

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Regulatory Committee

**Date of Committee** 12th June 2007

**Report Title** **Canalside Yard, Napton – Use of Existing Building for Tipping, Sorting and Storage of Waste and Recycled Materials (Revised Proposal)**

**Summary**

The application proposes the change of use of an existing building to allow tipping, sorting and storage of waste and recycled materials at Canalside Yard, Brickyard Lane, Napton.

This application is a revision of a proposal that was refused at the 23rd January 2007 meeting of the Regulatory Committee.

**For further information please contact** Matthew Williams  
 Planning Officer  
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**Would the recommended decision be contrary to the Budget and Policy Framework?** Yes/No

**Background Papers** Submitted application, received 8/3/2007.  
 Letter from the Environment Agency, dated 22/3/2007.  
 Email from Napton Parish Council, dated 11/4/2007.  
 Two email representations.

**CONSULTATION ALREADY UNDERTAKEN:-** *Details to be specified*

Other Committees  .....

Local Member(s)  .....  
 (With brief comments, if appropriate)

Other Elected Members  Councillor J Appleton – no comments received as at 29/5/07.

- Cabinet Member  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)  .....
- Chief Executive  .....
- Legal  .....
- Finance  .....
- Other Chief Officers  .....
- District Councils  Stratford on Avon District Council – see comments in paragraph 2.1.
- 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 - 12th June 2007**

**Canalside Yard, Napton – Use of Existing Building for Tipping, Sorting and Storage of Waste and Recycled Materials (Revised Proposal)**

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

**Recommendation**

That the Regulatory Committee authorises the grant of planning permission for the change of use of an existing steel portal framed building to allow tipping, sorting and storage of waste and recycled materials at Canalside Yard, Brickyard Lane, Napton, subject to the conditions contained in **Appendix B** of the Report of the Strategic Director for Environment and Economy.

Application No : S867/7CM008

Received by County : 8/3/2007

Advertised Date : 16/3/2007

Applicant(s) : Jordan Demolition Limited, Canalside Yard, Brickyard Road, Napton, Rugby, CV47 8NT.

Agent(s) : Mr Christopher Stratton, Countryside Planning Services Limited, 36 Lodge, Warwick, CV34 6BB.

The Proposal : Change of use to allow tipping, sorting and storage of waste and re-cycled materials (not necessarily arising from demolition operations).

Site and Location : Canalside Yard, Brickyard Road, Napton.  
[Grid ref: 452.614].

See plan in **Appendix A**.

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## 1. Application Details

- 1.1 This application is a revised resubmission of a proposal that was refused at the 23rd January 2007 meeting of the Regulatory Committee.
- 1.2 As with the previous application the proposal seeks a change of use of an existing building at Canalside Yard, Napton for the tipping, sorting and storage of waste and recycled materials. The steel portal framed building measuring approximately 25 metres by 30 metres by 8 metres in height is clad in green steel profiled sheeting to the walls and grey cement bound sheeting to the roof.
- 1.3 The applicant states that the purpose of the application is to save skips of mixed waste going to landfill, when significant elements might be recycled. The skip operator based on site, County Waste, currently has no facility to remove recyclable materials from skips of waste. It is expected that a minimum of 85% of waste arising from skips entering the site would be recycled.
- 1.4 Waste deposited within the building would arise from the skip hire business operated from the site. Waste types would typically range from that arising from DIY/household works to that derived from commercial/construction/demolition works. Once deposited within the building waste would be processed/sorted through a 'trommel' screen to sort materials into separate waste streams and recyclable materials. Separated materials would then be stored in skips within the building before being transferred off site for disposal or recycling. The floor of the building would be concreted, with an integral drainage system to capture any liquid wastes, preventing any escape into the wider environment.
- 1.5 The operating hours of the facility would be 0800 to 1800 hours.
- 1.6 Waste would be delivered to the site by skip lorries. The facility would generate a maximum of 50 vehicles entering and leaving the site each day. The applicant states that many skips, containing limited recyclable/reusable materials, collected from customers would still be taken direct to landfill thus limiting the number of vehicle movements at the site.
- 1.7 The application states that elements of the proposed development have been amended to try to address some of the concerns raised by Members in refusing the previous application. Revisions to the proposed development incorporated since the original application was refused include:-
  - (i) A contribution of £10,000 towards the maintenance and improvement of Brickyard Lane.
  - (ii) Installation of roller shutter doors to the building to contain dust, noise and odours.
  - (iii) Additional fencing and planting to the road frontage to help screen activities on site.
  - (iv) Improvements to the site access including provision of fencing and gates to minimise the visual impact of operations on site.

