warwickshire County Council.

The Proposal: Periodic processing (crushing) of waste construction materials for recycling purposes.

Site and Location: Highways Depot, Leicester Lane, Cubbington, Warwickshire.

See plan in **Appendix A**.

1. Application Details

- 1.1 This application seeks consent for use of the land for the periodic processing (crushing and/or grading) of waste construction materials for recycling at the Highways Depot, Leicester Lane, Cubbington, Warwickshire. These materials would be derived from road works and road repairs carried out by the County Council or its agents.

- 1.2 The site was granted planning consent for the “change of use of refuse tip, to site for storage of salt and various other road materials” on 15th February 1966 whereby no conditions or time restrictions were attached to the permission.
- 1.3 Current land use allows for the storage of materials only. Planning permission would enable the applicant to recycle most, if not all of the waste highway materials which would normally be disposed of to landfill.
- 1.4 It is proposed to operate the facility between 0800-1700hrs Monday to Friday with no operations on Saturdays, Sundays and Bank Holidays. Delivery of waste materials would be on a periodic basis, an annual daily average of 4 movements in total.
- 1.5 The total application area is 2 hectares and 3 people would be employed at the site periodically.

2. Consultations

- 2.1 **Warwick District Council** – No objection.
- 2.2 **Councillor M Doody** – No comments received as at 7/11/2006.
- 2.3 **Cubbington Parish Council** – No objection, although have concerns about the levels of dust and noise that would be created.
- 2.4 **Warwick District Council Environmental Health Officer** – No objection with condition.
- 2.5 **Environment Agency** – No comments received.
- 2.6 **Libraries, Adult Learning and Culture** – No objection with condition.

3. Representations

- 3.1 One letter of representation has been received from a local resident. “During August Warwickshire County Council carried a pilot scheme to assess the effect on nearby residents. I found that apart from increased noise from the safety tones associated with reversing vehicles and the appearance of a large spoil heap it all went virtually unnoticed.
- 3.2 I understand that if the application is successful the spoil heap will be screened by trees. I would like to suggest that trees should be indigenous species and not of the Leylandii variety.
- 3.3 I do, however, have one reservation and that is the application does not appear to state the maximum number of days/weeks that work will be carried out. It is rather open ended and I would prefer that some time frame is built into the application to prevent year round working”.

4. Observations

Site and Location

- 4.1 The application site is located approximately 700 metres North of Cubbington, immediately West of the A445 (Leicester Lane) and within the administrative Borough of Warwick.
- 4.2 Leicester Lane highway depot has been used for materials storage for over 40 years. The current planning permission was granted in 1966 and has not varied since then.

Planning History

- 4.3 Pre-1966 the site was a sand and gravel quarry, which was subsequently landfilled with waste. When filled and capped off, to something like it's current level, it became a highways depot.
- 4.4 Since the late 1960's the site has continued in use as a highways depot, with specific use as a chipping storage site for surface dressing operations, storage of reclaimed bridge components and the storage and re-use of highway materials.
- 4.5 This application seeks planning permission to operate a more sustainable and effective engineering service by crushing and/or grading highway material for re-use rather than storage, limited reuse and ultimately, landfill.

Environmental Implications

- 4.6 The nearest residential property is 150 metres east of the site, however this boundary is well screened with mature vegetation. The frontage of the property is also screened and therefore the site is not visible. There are no residential properties in close proximity to the north or west of the site. It is proposed to operate plant and equipment and stock piles at low level (below 5 metres).
- 4.7 The southern boundary has no landscaping or screening. There is a residential property 200 metres south of the site. The visual impact would be mitigated by appropriate native landscaping and a stock pile condition restricting height.
- 4.8 It is unlikely that noise from the development would cause disturbance during the working day provided crushing and screening equipment is operated at a low level and the development is managed in such a way that the operations are screened. The Environmental Health Officer at Warwick District Council has raised no objection in principle to the development. Suitably worded conditions are suggested.
- 4.9 The deposit, storage and processing of waste highway material through crushing and screening equipment has the potential to generate dust. However, control of dust is possible through good working practices. These include damping down working areas and the use of atomiser sprays on crushing and screening equipment.

