

**AGENDA MANAGEMENT SHEET**

**Name of Committee** Regulatory Committee

**Date of Committee** 12th June 2007

**Report Title** Land off Bodymoor Heath Road, Marston – Change of Use of Agricultural Land and Various Works to Permit the Construction of an Underground Sewerage Pumping Station

**Summary** The proposed development is for the construction of a chemical dosing unit, control kiosk, electricity meter box, two double opening timber gates, hard standing, dropped kerb, and planting and fencing in relation to an underground sewerage pumping station.

**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** Planning Application registered 26/4/2007.  
North Warwickshire Borough Council response dated 10/5/2007.

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

- Other Committees  Regulatory 3rd April 2007.
- Local Member(s)  Councillor Mrs J Lea – no comments received as  
(With brief comments, if appropriate) at 29/5/2007.
- 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 objections.
- 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

Land off Bodymoor Heath Road, Marston – Change of Use of  
Agricultural Land and Various Works to Permit the  
Construction of an Underground Sewerage Pumping Station

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 agricultural land and the construction of a chemical dosing unit, control kiosk, electricity meter box, two double opening timber gates, hard standing, dropped kerb, planting and fencing to permit the construction of an underground sewerage pumping station at Marston Sewerage Pumping Station, Bodymoor Heath Road, Marston, 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: NW1932/07CM016

Received by County: 26/4/2007

Advertised Date: 3/5/2007

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

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

The Proposal: Erection of a chemical dosing unit, control kiosk, electricity meter box, two double opening timber gates, hard standing, dropped kerb, planting and fencing in relation to an underground sewerage pumping station.

Site and 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 This application follows on from a previous application that was approved by the Regulatory Committee on the 3rd April 2007, under planning reference NW1932/06CM037. The current application is identical to the previous application with the addition of a chemical dosing cabinet measuring 2.5 metres high by 2.5 metres wide by 2.5 metres deep and double opening timber gates into an agricultural field.
- 1.2 The applicant has advised that the development is required to resolve environmental and amenity problems in the area of Marston, to meet their duties under Section S101A of the Water Industry Act 1991. Currently properties in Marston discharge into septic tanks, soakaways, cess pits and private sewage treatment plants.

## **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 29/5/2007.
- 2.5 **Environment Agency** – No comments received.
- 2.6 **Libraries, Adult Learning and Culture** – No comments received.

## **3. Representations**

- 3.1 None.

## **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. The land is currently used as a grazed paddock.
- 4.2 The proposed site measures 50 metres x 21 metres and is bounded to the south and east by established vegetation (mixture of hawthorn and medium mature trees), 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 this Seven Trent propose the following works at the site:-

- (i) A chemical dosing cabinet measuring 2.5 metres high x 2.5 metres wide by 2.5 metres deep.
- (ii) Erection of a control kiosk, measuring 1.75 metres high x 2.00 metres wide x 0.45 metres deep, painted dark green.
- (iii) An electricity meter box measuring 1 metre x 1 metre and 1.2 metre high.
- (iv) A new access road and hard standing off Bodymoor Heath Road with 5.5 metre wide double opening timber gates set back 18 metres from the road edge.
- (v) A 1.2 metres high post and rail fence with 2 metres 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 In addition, 5.5 metres wide double opening timber gates would be provided off the site access. These would enable shared access onto the adjacent agricultural field.

4.7 The site is located within the Green Belt and the applicant has provided supporting evidence suggesting that very special circumstances exist which render the proposed development acceptable in its location. The main reasons provided relate to the requirements of Seven Trent to provide the facility for the properties, within the locality.

4.8 Therefore there is little scope for locating the site in a more suitable location outside of the Green Belt, especially when the overall scale of the West Midlands Green Belt is considered. In addition, the proposed structures on site have been kept to a minimum number and planting has been proposed to help screen the proposal. Thus whilst the development does constitute inappropriate development in the Green Belt it will not have a significantly adverse impact upon the openness of the Green Belt.

4.9 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 residential amenity or upon the visual amenities of the locality. The proposed vehicular access to the site is considered acceptable and should not cause adverse impact on highway safety.

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.

- 4.10 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.

