

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 3rd April 2007

Report Title Land off Bodymoor Heath Road, Marston -
Erection of a Control Kiosk, Electricity
Meter Box, Permanent Hard Standing and
Dropped Kerb with Planting and Fencing

Summary The proposed development is for the construction of a control kiosk, electricity meter box, hard standing, dropped kerb, planting and fencing in relation to an underground sewerage pumping station.

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

Background Papers Planning Application registered 21st December 2006. North Warwickshire Borough Council response dated 15th January 2007.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s) Councillor Mrs J Lea – No comments received as at 20th March 2007.
(With brief comments, if appropriate)
- 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 North Warwickshire Borough Council – no objection.
- Health Authority
- Police
- Other Bodies/Individuals Environment Agency – no objection.

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 - 3rd April 2007

Land off Bodymoor Heath Road, Marston - Erection of a Control Kiosk, Electricity Meter Box, Permanent Hard Standing and Dropped Kerb with Planting and Fencing

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the erection of a control kiosk, electricity meter box, permanent hard standing and dropped kerb with planting and fencing at land at Marston Sewerage Pumping Station, Bodymoor Heath Road, Marston, subject to the conditions and reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No : NW1932/06CM037

Received by County : 21/12/2006

Advertised Date : 28/12/2006

Applicant(s) : Severn Trent Water Ltd, 2297 Coventry Road, Birmingham, B26 3PU.

Agent(s) : Mr Matthew Smedley (Scott Wilson), The Design Innovation Centre, 46 The Calls, Leeds, LS2 7EY.

The Proposal : Erection of a control kiosk, electricity meter box, permanent hard standing and dropped kerb (required in relation to a sewerage pumping station) with planting and fencing.

Site & Location : 0.125 ha of land at Marston Sewerage Pumping Station, Bodymoor Heath Road, Marston. [Grid ref: 207.951].

See plan in **Appendix A**.

1. Application Details

- 1.1 The proposed development is for the construction of a control kiosk, electricity meter box, hard standing, dropped kerb, planting and fencing in relation to an underground sewerage pumping station at Bodymoor Heath Road, Marston. The applicant has advised that the development is required to resolve environmental and amenity problems in the area of Marston, as required by Section S101A of the Water Industry Act 1991.

2. Consultations

- 2.1 **North Warwickshire Borough Council** – No objection.
- 2.2 **Lea Marston Parish Council** – No comments received.
- 2.3 **Kingsbury Parish Council** – No comments received.
- 2.4 **Councillor Mrs J Lea** – No comments received as at 20/3/07.
- 2.5 **Environment Agency** – No objection.
- 2.6 **Libraries, Adult Learning and Culture** – No objection.

3. Representations

- 3.1 There have been no representations received relating to this application.

4. Observations

- 4.1 The site is located within a predominantly rural area, to the north of Marston and within an area designated as Green Belt as defined by the North Warwickshire Local Plan.
- 4.2 The proposed site measures 50m x 21m and is bounded to the south and east by established vegetation (mixture of hawthorn and medium mature trees) and with the north and west of the site currently being open. It is proposed that the field, which is currently used for the grazing of horses, will be subdivided with a post and rail fence and planting to make an enclosure for the proposed development.
- 4.3 The nearest dwellings are located approximately 90 metres to the east of the site, with a further property lying approximately 180 metres to the south west.
- 4.4 The application has been submitted by Seven Trent Water to provide facilities to enable them to carry out a statutory duty to provide sewerage in localities where environmental or amenity problems exist. It has been identified in this area that there is supporting evidence of environmental or amenity issues, and as such Seven Trent Water must provide sewerage to seven properties in the locality.

