



- Chief Executive  .....
- Legal  I Marriott – comments incorporated.
- Finance  .....
- Other Chief Officers  .....
- District Councils
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  South Warwickshire NHS Primary Care Trust,  
Long Itchington Parish Council, Stockton Parish  
Council, Southam Town Council, Environment  
Agency – 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 - 23rd January 2007**

**Southam Quarry – Extension to Time Limit for the  
Importation of Cement Kiln Dust**

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

**Recommendation**

That the Regulatory Committee authorises the grant of planning permission to vary Condition 1 of planning permission S965/04CM025 to allow the importation and deposit of Cement Kiln Dust, spillage materials, road sweepings, laboratory samples and kiln bricks arising from Rugby Cement Works on land at Southam Quarry, Long Itchington for a further temporary period until 31st December 2007, subject to the conditions contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No : S965/06CM036

Received by County : 30/11/2006

Advertised Date : 8/12/2006

Applicant(s) : Cemex UK Operations Limited, Cemex House, Coldharbour Lane, Thorpe, Egham, Surrey, TW20 8TD.

Agent(s) : Mr David Tomlin, Cemex House, Coldharbour Lane, Thorpe, Egham, Surrey, TW20 8TD.

The Proposal : Proposed variation of Condition 1, of Planning Permission ref. S965/04CM025, dated 16th November 2005, to extend the time limit for the importation of Cement Kiln Dust (CKD) to land at Southam Cement Works until 31st December 2007.

Site & Location : Land at Southam Cement Works, Long Itchington, Rugby.  
[Grid ref: 418.631].

See plan in **Appendix A**.

## **1. Application Details**

- 1.1 The application proposes the variation of planning permission S965/04CM025 in order to extend the date upon which the deposit of Cement Kiln Dust (CKD) must cease on land at Southam Cement Works from 31st December 2006 to 31st December 2007.

## **2. Consultations**

- 2.1 **Stratford on Avon District Council** – no comments received.
- 2.2 **Environment Agency** – no comments received.
- 2.3 **Councillor B Stevens** – no objection.
- 2.4 **Councillor J Appleton** – no comments received as at 8/1/2007.
- 2.5 **Southam Town Council** – no comments received.
- 2.6 **Stockton Parish Council** – concludes that this is essentially an extension of an operation that has and is being carried out, and therefore the Parish Council has no further comments on the matter.
- 2.7 **Long Itchington Parish Council** – no comments received.
- 2.8 **South Warwickshire Primary Care Trust** – notes that this is an extension of an existing approved extension and that all requirements of the previous permissions will continue to be complied with. Under the circumstances it has no objection to the extension, as long as the County Council is satisfied that there have been no breaches of the existing requirements.

## **3. Representations**

- 3.1 One local resident feels that the proposal would not be in the best interests of her family, as her husband has severe asthma. She has noticed a higher than normal dust level in her new home which is just across the road from the cement works. There has been speculation and discussion for a number of years regarding the future use of the site. She feels that it is now time to draw a line under this health hazard and give Southam the clean dust-free air it deserves.

## **4. Observations**

- 4.1 Temporary planning permission was originally granted in August 2001 to allow CKD, a by-product of the manufacture of cement at the Rugby Works, to be deposited at Southam Quarry. This permission has subsequently been renewed on a number of occasions. The last of which, planning permission S965/04CM025, expires on 31st December 2006. This current application seeks to extend the expiry date of the permission until 31st December 2007.