## 2. Consultations

2.1 **Stratford on Avon District Council** – Having considered the submitted information, it would appear that the development, in principle, remains the same as that previously proposed in your reference S06CM032 (original application). The landscaping, highway improvements and other works are not mitigation measures which alter the principle of the proposed development and the policy context within which the application must be assessed. As a result, the District Council's assessment of the application has not altered and it objects to the proposal for the following reasons:-

- (i) The proposed development would allow the expansion of activities on this site in conflict with the objectives of policies GD1 and RA1 of the Warwickshire Structure Plan 1996-2011, which direct most development to towns of over 8000 people and to limit development in rural areas to that justified by local needs in the context of community appraisals in the local plan process. The allowing of the proposal, which is unrelated to local needs, would be likely to increase vehicle movements, including employees arriving by car, in a relatively remote location and therefore conflicts with sustainability objectives.
- (ii) Policy CTY1 of the adopted District Local Plan Review 1996-2011 resists all forms of development in the countryside, other than those in accordance with provisions elsewhere in the Local Plan. Proposals that are not covered elsewhere in the Plan will have to be fully justified and show that they would not be contrary to the overall strategy of the Plan and that their impact on the character of the area would not be harmful.
- (iii) The only policy against which this proposal could be assessed is policy CTY.2, which allows for the re-use of rural buildings. One of the criteria within this policy requires consideration of the scale of the proposals and whether they would jeopardize sustainability objectives, particularly in relation to generation of car and goods vehicle traffic. In the Council's opinion, the proposed change of use fails to meet policy CTY.2 by reason of the site's unsustainable location and by reason of the inappropriate scale and nature of the proposed activities. The Council considers that the proposals have not been adequately justified and considers they would harm the character of the area. The mitigation measures now proposed do not overcome this policy objection.
- (iv) The Council also considers the proposed use of the building would result in an unacceptable increase in traffic movements to and from the site, which would result in further damage to Brickyard Lane and would have a harmful urbanising effect on a quiet country lane, through the increased number of vehicle movements, in conflict with policy CTY.2, which requires proposals to be consistent with the rurality of the area.
- (v) Finally, the Parish Council under the previous application reference S06CM032 expressed concerns at the type and amount of waste that would be processed at this site as a result of the application. Since the

detail of the application has not changed, such concerns are likely to remain.

Notwithstanding the above, should the application be granted, the Council would wish to see conditions attached requiring the provision of passing places along Brickyard Lane, control of traffic movements and the provision of a landscaping scheme for the site.

**2.2 Napton-on-the-Hill Parish Council** – The Clerk has confirmed that she has circulated the relevant documentation amongst all six Councillors and advises that three Councillors have not objected to the application.

However, the remaining three Councillors make the following comments:-

- (i) The reason that they object is for exactly the same reasons they put forward for the last proposal for the re-cycling facility and these are given on the Refusal Notice for the last application. ‘Not necessarily arising from demolition waste’ means any hazardous waste from factories or households i.e., chemicals, asbestos, etc.
- (ii) Councillor’s have many concerns not least is that we are moving from recycling building waste etc to recycling/handling all waste material.
- (iii) If this application was passed it will lead to much greater lorry movements along Brickyard Road. The offer of £10,000 to improve the road is a small amount when you consider the damage their vehicles have caused over the last two or three years.
- (iv) There are concerns over hazardous materials entering and leaving the site.

**2.3 County Councillor John Appleton** – No comments received as at 29/5/07.

**2.4 Environment Agency** – no objections to the proposed change of use, subject to the imposition of conditions to prevent pollution of the water environment.

