

AGENDA MANAGEMENT SHEET

Name of Committee

Regulatory Committee

Date of Committee

21st November 2006

Report Title

**Wolston Sewage Treatment Works, Rugby -
Erection of One Kiosk and Access
Improvements**

Summary

This report recommends the grant of planning permission for the construction of one kiosk and access improvements including the provision of a new bridge at Wolston Sewage Treatment Works, Wolston Lane, Wolston, Rugby.

**For further information
please contact**

Richard Forbes
Planning Officer
Tel. 01926 412247
richardforbes@warwickshire.gov.uk

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

Yes/No

Background Papers

Email from Rugby Borough Council Environmental Health dated 11/10/2006.
Letter from Natural England dated 13/10/2006.
Letter from Wolston Parish Council dated 22/10/2006.
Letter from Libraries, Adult Learning and Culture dated 25/10/06.

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

.....

Local Member(s)

(With brief comments, if appropriate)

Councillor Mrs H Timms – no comments received as at 7/11/06.

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 Rugby Borough Council (Environmental Health) – No comments to make, as the proposals are likely to cause minimal disturbance.
Rugby Borough Council (Planning) – No comments received as at 7/11/06.
- Health Authority
- Police
- Other Bodies/Individuals See paragraphs 2 and 3.

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

**Wolston Sewage Treatment Works,
Rugby -
Erection of One Kiosk and Access Improvements**

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

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the variation erection of one kiosk and access improvements including the provision of a new bridge at Wolston Sewage Treatment Works 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 : R194/06CM027

Received by County : 2/10/2006

Advertised Date : 9/10/2006

Applicant(s) : Severn Trent Water Limited, Alpha House, Warwick
Technology Park, Warwick CV34 6DA.

Agent(s) : Mr N Martyn, Entec UK Limited Gables House, Kenilworth
Road, Leamington Spa, Warwickshire CV32 6JX

The Proposal : Erection of one kiosk and access improvements including the
provision of a new bridge.

Site & Location : 3.2 Ha of land at Wolston Sewage Treatment Works,
Wolston Lane, Wolston, Rugby. [Grid ref: 938.749].

See plan in **Appendix A**.

1. Application Details

- 1.1 The planning application seeks consent for asset renewal works to provide chemical dosing to remove phosphorus from the discharged effluent. This is in order to comply with a restriction on the discharge consent applied by the Environment Agency under the provisions of the Countryside and Rights of Way (CRoW) Act relating to the improvement of water quality.
- 1.2 In addition, there is an existing requirement to improve the existing access to the site. The current access is narrow, in poor condition, and has been identified as a constraint for tanker deliveries. It is proposed to widen the bell mouth to 22 metres at the junction of Wolston Lane and widen the existing access road bend to 18.5 metres. The site gates are also to be set in further away from the junction. A new bridge over a ditch, is proposed close to the site compound, which would enable safer negotiation of the access by vehicles and require the removal of one tree.
- 1.3 The proposals include the provision of a chemical dosing kiosk measuring 8 metres in length by 3.22 metres wide by 3.2 metres in height within the site compound. It would be finished in a shade of green to fit in with the existing site infrastructure. It would be sited on a piece of open land to the south west of existing infrastructure, 25 metres from the existing aeration tank.

2. Consultations

- 2.1 **Rugby Borough Council (Planning)** – No comments received as at 7/11/06.
- 2.2 **Wolston Parish Council** – No objection.
- 2.3 **Ryton on Dunsmore Parish Council** – No comments received.
- 2.4 **Brandon and Bretford Parish Council** – No comments received.
- 2.5 **Rugby Borough Council (Environmental Health)** – No comments to make, as the proposals are likely to cause minimal disturbance.
- 2.6 **Councillor Mrs H Timms** – No comments received as at 7/11/06.
- 2.7 **Libraries, Adult Learning and Culture** - agree with the recommendations and mitigations outlined in the reports produced by Middlemarch Environmental Ltd and recommend they are included in any approval granted.
- 2.8 **Environment Agency** – No comments received.
- 2.9 **Natural England** – Support the proposal which would result in improved water quality entering the River Avon and benefit the nearby Brandon Marsh Site of Special Scientific Interest (SSSI).