## **5. Conclusions**

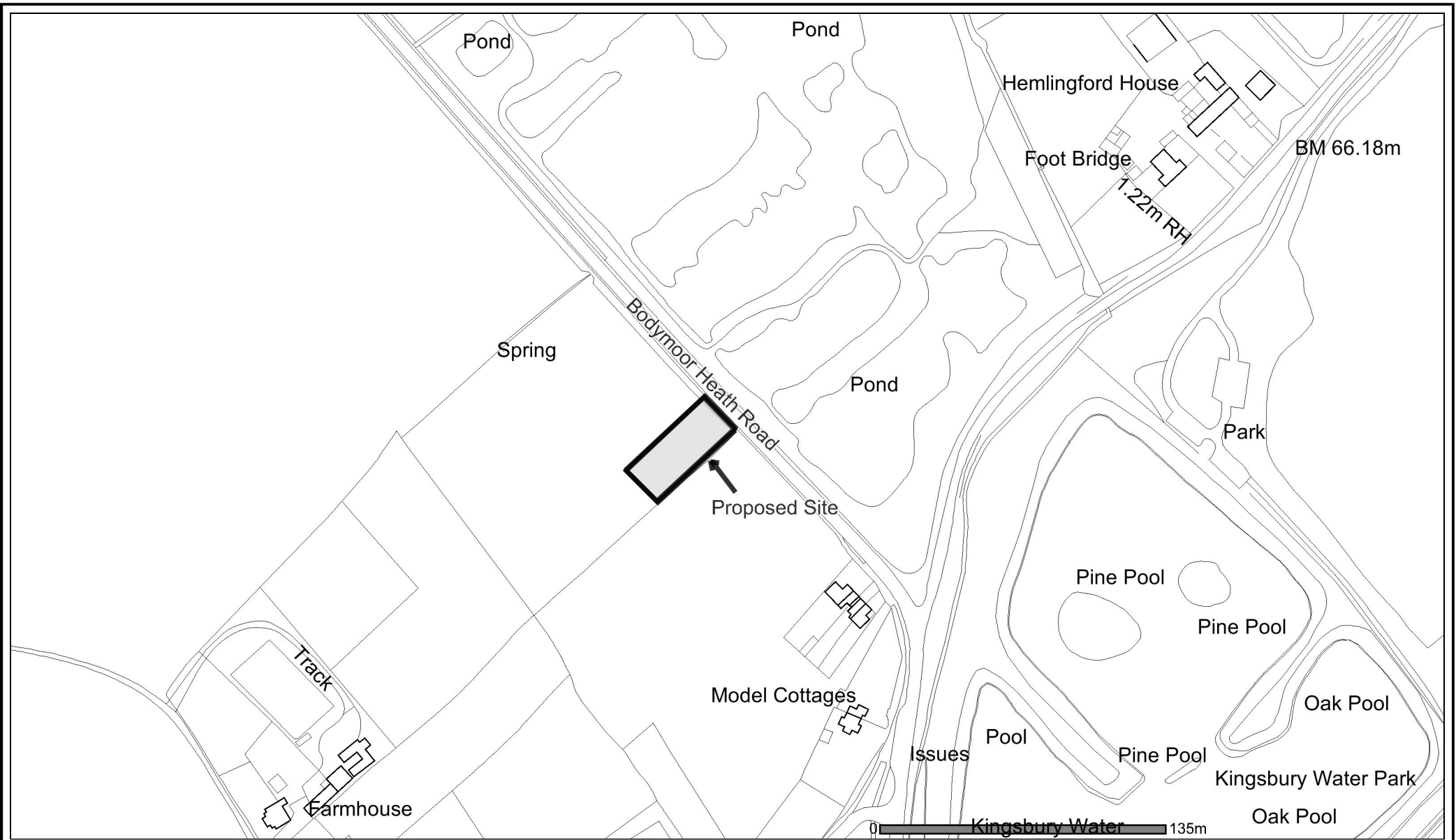
- 5.1 The harm caused by the inappropriateness of the development hereby permitted in the Green Belt is not accompanied by any other detriment which cannot be successfully overcome by conditions and is outweighed by the very special circumstances constituted by the need to provide environmentally acceptable sewage disposal facilities to serve the village of Marston.

## **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

24th May 2007



Scale 1: 2500

Ref No. NW1932/07CM016

Drawn Richard Forbes

Regulatory Committee - 12 June 2007

Subject

**Marston Sewerage Pumping Station**



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

### Land off Bodymoor Heath Road, Marston – Change of Use of Agricultural Land and Various Works to Permit the Construction of an Underground Sewerage Pumping Station

Application No: NW1932/07CM016

#### Commencement Date

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.

#### 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, schedules of plants noting plant locations, species, sizes and proposed numbers and densities where appropriate.

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

#### General Conditions

3. The development hereby permitted shall be carried out in accordance with drawing numbers P305300\_061 rev E and P305300\_062 rev A and in accordance with the details submitted as part of application reference NW1932/07CM016.

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

4. The landscaping scheme approved pursuant to Condition 2 of this consent, 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.

5. The development hereby permitted shall not be brought into use until visibility splays have been provided to the vehicular access to the site with an “x” distance of 2.4 metres and a “y” distance of 215 metres to the north west and 120 metres to the south measured to the near edge of the public highway carriageway. Nothing exceeding a height of 0.6 metre above the level of the nearest part of the carriageway shall be placed, planted or retained within the splays.

**Reason:** In the interests of highway safety.

6. The development hereby permitted shall not be brought into use until the vehicle access to the site has been bound in a macadam material for a distance of 15 metres measured from the near edge of the public carriageway, all in accordance with a specification which shall first have been submitted to and approved by the County Planning Authority.

**Reason:** In the interests of highway safety.

7. The development hereby permitted shall not be brought into use until the verge crossing to the public highway has been laid out constructed, surfaced and drained in accordance with the standard specification of the Highway Authority.

**Reason:** In the interests of highway safety.

8. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no gates or other obstructions shall be placed or erected on the land referred to by condition 6 of this consent.

**Reason:** In the interests of highway safety.

### **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.

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

The harm caused by the inappropriateness of the development hereby permitted in the Green Belt is not accompanied by any other detriment which cannot be successfully overcome by conditions and is outweighed by the very special circumstances

constituted by the need to provide environmentally acceptable sewage disposal facilities to serve the village of Marston.

**Notes:**

1. 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.
2. Conditions 5, 6 and 7 require works to be carried out within the limits of the public highway. Before commencing such work the applicants/developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and when agreed will give consent for such works to be carried out under the provisions of Section 184 of the said Act. In addition it should be noted that the costs of incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer. The Area Team at Coleshill may be contacted by telephone on (01926) 412515.