### **3. Representations**

**3.1** Two emails of representation have been received from a nearby business, owner of the nearby former Napton Brickworks site and District Councillor Nigel Rock.

**3.2** The nearby business, Cab-Tech Developments Limited, comments that the site was a farmers field with a Dutch barn when they first came to the area in 1978. Now it is a rubbish processing site. How did that happen in a rural area? Highlight that they are located on the opposite bank of the Oxford Canal on the old brick works site, which is deemed as an industrial area. Object to the application for the following reason:-

- (i) The site is inappropriate for such work being agricultural land.

- (ii) The potential for pollutants getting into the water course is profound.
  - (iii) The potential for fires being set on this site that cause toxic fumes to drift into our factory effecting 25 employees is not acceptable.
  - (iv) The potential for more dust caused by crushing of material is a health problem and may increase with this application.
  - (v) There may be toxic materials processed without our knowledge that could have serious effect on the environment and health of workers in this area.
  - (vi) We would ask for guarantees that our employees were properly protected to the latest health standards from air borne pollutants that would and are coming from this site due to the general wind direction.
  - (vii) If Napton Industrial Estate is developed with housing as currently being considered the business proposed will not be good for children playing in and around the site.
- 3.3 The owner of the nearby former Napton Brickworks site wishes to address the Regulatory Committee. He raises objection to the proposed development as concerned that it would frustrate Policy CTY.F (land comprising approximately 6.0 hectares at Napton Brickworks is allocated for mixed use development to incorporate Class B1 industrial uses, residential units tied specifically to businesses on the site, holiday accommodation and canal based recreation) of the adopted Local Plan by placing or increasing un-neighbourly activities within very close proximity of land which ought to be developed for people to live and work in.

3.4 District Councillor Nigel Rock's comments:

"This application appears substantially similar to an earlier application that was refused by the county committee. The expansion of traffic movements by up to 35 - 40 movements a day is a very significant increase in activity. Whilst there are technical matters of planning policy to be considered by officers, the applicants do appear to be offering some mitigation measures. I would seek clarification and suspect benefits might accrue to all parties by discussions to reach an acceptable solution.

If this application is to regularise what is already occurring with measures to ameliorate the planning harm, this would be positive.

Does it seek to extend the scale and scope of the operation by allowing the processing of matter other than demolition waste - waste which will then have to be transported to landfill elsewhere? If so, I continue to have concerns about what is proposed. I believe Parish Councillors have similar concerns.

Further, another application to construct an office block on the site is currently under consideration. I would propose that both applications should be considered together in a holistic way, somewhat in the nature of a master plan. My suggestion is that consideration of this application is deferred, pending the finalisation of the second application, so that members can gain an accurate

impression of the proposed use of the whole facility. In this way there would be a possibility of discussions between the authority and the applicant to address many of the concerns for the local community. These relate to the visual impact in a sensitive area, increased traffic movements and the nature of the materials to be handled. There is the possibility of laying out the site in a manner that minimises visual impact.

If the authority is minded to approve this application in isolation, I would seek a significantly increased landscape buffer between the site and road and a commitment to maintain the planting under a previously permitted application. The type and colour of fencing should be suited to being disguised within or behind a deeply planted landscape buffer. Conditions should be imposed regarding the type and volume of waste that can be handled and propose a traffic movement agreement similar to that agreed with Cemex elsewhere in Stockton and Napton.”