3. Representations

3.1 None received as of the 24th October 2006.

4. Observations

Site and Situation

- 4.1 The site covers 3.2 hectares and is located some 700 metres south west of the edge of Wolston village, surrounded by open countryside. The closest occupied buildings are associated with the Ryton Organic Garden 300 metres away. Boundary treatment is characterised by mature hedgerow as well as 2.3 metre high security fencing.
- 4.2 The site contains existing plant and machinery plus a control building of a similar scale to the proposed kiosk. Outside the site boundary to the west lies the River Avon, whilst public footpath R144 runs along the south eastern boundary of the site. In addition the vehicular access is designated as public footpath R144d.

Impacts on Visual Amenity

- 4.3 The proposed works would be viewed from the public domain, as the proposals can be seen from the two public rights of way. However, the kiosk would be sited well within the site some 20 metres from the boundary. The site is separated from the public footpath by security fencing which means that the view onto the kiosk would be obscured. Views into the site would also contain other existing structures required for sewerage treatment operations, as such the additional visual impacts would be limited and acceptable.

Ecological Impact

- 4.4 A Phase 1 Habitat Survey was carried out at the site and has been submitted with this application. The site lies within 1 kilometre of Brandon March SSSI and Ryton Pasture Site of Importance for Nature Conservation, but it is considered that the proposed works will not affect these two sites.
- 4.5 Further surveys have been carried out in relation to the presence of Great Crested Newts and Bats. The only tree of value to bats would not be affected by the proposals with mitigation measures for Great Crested Newts including specialised fencing and monitoring proposed as part of the construction proposals.

Public Rights of Way

- 4.6 Public Right of Way R144d would be temporarily closed for the duration of the construction works. This is in the interests of the safety of the public using this footpath. This footpath links public footpath R144 with Wolston Lane and utilises the site access road. R144 skirts the site and forms part of the Coventry Way, this footpath will remain open. As the closure of footpath R144d is only temporary it is considered to be acceptable.

5. Policy

- 5.1 The proposed development is located within the West Midland Green Belt. New buildings within the Green Belt, such as the proposed kiosk are by definition inappropriate development, as defined in paragraph 3.4 of Planning Policy Guidance Note Number 2. In accordance with PPG2, such development will only be permitted when very special circumstances exist.
- 5.2 The need to improve water quality, in this particular case, would constitute very special circumstances and as such the proposals would meet the provisions of PPG2, Policy E2 of the adopted Local Plan and Policy GD6 of the Structure Plan regarding the Green Belt.
- 5.3 The access road and junction improvements would have little impact on the openness of the Green Belt and therefore constitute appropriate development as defined by PPG2.
- 5.4 Policy E1 of the adopted local plan restricts development within the Countryside. However, the policy explanation acknowledges that development associated with the utilities may be needed in the Countryside and may also be justifiable to meet the needs of existing uses.
- 5.5 Policy E4 relates to the use of agricultural land and states that “Planning permission will not be granted for development, which would result in the loss of the best and most versatile agricultural land (grades 1, 2 and 3a), unless one of the following exceptional circumstances applies:-
- (i) There is an overriding need for the development and suitable land of lower quality is not available.
 - (ii) Where the use of lower grade land would conflict with other policies of the local plan.”

In this case the widening of the access road would lead to a small uptake of agricultural land that is Grade 2 and 3 in classification. As a substantial need has been demonstrated for the proposals an exception can be made in line with the policy.