- 4.5 To achieve the requirements of the services Seven Trent propose the following works at the site: Erection of a control kiosk, measuring 1.75m high x 2.00m wide x 0.45 m deep, painted dark green, an electricity meter box measuring 1m x 1m and 1.2m high, a new access road and hard standing off Bodymoor Heath Road with 5.5m wide double opening timber gates set back 18m from the road edge and a 1.2m high post and rail fence with 2m wide screen planting. Other works at the site are proposed, however they fall within permitted development rights of Seven Trent Water as a statutory undertaker under Part 16 and 17 Class A (a) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.6 The site is located within the Green Belt and the applicant has provided supporting evidence and very special circumstances as to why they feel the proposed development is acceptable in its location. The main reasons provided relate to the requirements of Seven Trent to provide the facility for the properties, with the location dictated by the underground operations it will serve and, as a pump station, is normally required to be at the lowest point of the serviceable areas (in this case being Marston). The applicant has stated that the proposed development does not compromise the openness of the Green Belt, and that the proposed planting will ensure the openness of the Green Belt is retained and that the planting would complement the local environment. The site needs to be located at a low point nearby Marston, therefore there is little scope for locating the site in a more suitable location outside of the Green Belt. The proposed structures on site have been kept to a minimum.
- 4.7 The location of the proposed development, sited away from residential properties and screened from the surrounding countryside is considered acceptable, with no significant adverse impact on neighbouring properties and the impact in terms of visual amenity is acceptable. The proposed vehicular access to the site is considered acceptable and should not cause adverse impact on the area as a whole. It is therefore considered that the proposed development accords with Policy ENV 11 of the Local Plan and Policy 1 of the Waste Local Plan.
- 4.8 PPG 2 (Green Belts) states that inappropriate development within the Green Belt should not be approved, except in very special circumstances. It is considered that the very special circumstances as provided by the applicant outweighs any potential harm to the openness of the Green Belt. The proposed development would have minimal impact on the Green Belt and should not cause adverse amenity issues for surrounding properties. The proposed planting is considered appropriate and sympathetic with the surrounding area, and will screen the equipment required for the operation. Consequently the proposal is acceptable, and in accordance with policy ENV4 of the North Warwickshire Local Plan.

Planning Policies

- 4.9 It is considered that the proposed development accords with Policy ENV4 (Trees and Hedgerows) and ENV11 (Neighbour Amenities) of the North Warwickshire Local Plan and Policy 1 of the Waste Local Plan. The application is contrary to

PPG2 (Green Belts) however the 'very special circumstances' outweigh the inappropriateness of the development.