## **4. Observations**

### **Site History**

- 4.1 Canalside Yard is known to have had a history of waste related operations taking place on site dating back to the early 1980's. A Certificate of Lawful Use (CLU) issued by Stratford on Avon District Council in 1993 accepts that part of the site has been used for the 'storage of hardcore, plant, machinery, vehicles and materials salvaged from demolition sites' since 1983. In 2004 the County Council granted planning permission for the 'storage of plant and machinery and storage and processing of materials arising from demolition operations'. The 2004 permission effectively regularised and consolidated operations on site as well as securing some environmental enhancement, including cladding of the application building, of the site.
- 4.2 A single storey unauthorised site office building is currently located on the highway frontage of Canalside Yard. This is the subject of an enforcement notice, issued by Stratford on Avon District Council. The notice was to have taken effect on the 12th January 2007 with the building to be dismantled and removed by 12th May 2007. The notice is now the subject of an appeal which is scheduled to be dealt with by way of Public Inquiry in October 2007. The applicant has submitted a planning application (S867/07CM010) proposing the erection of permanent office accommodation to replace the existing unauthorised building. This application will be reported to Committee at a later date.
- 4.3 Whilst it is accepted that the Canalside Yard currently has permission for waste related operations to be undertaken on site, these are limited in scope to that arising from demolition works. The application seeks permission for the storage and sorting of waste derived from the operation of a skip hire business which would consist of a wider range of waste, including waste arising from households, not normally sourced from demolition operations. This is considered to be an intensification of activities which amounts to a change of use requiring planning permission. Therefore, the applicant has made the



current application to use the existing building to store and process a larger range of wastes.

4.4 This proposal is a revision to an application that was refused at the 23<sup>rd</sup> January 2007 meeting of the Regulatory Committee. The application was refused for the following reasons:-

- (i) The proposed change of use would reinforce and intensify an undesirable existing use which is an inappropriate countryside location close to the Cotswold Special Landscape Area and poorly served by public transport. The increased levels of activity and traffic would damage the quiet character of the surrounding area and additional employees would be likely to commute by car.
- (ii) The proposal is therefore in conflict with Policy GD.1(b), (c) and (f) and Policy GD.3 of the Warwickshire Structure Plan 1996-2011 and with the elements of the overall strategy in section 2 of the Stratford on Avon District Local Plan Review relating to the protection of the environment and natural resources and to the concentration of development in larger settlements. As the proposal is not in accordance with any other provision in the Stratford on Avon District Local Plan Review, it is contrary to policy CTY.1 of that Plan.
- (iii) Although the proposal satisfies Policy 6 of the Waste Local Plan by being part of an established waste disposal facility, it performs poorly against the criteria in Policy 1 of the Plan relating to the proximity principle, traffic and the character of the locality. Neither the accordance with Policy 6 nor any other material consideration is sufficient to outweigh the harm and conflict with other provisions of the development plan presented by the proposal.

### **Site and Surroundings**

4.5 Canalside Yard is situated at the foot of Napton Hill adjacent to the Oxford Canal. The surrounding area is rural in nature with agriculture being the predominant land use. Canalside Yard abuts, but does not fall within the Cotswold Special Landscape Area. The northern boundary of Canalside Yard is demarcated by a bund which screens the site from the north. However, the north-eastern boundary of the site, adjacent to Brickyard Lane, is fairly open allowing relatively unrestricted views into the site. The higher ground of Napton Hill to the south-east of the site similarly affords elevated panoramic views of Canalside Yard.

4.6 A small group of buildings in industrial/business use (Bairds Park) are located on the opposite side of Brickyard Lane and an engineering company is located on the opposite side of the canal. Residential properties in the immediate vicinity are sporadic and sparse. The nearest habitable dwelling is situated 80 metres to the east of the Yard on the opposite side of the canal. A derelict dwelling is located 30 metres to the east of the Yard, also on the opposite side of the canal.

- 4.7 A short distance to the east of Canalside Yard is the site of the former Napton Brickworks. This six hectare site is allocated in the Stratford on Avon District Local Plan Review 1996-2011 for mixed use development to incorporate Class B1 industrial uses, residential units tied specifically to businesses on the site, holiday accommodation and canal based recreation. An application proposing redevelopment of the site to provide 56 business units with related residential units, improvements to the canal-side, landscaping, footpath, access and holiday accommodation was refused at appeal in May 2006. It is understood that the site owner is currently working on revised proposals for the former Brickworks site.
- 4.8 The application building itself is located alongside the south-eastern boundary of Canalside Yard adjoining the Oxford Canal. The building is enclosed on three sides with the northern elevation open to the elements. The building is clearly visible from Brickyard Lane and Napton Hill.