- 5.6 The Ecological surveys and proposed mitigation measures proposed also ensure that the development meets the requirements of policy E6 in relation to Biodiversity.
- 5.7 Policy E5 concerns landscape and settlement character and encourages development to respect the quality of the area. When the context of the existing site with various pieces of apparatus and screening is considered the quality of the character would not be diminished by the development.
- 5.8 The proposals due to their location and context would also meet the requirements of the General Principles Policies of the Local Plan with regards to the design and appearance, and the Protection of Amenity.

- 5.9 The adopted Waste Local Plan for Warwickshire 1999 sets out policies relating specifically to waste developments in the County. Policy 1 addresses general environmental considerations such as ecological impact, landscape and visual impact, the impact upon the amenity of local residents by way of odour, noise, dust and traffic impact, which should be taken into account when considering waste applications. It is considered that this development accords to the provisions of Policy 1.

6. Conclusion

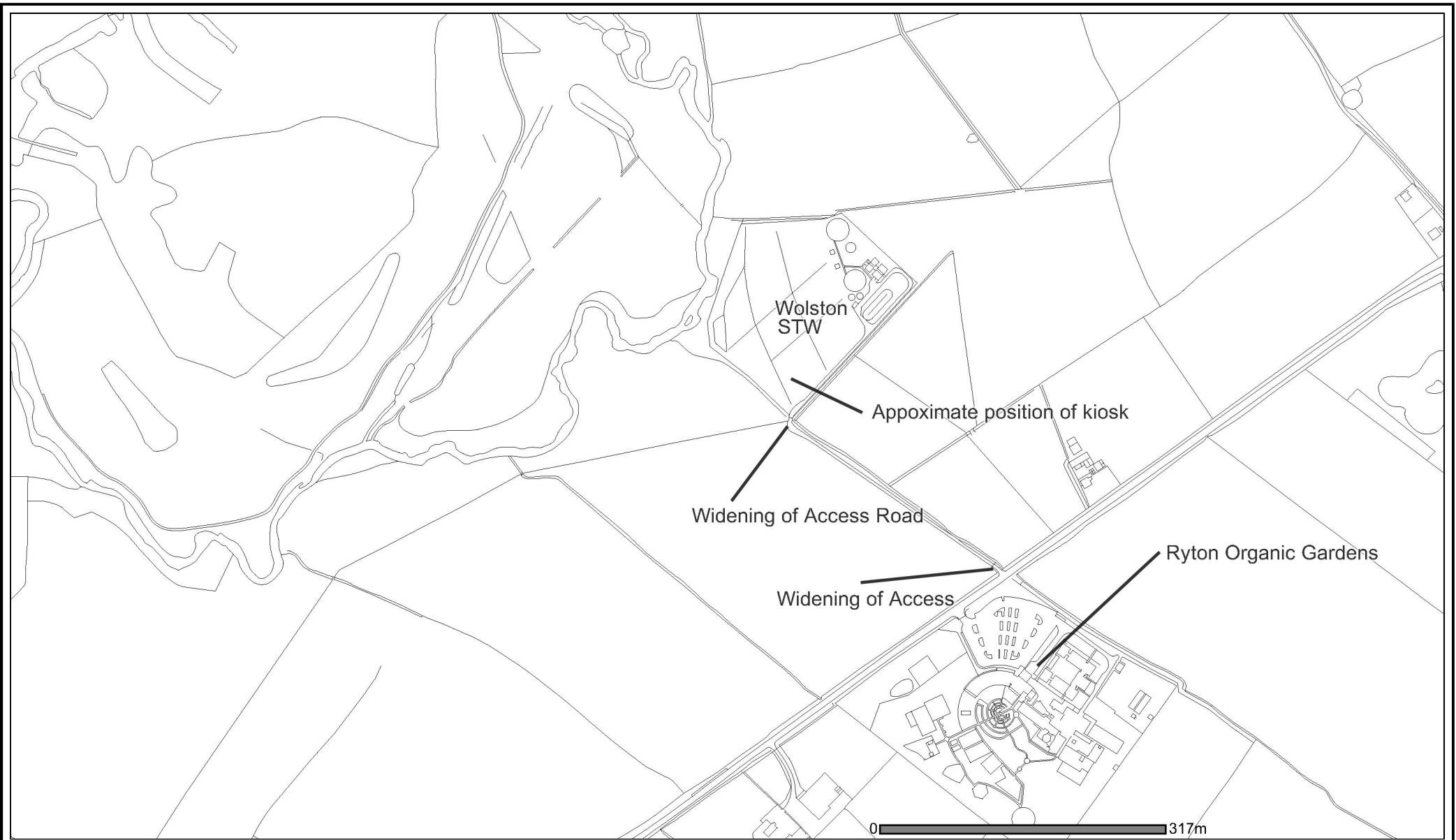
- 6.1 The proposed development would result in an improvement in water quality and enable more effective access to the site. These improvements would constitute very special circumstances that would support inappropriate development within the Green Belt.