Policy

- 4.10 The adopted Waste Local Plan for Warwickshire encourages recycling and seeks a reduction in the amount of waste taken to landfill sites. Materials recycling at Leicester Lane accords with Policy 1 as the development would not;
- (i) Cause significant harm to features of nature conservation interest.
 - (ii) Give rise to a significant risk of pollution, including potential harm to local features of nature conservation interest.
 - (iii) Have a significant adverse visual impact taking account of the landscape context.
 - (iv) Have a significant adverse impact on the character of the locality or amenity of local occupiers, by reason of odour, noise, dust and/or local visual intrusion, having regard to the sensitivity of adjoining land uses and the proximity of residential property.
 - (v) Give rise to traffic that would adversely affect highway safety or have a significant adverse environmental impact when traversing the routes which generated traffic is likely to take.
 - (vi) Involve significant loss of or damage to agricultural land within Grades 1, 2, or 3A.
- 4.11 Policy 6 – Material Recycling Facilities, “will be permitted on land which has been used for a commercial use and where the proposed use would be compatible with adjacent land uses”. This site was a sand and gravel quarry and landfill. The current authorised land use allows for the storage of waste highway materials, with no conditions. The proposal, periodic processing at this site accords with the policy requirements within the Waste Local Plan.
- 4.12 Warwickshire Structure Plan Policy ER9 provides for a reduction of waste going to landfill in line with the Government’s national policy. The Waste Local Plan for Warwickshire reinforces this policy. The proposal accords with the broad waste policy objectives. The facility would make a contribution towards the recycling of waste and reduce the demand for raw materials.
- 4.13 The site lies within the Green Belt as identified in the Warwickshire Structure Plan and Warwick District Local Plan, where development is not normally permitted except in very special circumstances. The proposed development centres on an existing open storage site, and in the long term would not detract from the openness of the locality or prejudice Green Belt policy. In these circumstances, the proposed development is considered in accordance with Policy DAP1 of the Warwick District Local Plan and constitutes appropriate development in the Green Belt as defined by PPG2.