### **Policy**

- 4.9 Policies GD.1, GD.3, GD.5 and RA.1 of the Warwickshire Structure plan state that most new developments should be directed towards towns of over 8000 people (at 1991), should be well served by public transport and easily accessible to town centre services. The proposed location of the development, in a rural arguably isolated position, does not naturally accord with the thrust of these policies. However, it is considered that the proposal needs to be viewed in the context of the planning history of the site, other policies of the Development Plan, the nature of the proposed development and catchment area served by the facility.
- 4.10 Policy CTY1 of the adopted District Local Plan generally resists all forms of development in the open countryside, other than those in accordance with provisions elsewhere in the Local Plan. Policy CTY2 supports the reuse/conversion of existing rural buildings to industrial/commercial uses where, amongst other things, the building is capable of accommodating the proposed use without alteration or extension and the scale of the proposals would not be such as to jeopardise sustainability objectives, particularly in relation to the generation of cars and goods vehicle traffic.
- 4.11 Canalside Yard is located in a rural setting abutting the Cotswolds Special Landscape Area where Policy EF.2 of the Stratford on Avon District Local Plan states that the high landscape quality will be conserved and protected by resisting proposals that would have a harmful effect upon the character and appearance of the landscape.
- 4.12 Warwickshire Structure Plan Policy ER9 provides for a reduction of waste going to landfill in line with the Government's national policy.
- 4.13 The adopted Waste Local Plan for Warwickshire encourages recycling and seeking a reduction in the amount of waste taken to landfill sites. Policy 1 sets out the environmental considerations, including noise, dust and traffic impacts, which should be taken into account when considering any waste applications.

- 4.14 Policy 6 relates specifically to materials recycling facilities and states that such proposals will be permitted; as an integral part of new or established waste disposal facilities, on industrial estates and on other land which has been used for a commercial use where the proposed use would be compatible with adjacent landuses.
- 4.15 If the current application were to be proposing the development of an entirely new waste facility on a green field site in this location it would clearly not accord with current Development Plan policy. However, it has to be accepted that Canalside Yard is an established waste facility that has been in existence in some shape or form for around 25 years. The proposed development relates to a change of use of an existing building located within the site/landscape. The building is enclosed on three sides, requiring limited alteration to accommodate the proposed facility. It is therefore concluded that, as an integral part of an established waste facility the proposal accords with Policy 6 of the Waste Local Plan and in reusing an existing building is in general conformity with Policy CTY2 of the Stratford on Avon District Local Plan.
- 4.16 Canalside Yard is in a rural location which the District Council consider to be unsustainable as the main sources of waste are likely to be urban areas some distance away. However, the skip hire company operating from the site operates over wide areas of Warwickshire and Northamptonshire and into Oxfordshire (Warwick, Southam, Leamington, Stratford, Rugby, Nuneaton, Banbury, Coventry, Daventry, etc). When seen in this context Canalside Yard is centrally placed to serve these markets/customers. Furthermore, experience has shown that whilst there is policy support for siting facilities of this nature within industrial estates in urban areas the reality is that finding suitable sites that do not conflict with neighbouring occupiers can be difficult.
- 4.17 Whilst there is concern that the proposed development would result in an increased number of vehicle movements being generated at the site this needs to be assessed against the authorised use of the site and likely vehicle generation. The authorised use of Canalside Yard, including the application building, is for the 'storage of plant and machinery and storage and processing of materials arising from demolition operations'. This permission contains no restriction on the number of vehicle movements permitted at the site. Therefore, the existing authorised use of the site could legitimately generate increased numbers of vehicle movements without the need for further planning permission. Furthermore, Policy CTY.2 of the adopted Stratford on Avon District Local Plan indicates general support for conversion of existing rural buildings to industrial/commercial uses, which clearly would have traffic generation implications. Other rural buildings in the immediate vicinity have been granted permission for industrial/business use by Stratford on Avon District Council presumably under the provisions of Policy CTY.2.
- 4.18 The nearby former Napton Brickworks site is allocated in the Stratford on Avon District Local Plan Review 1996-2011 for mixed use development to incorporate Class B1 industrial uses, residential units tied specifically to businesses on the site, holiday accommodation and canal based recreation. The owner of the Brickworks Site has raised objection to the proposed development on the grounds that it would have an adverse impact on any redevelopment proposals

for the former Brickworks. Canalside Yard is an established long standing waste management facility that includes open storage and processing of construction and demolition waste. The proposed development would extend the range of waste types handled on site. However, the additional wastes would be handled and stored with an existing building the opening frontage of which faces away from the Brickworks site. Combined with the additional landscaping and screening proposed it is considered that the proposed development would have no greater impact than the existing waste operations undertaken on site. It is also necessary to acknowledge that the Brickworks redevelopment is an allocation only at this stage with no planning permission granted. Any application brought forward would clearly need to be designed taking into account adjoining landuses.