7. Environmental Implications

- 7.1 The proposals would lead to an improvement in the quality of water discharged into the River Avon, which would have a positive impact on the local water environment.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

7th November 2006



Scale 1: 5861

Ref No. R194/06CM027

Drawn Richard Forbes

Regulatory Committee 21st November 2006

Subject

Wolston STW: Erection of kiosk and access improvements



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

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Appendix B of Agenda No

Regulatory Committee - 21st November 2006

Wolston Sewage Treatment Works, Rugby - Erection of One Kiosk and Access Improvements

Conditions

1. The development hereby approved shall be commenced no later than 3 years from the date of this permission.

Reason: To comply with the provisions of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: R194/06CM027, the Planning Statement submitted by Entec UK Limited dated September 2006, the Great Crested Newt Method statement Report Number RT-MME-4186-01 Rev A, and drawing numbers T365101-PA017 Rev A, T365101-PA021 Rev 0, T365101-PA015 Rev A, T365101-PA016 Rev B, and T365101-PA018 unless otherwise agreed in writing by the County Planning Authority.

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

3. The external colour finish of the hereby approved kiosk shall be "Holly Green" (BS4800 Colour 14C39), unless otherwise agreed in writing with the County Planning Authority.

Reason: To ensure a satisfactory standard of development in the interest of the visual amenities of the area.

4. The access to the site shall not be reconstructed/widened in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

Reason: In the interests of Highways safety.

5. The existing access to the site for vehicles/cars shall not be used in connection with the development until it has been surfaced with a bound macadam material for a distance of 15 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the County Planning Authority.

Reason: In the interests of Highways safety.

Notes to the Applicant:

1. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.
2. The approved development requires works to be carried out within the limits of the public highway. Before commencing such works the applicant/developer must serve at least 14 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. The Area Team at Rugby may be contacted by telephone: (01926) 412515.
3. The temporary closure of public right of way R144d will require a Temporary Closure Order application .

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

Warwickshire Structure Plan 1996 – 2011

- (i) ER1 Natural & Cultural Environmental Assets.
- (ii) GD6 Green Belt.

Rugby Local Plan, adopted July 2006

- (i) GP1 Appearance and Design of Development.
- (ii) GP3 Protection of Amenity.
- (iii) E1 Development in the Countryside.
- (iv) E2 Green Belt.
- (v) E4 Development involving agricultural land.
- (vi) E5 Landscape and Settlement Character.
- (vii) E6 Biodiversity.

Reasons for the Decision to Grant Permission

In terms of the Green Belt, the harm caused by the inappropriateness of the development hereby permitted would not be accompanied by any additional harm to the appearance and character or purposes of the Green Belt, or by any other detriment that cannot be satisfactorily remedied by conditions, and is out weighed by the very special circumstances constituted by the benefits from the improvements in water quality as well as the revised access arrangements.