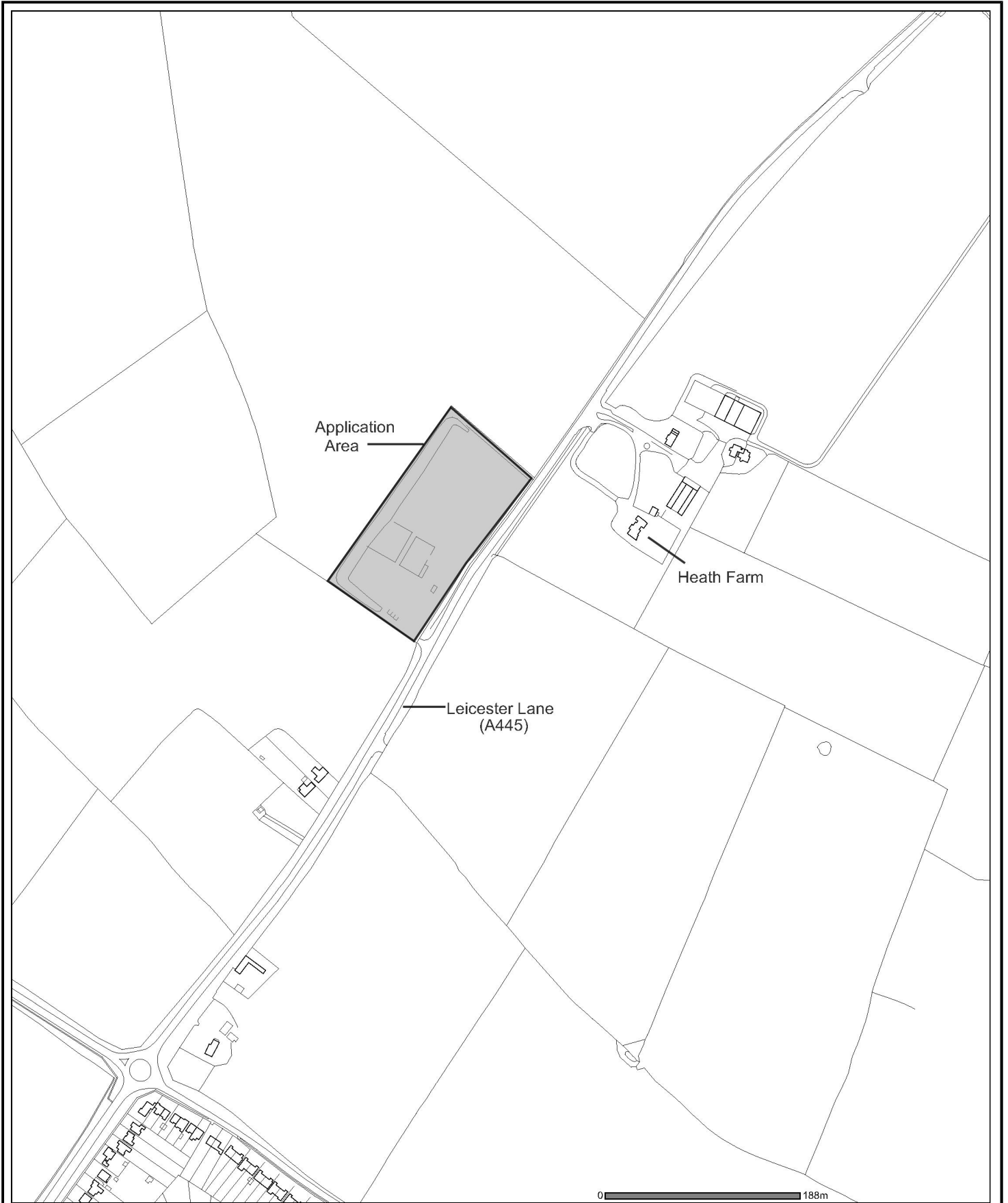
5. Conclusion

- 5.1 Current land use, allows for the storage of materials only. Planning permission would enable the applicant to recycle most, if not all of the waste highway materials which would normally be disposed of to landfill.
- 5.2 The proposed development generally conforms with national policy, making a contribution towards the recycling of waste and reducing the demand for primary aggregates.
- 5.3 The proposed development has the potential to create noise, dust, and visual impacts during the recycling operations, which have been highlighted by a nearby resident. However, through the use of good working practices and strict compliance with conditions the operation could be undertaken with minimal impact.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

6th November 2006

APPENDIX A OF AGENDA NO.



Scale 1: 5000

Ref No. W748/06CM025

Drawn Thomas Cox

Regulatory Committee 21st November 2006

Subject
Highways Depot, Cubbington - Materials Recycling



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

Regulatory Committee - 21st November 2006

**Highways Depot, Leicester Lane, Cubbington –
Materials Recycling**

Application No: W748/06CM025

Commencement Date

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Pre-Commencement

2. The development hereby permitted shall not be commenced until full details of landscape proposals for the site have been submitted to and approved in writing by the County Planning Authority. These details should include a planting plan showing existing trees to be retained along with new planting, written specifications and schedules of plants noting plant locations, species, sizes and proposed numbers and densities where appropriate.

General Operations

3. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: W748/06CM025, drawings NM/NC/sust/0506, NM/sust/LL2 and supporting statement unless the county planning authority approves a variation in writing.
4. The landscaping scheme approved pursuant to Condition 2 of this permission shall be implemented in the first planting season following the completion of the development hereby approved and unless otherwise agreed in writing by the County Planning Authority, should any trees or shrubs planted as part of the landscape scheme, die, be removed become damaged or seriously diseased within five years of the initial planting they shall be replaced in the next planting season with others of a similar size and species.
5. Mechanical crushing and screening shall only take place between 8am–5pm Monday–Friday and 8am–1pm on Saturdays and shall not take place on Sundays or Bank Holidays.
6. Mechanical crushing and screening shall take place on no more than 30 days in each calendar year.
7. Dust resulting from crushing and screening or stockpiling of material or arising from traffic movements on site shall be controlled by water suppression to prevent nuisance and so as to achieve relevant Air Quality Target Levels for PM10s.

8. The burning of fires shall be prohibited.
9. No stockpiles of material or plant shall exceed 5 metres in height.
10. Prior to the commencement of development, the site shall be surveyed for the presence of bats by a suitably qualified ecologist and if bats are found to be roosting on the site, appropriate measures shall be agreed with the County Planning Authority to minimise disturbance to the bats during construction work and afterwards during the operation of the works.

Reasons

1. To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to ensure the satisfactory appearance of the completed development.
3. To ensure a satisfactory standard of development in the interest of the visual amenities of the area.
4. In order to ensure the satisfactory appearance of the completed development.
5. To protect the amenity of the area.
6. To protect the amenity of the area.
7. To minimise impact from dust.
8. To minimise impact from smoke.
9. To minimise impact from noise and visual pollution.
10. In order to minimise potential disturbance to a protected species.

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

Warwickshire Structure Plan 1996 – 2011 – **Policies GD.1, GD.2, GD.3, GD.4, GD.6, ER.2, ER.4 and ER.9.**

Warwick District Local Plan 1996 – 2011 Revised Deposit Version May 2005 – **Policy DP9 and DAP1.**

The Waste Local Plan for Warwickshire – Adopted August 1999 – **Policies 1 and 6.**

Reasons for the Decision to Grant Permission

The proposed development accords with policy and will not in the opinion of the County Planning Authority result in an unacceptable impact upon the amenities of the locality by reason of noise, dust, traffic or visual intrusion and is therefore held to be acceptable in land use terms.

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