## **Environment and Amenity**

### **Visual Impact**

- 4.19 Canalside Yard occupies a visually sensitive and prominent location at the foot of Napton Hill, abutting the Cotswold Special Landscape Area and adjacent to the Oxford Canal. The existing waste related operations undertaken in the open on site have a visual impact, although a recently implemented planting scheme will in time help to screen operations on site. The application building is clearly visible from Brickyard Lane and Napton Hill. However, all waste tipping, sorting and storage would be undertaken within the building, which is enclosed on three sides. This would largely screen operations resulting in the proposed development having no greater visual impact than existing operations on site. Notwithstanding this the applicant proposes the erection of a fence, additional landscape planting and roller shutter door to the building which would further screen operations on site. A suitably worded condition is suggested.

### **Noise**

- 4.20 The movement of skip lorries and the tipping and sorting of waste using mechanised screening equipment has the potential to result in noise impacts. However, Canalside Yard is an existing waste facility where crushing and screening of construction and demolition waste is already undertaken. The proposed operations, undertaken within a building, would result in no greater noise impacts than the existing operations undertaken on site.

## **Dust/Litter**

- 4.21 The loading and unloading of skips and processing of waste has the potential to generate dust and wind blown litter. However, it is considered that containment of operations within the building would prevent dust and wind blown litter from becoming a problem.

## **Waste Types**

- 4.22 The existing planning permission governing operations on site permits the storage and processing of materials arising from demolition operations. These activities are permitted to take place both within the building that is the subject of this application and in the open air. This current application seeks to extend the types of waste accepted and processed on site to those arising from a skip hire business. Concern has been raised about a broader range of waste types, and in particular hazardous waste, being handled on site. The applicant states that it is not intended to accept hazardous waste on site. County Waste, the skip hire operator, specifically state within customer delivery notes the types of waste not permitted within skips. This includes, fridges, freezers, asbestos, tyres and any noxious, toxic or pollutant waste. The waste types that would be permitted to be handled on site would be strictly defined and controlled within a Waste Management Licence that the operator would need to secure from the Environment Agency before commencing operations. Notwithstanding this the operator must clearly make contingencies for handling unauthorised wastes should they inadvertently find their way on site. It is considered that the Waste Management Licensing regime is the appropriate mechanism for controlling waste types permitted on site. Whilst the development would allow a wider range of wastes to be handled on site, and therefore result in an intensification of operations, it is considered that containment of operations within the existing building would result in only limited additional impact.