- 4.2 The applicants originally sought a temporary planning permission to deposit CKD at Southam whilst they made provisions to secure a long term CKD disposal facility. This has taken longer than originally envisaged but is now the subject of a planning application which is likely to be reported to the 27th February 2007 Regulatory Committee. The long term disposal facility is proposed in a separate and dedicated area of the Southam Site.
- 4.3 The applicants seek to continue the deposit of waste in the temporary facility for a further 12 months whilst they seek to secure planning permission from this Authority, a Pollution Prevention Control (PPC) Permit from the Environment Agency and, subject to securing these consents, undertake infrastructure/engineering works prior to transferring operations to a permanent facility.
- 4.4 In considering the previous application to amend the end date of the planning permission the Regulatory Committee required the applicant to commission an independent study of the impacts and hazards associated with the development. The study and subsequent report, 'Nuisance and Human Health Risk Assessment – Southam Landfill', concluded that due to the low rate of use of the landfill, the design of the landfill and mitigation measures implemented at the site the landfilling of CKD poses only low risk of impact on potentially sensitive receptors in the vicinity of the landfill. The Environmental Health Department at Stratford on Avon District Council, the Environment Agency and South Warwickshire Primary Care Trust all broadly agreed with the findings of the report.
- 4.5 Importation and deposit of CKD at Southam Quarry has continued since this time with no cause for complaint. The CKD is nodualised (formed into granules by mixing with water in a special facility) before leaving the Rugby Cement Works to prevent dust becoming a problem during transport and deposition. Variation of condition 1 to allow the deposit of CKD at the site until 31st December 2007 is therefore considered acceptable whilst a long term solution is sought.
- 4.6 The current temporary landfill cell is located within the void created by previous mineral workings. A Section 106 Agreement secured in connection with the recently approved north-easterly/Spiers Farm extension to the Quarry requires the preparation and submission of a habitat creation, species protection and landscape management plan for the whole of the Quarry void, including the current tipping cell, in order to secure restoration and enhancement of the nature conservation value of the site. A management plan is in the advanced stages of preparation and should be agreed shortly.
- 4.7 Policy 3 of the Waste Local Plan for Warwickshire states that proposals for landfill will be approved where it would, amongst other things, provide replacement landfill capacity which if not met could have a serious effect on the environment and transport across the County. The landfill provides a facility for the disposal of a specific waste stream arising as a by-product of the manufacture of cement at the Rugby Cement Works. Alternative landfill facilities suitable for the disposal of CKD are limited in number with the nearest located

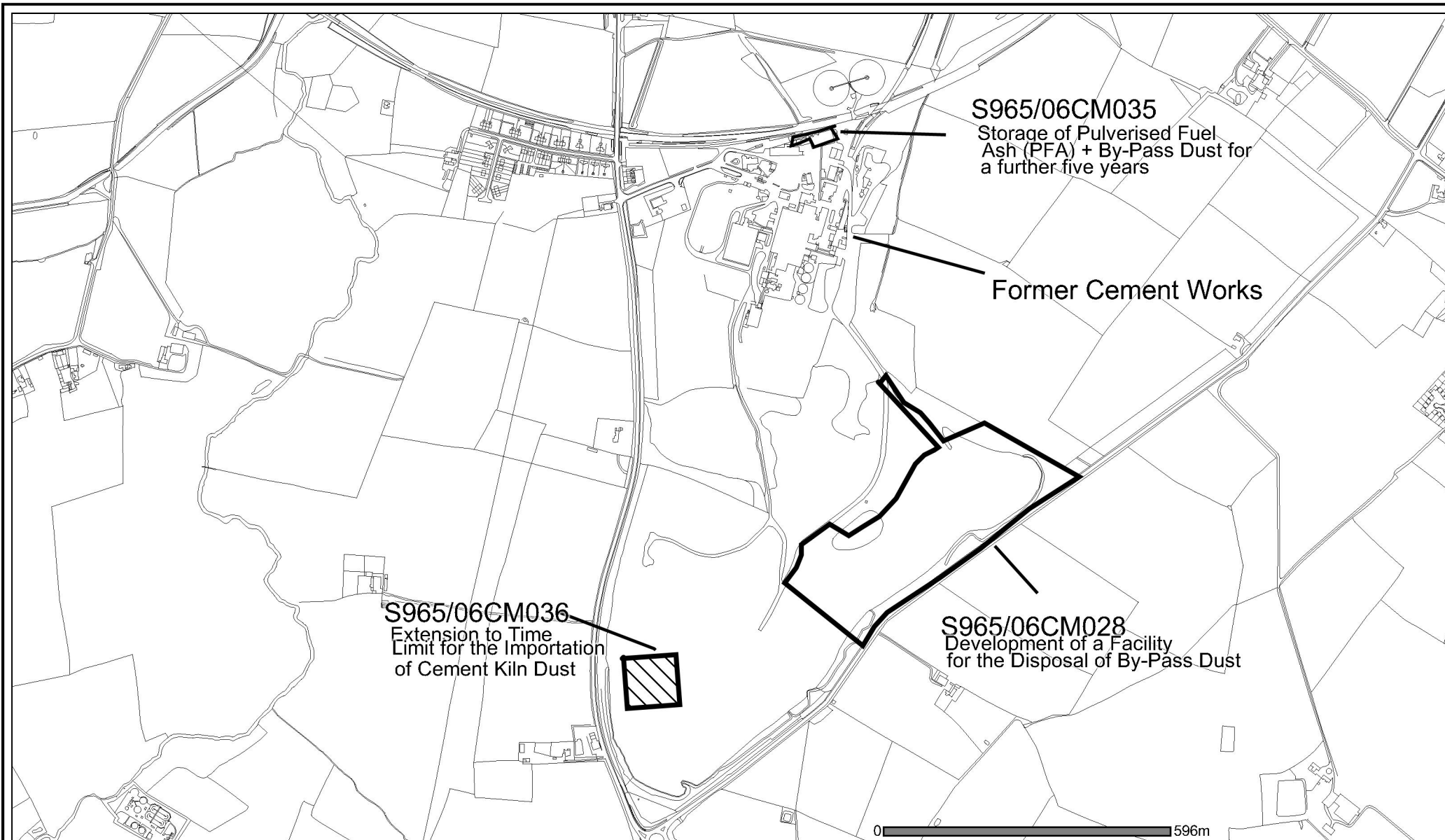
60 miles away. The proposal would therefore result in waste travelling a reduced distance in accordance with Policy 3.