5. Conclusions

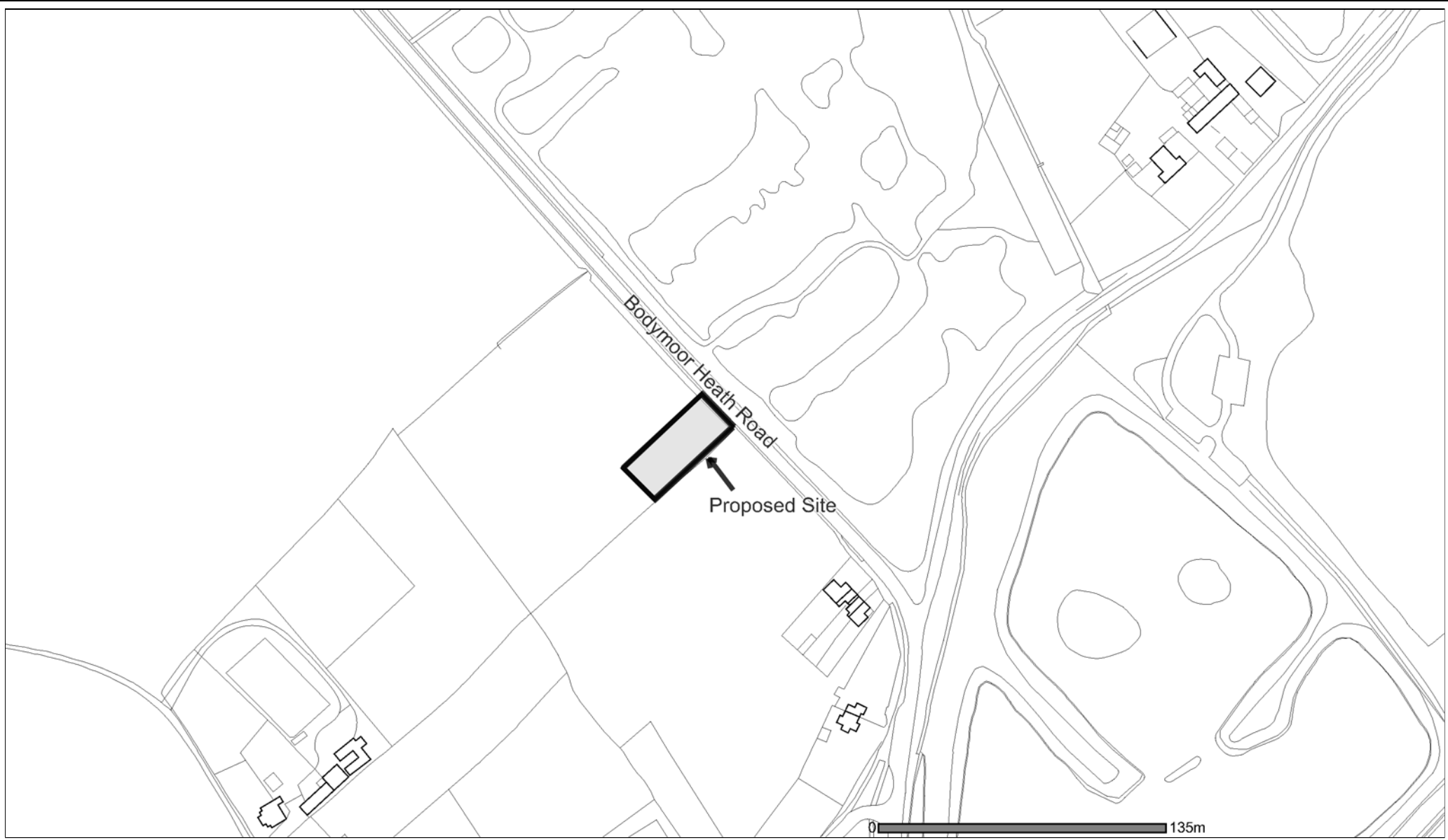
- 5.1 The proposed development is in accordance with development plan policies and would not have an unacceptable adverse impact on the amenity of the locality as a whole. It is considered that the very special circumstances outweigh any potential harm to the Green Belt. The development is not proposed to have an adverse impact on the highway network and is appropriate in its location.

6. Environmental Implications

- 6.1 It is considered that there are no significant adverse environmental considerations associated with the proposed development.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

16th March 2007



Scale 1: 2500

Ref No. NW1932/06CM037

Drawn Sue Broomhead

Regulatory Committee - 3 April 2007

Subject

Marston Sewerage Pumping Station



John Deegan
Strategic Director for
Environment and Economy
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APPENDIX A OF AGENDA NO.

Regulatory Committee - 3rd April 2007

Land off Bodymoor Heath Road, Marston - Erection of a Control Kiosk, Electricity Meter Box, Permanent Hard Standing and Dropped Kerb with Planting and Fencing

Application No: NW1932/06CM037

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with drawing numbers P305300_061 rev B and P305300_062 rev A and in accordance with the details submitted as part of application reference NW1932/06CM037.

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

3. The proposed landscaping buffer 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

Reason: In order to ensure the satisfactory appearance of the completed development.

Development Plan Policies Relevant to this Decision:

The Waste Local Plan for Warwickshire:

- (i) Policy 1

North Warwickshire Local Plan 2006:

- (i) Policies ENV4 and ENV11

PPS2 – Green Belts

Reasons for the Decision to Grant Permission

The proposed development is in accordance with development plan policies and would not have an unacceptable adverse impact on the amenity of the locality as a whole. It is considered that the very special circumstances outweigh any potential harm to the Green Belt. The development is not proposed to have an adverse impact on the highway network and is appropriate in its location.

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.