## **Access and Traffic**

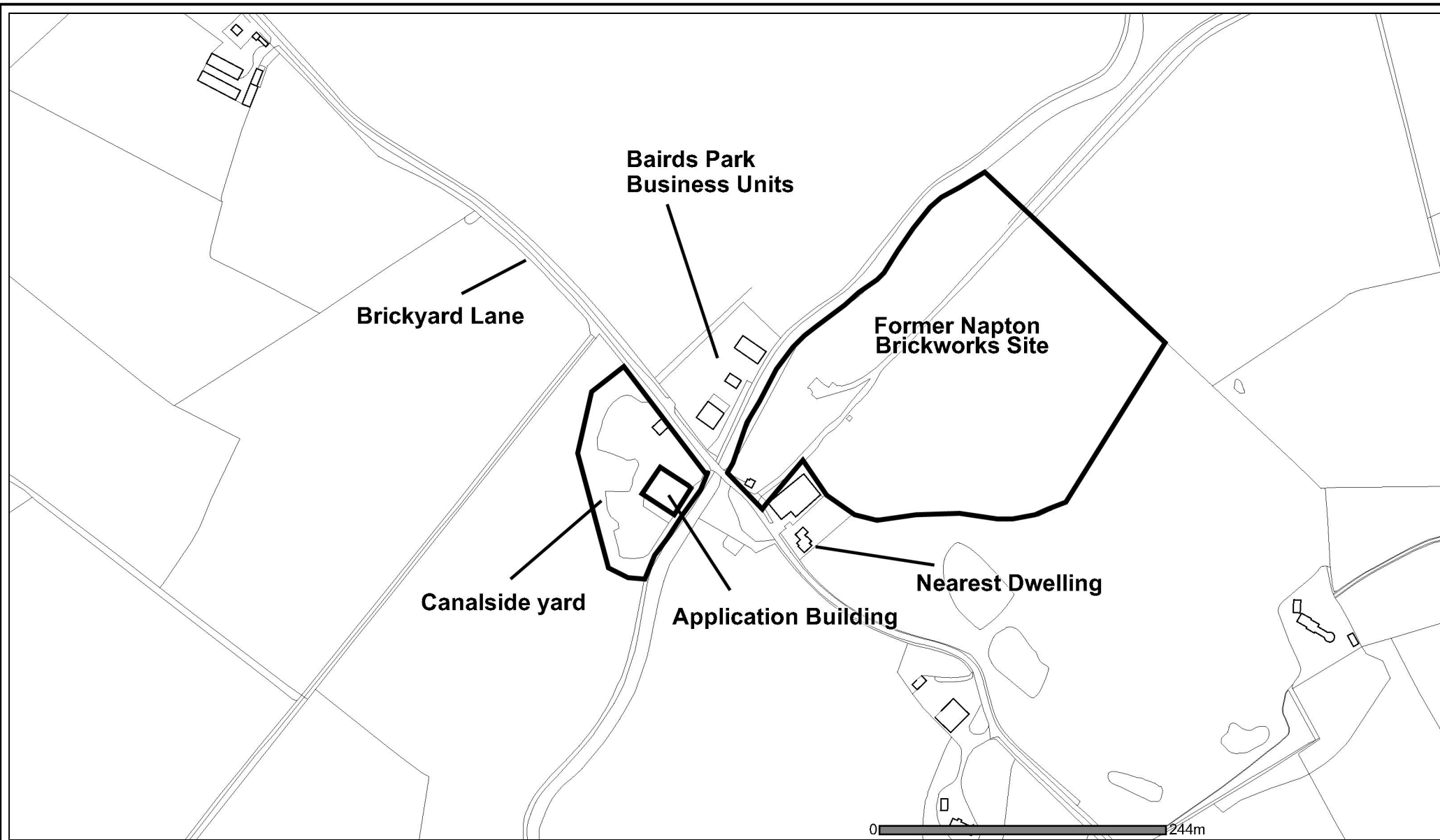
- 4.23 Concern has been raised regarding the impact vehicle movements generated by the proposed development would have on Brickyard Lane which is in a poor condition. The proposed development would increase vehicle movements on the Lane and consequently wear of the highway. Brickyard Lane will require maintenance works to be undertaken in the near future. It does, however, also need to be acknowledged that there are other industrial/business uses in the vicinity that generate HGV traffic and consequently wear and tear on Brickyard Lane. Notwithstanding this the applicant has offered to make a contribution of £10,000 towards maintenance of the highway. This could be secured via a Section 106 Agreement.
- 4.24 Access into Canalside Yard does not accord with current highway standards and requires improvement. This includes access provision of a kerbed bellmouth and hard surfacing. Suitably worded conditions are proposed.

## Conclusion

- 4.25 The proposed facility would enable material that would otherwise be sent to landfill to be recycled. The tipping, sorting and storage of waste and recycled materials within an existing building at this established waste facility would have no greater impact than the existing operations undertaken on site. The additional improvements proposed, including fencing, access improvements and landscape planting, would further improve the appearance of the site. The development would generate an increase in vehicle movements on Brickyard Lane. However, set in the context of existing vehicle movements to Canalside Yard and other industrial/business uses in the vicinity and combined with improvements to the highway it is considered that the development would have limited additional impact.