## **5. Environmental Implications**

- 5.1 Continued deposit of CKD within the temporary landfill cell will have no greater impact on the environment than the existing operations.

JOHN DEEGAN  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

9th January 2007



Scale 1: 11000

Ref No. S965/06CM036

Drawn Jan Stevens

Regulatory Committee 23rd January 2007

Subject

**Southam Quarry - Extension to Time Limit**

Reproduced from the Ordnance Survey map. With the permission of the HMSO Controller Licence No. 100018285. (c) Crown Copyright.



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

**Regulatory Committee – 23rd January 2007**

**Southam Quarry – Extension to Time Limit for the  
Importation of Cement Kiln Dust**

**Application No S965/06CM036**

Condition 1 of planning permission S965/04CM025 is revised to read : -

1. The development hereby permitted shall cease no later than 31st December 2007.

The following conditions should be repeated.

2. Throughout the development particulate matter monitoring shall be undertaken with equipment and at locations and frequency to be agreed in writing with the County Planning Authority. Should monitoring identify particulate matter deposits in excess of the 'custom and practice' limit for England and Wales of 200 mg/m<sup>2</sup>/day (Environment Agency (2004) : Technical Guidance Document (Monitoring) M17 : Monitoring of Particulate Matter in Ambient Air Around Waste Facilities) operations shall cease until measures have been put in place to ensure compliance.
3. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref. S965/00CM005 submitted plans ref EST/149/S, SOUTH(&)/EXC02, SOUTH9707/EXC06 and SOUTH9707/EXC07 and the letter submitted by the applicant dated 10th April 2000.
4. Unless otherwise agreed in writing with the County Planning Authority noise from the development and associated operations hereby approved when measured "free field" (that is at least 3.5 m but no more 10 m from the relevant residential façade) at a height of 1.2 m at the nearest noise sensitive properties shall not exceed the following levels:-

Time Period	Noise Limit
0700-1900	50 dB Laeq (1 hour)
1900-2200	47 dB Laeq (1 hour)
2200-0700	37 dB Laeq (1 hour)

5. No waste other than Cement Kiln Dust, spillage materials, road sweepings, laboratory test samples and kiln bricks arising from the Rugby Cement Works, Lawford Road, Rugby, shall be imported to the site.



## **Reasons for the Conditions**

1. In order to allow the satisfactory management of CKD whilst a long term disposal facility is secured.
2. In the interests of the amenity of local residents.
3. To ensure satisfactory development of the site.
4. In the interests of the amenities of local residents.
5. To ensure satisfactory development of the site.

## **Development Plan Policies Relevant to this Decision**

Warwickshire Structure Plan 1996-2011 – Policies ER1, ER2.

The Waste Local Plan for Warwickshire – Policies 1 and 3.

Stratford-on-Avon District Local Plan 1996-2011 – Adopted July 2006 - Policy PR8, DEV.1 and CTY.19.

## **Reason for the Decision to Grant Permission**

The proposal is acceptable in land use and amenity terms and would allow time for a long term disposal facility to be considered and developed. There are no contrary material considerations to indicate that the application should be refused.

## **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.