JOHN DEEGAN  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick

30th May 2007



Scale 1: 4500

Ref No. S867/07CC008

Drawn Jan Stevens

Regulatory Committee 12th June 2007

Subject

**Materials Recycling Facility-Canalside Yard Napton**



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

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APPENDIX A OF AGENDA NO.

**Regulatory Committee - 12th June 2007**

**Canalside Yard, Napton – Use of Existing Building for Tipping, Sorting and Storage of Waste and Recycled Materials (Revised Proposal)**

**Application No : S867/07CM008**

**Commencement Date**

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

**Pre-commencement**

2. The development hereby permitted shall not be commenced until details of fencing to the frontage has been submitted to the County Planning Authority for approval in writing. Following approval the fencing shall be implemented accordingly before the building is used for the approved use.
3. The development hereby permitted shall not be commenced until details of additional screen planting, along the highway frontage of the site have been submitted to the County Planning Authority for approval in writing. Following approval the planting shall be implemented accordingly in the first planting season.
4. The development hereby permitted shall not be commenced until details of doors to be installed on the open frontage of the building have been submitted to the County Planning Authority for approval in writing. Following approval the doors shall be installed before the building is used for the approved use.
5. The development hereby permitted shall not be commenced until a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.
6. The development hereby permitted shall not be commenced until the existing access has been provided with 10.5 metre kerbed radiused turnouts on each side.
7. The development hereby permitted shall not be commenced until the existing vehicular access to the site has been widened so as to provide an access of not less than 6 metres, as measured from the near edge of the public highway carriageway.
8. The development hereby permitted shall not be commenced until the access 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.

9. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: S867/07CM008 and the accompanying plan; titled Canalside Yard, Brickyard Lane, Napton - Change of Use of Building and any details or samples approved in accordance with these conditions.

### **General Conditions**

10. Unless otherwise agreed in writing by the County Planning Authority none of the operations hereby permitted shall take place except between the following hours:-

0800 – 1800 Mondays to Fridays  
0800 – 1300 Saturdays

No operations shall be carried out on Sundays, Bank or Public Holidays.

11. At no time shall any operations take place which, despite the use of the dust control measures, would give rise to airborne dust levels sufficient to cause nuisance to properties around the site.
12. All loaded lorries entering and leaving the site shall be sheeted or netted.
13. Before any vehicle leaves the site it shall be sufficiently clean to prevent it from depositing deleterious material on the public highway.
14. Unless otherwise agreed in writing by the County Planning Authority, no external lighting shall be used.
15. The use hereby permitted, and any processes and operations carried on in connection with this use, shall be such as to ensure that noise levels arising from the site shall not exceed the following limits, as measured and including any corrections, in accordance with the provisions of BS 4142 : 1997 ("Method for rating industrial noise affecting mixed residential and industrial areas") at any point along or beyond the perimeter of the site delineated in red on the plan annexed to the application:-

|                    |                   |                    |
|--------------------|-------------------|--------------------|
| Mondays to Fridays | 0800 – 1800 hours | 50 dBLAeq (1 hour) |
| Saturdays          | 0800 – 1300 hours | 50 dBLAeq (1 hour) |

### **Reasons**

1. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2,3&4. To protect the amenity of the area and local residents, including visual impact.
- 5,6,7&8. In the interests of highway safety.

9. To ensure a satisfactory standard of development.

10,11,12,13,14&15.

In the interests of the amenity of local residents.

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

- (i) **Warwickshire Structure Plan – 1996-2011** Policies GD.1, GD.2, GD.3 GD.4, GD.5, RA.1 and ER.9.
- (ii) **Stratford on Avon District Local Plan Review 1996-2011 Adopted July 2006** – Policies CTY.1, CTY.2, EF.2, CTY.F and DEV.1.
- (iii) **Waste Local Plan for Warwickshire** – Policies 1 and 6.

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

Change of use of an existing building within and established waste facility to allow a wider range of wastes to be handled would have no greater impact than the existing operations undertaken on site. There are no contrary material considerations to indicate that the application should be refused.