

Regulatory Committee

Date: Tuesday, 5 November 2019
Time: 10.30 am
Venue: Committee Room 2, Shire Hall

Membership

Councillor Mark Cargill (Vice-Chair)
Councillor Richard Chattaway
Councillor John Cooke
Councillor Bill Gifford
Councillor Bill Olnier (Chair)
Councillor Anne Parry

Councillor David Reilly
Councillor Clive Rickhards
Councillor Kate Rolfe
Councillor Jill Simpson-Vince
Councillor Adrian Warwick
Councillor Chris Williams

Items on the agenda: -

1. General

(1) Apologies

To receive any apologies from Members of the Committee.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests.

Members are required to register their disclosable pecuniary interests within 28 days of their election or appointment to the Council. A member attending a meeting where a matter arises in which they have a disclosable pecuniary interest must (unless they have a dispensation):

- Declare the interest if they have not already registered it
- Not participate in any discussion or vote
- Must leave the meeting room until the matter has been dealt with (Standing Order 39).
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting Non-pecuniary interests must still be declared in accordance with the Code of Conduct. These should be declared at the commencement of the meeting.

(3) Minutes of the Previous Meeting

2. Delegated Decisions

Members are asked to note the applications dealt with under delegated powers since the last meeting.

- 3. Planning Application SDC/19CC011** 5 - 16
Alterations and extensions to existing Fire Training Tower (Stratford-Upon-Avon).
- 4. Planning Application WDC/19CM018** 17 - 28
Retrospective planning application seeking approval for the installation of four additional bunded leachate tanks, forming part of the landfill's leachate treatment plant (Bubbenhall).

Disclaimers

Webcasting and permission to be filmed

Please note that this meeting will be filmed for live broadcast on the internet and can be viewed on line at warwickshire.public-i.tv. Generally, the public gallery is not filmed, but by entering the meeting room and using the public seating area you are consenting to being filmed. All recording will be undertaken in accordance with the Council's Standing Orders.

Disclosures of Pecuniary and Non-Pecuniary Interests

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- Declare the interest if s/he has not already registered it
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Non-pecuniary interests must still be declared in accordance with the Code of Conduct.

These should be declared at the commencement of the meeting

The public reports referred to are available on the Warwickshire Web

www.warwickshire.gov.uk/committee-papers 2

Public Speaking

If you wish to speak in relation to any application listed on the agenda please notify Helen Barnsley or the relevant planning officer in writing at least three working days before the meeting. You should give your name and address and the application upon which you wish to speak.

Full details of the public speaking scheme are set out in the Council's Standing Orders.

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Item 3

Regulatory Committee - 5 November 2019

Alterations and Extensions to Existing Fire Training Tower

**Stratford-upon-Avon Fire Station, Masons Road,
Stratford-Upon-Avon, CV37 9NA**

SDC/19CC011

Application No.: SDC/19CC011

Advertised date: 13 September 2019

Applicant(s) Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4SA

Agent(s) Grimley
Corporate Architecture
Venari House
1 Trimbush Way
Rockingham Road
Market Harborough
LE16 7XY

Registered by: The Strategic Director for Communities on 02
September 2019

Proposal: Alterations and Extensions To Existing Fire Training
Tower

Site & location: Stratford-upon-Avon Fire Station, Masons Road,
Stratford-Upon-Avon, CV37 9NA. [Grid ref:
419306.255255].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission for alterations and extensions to existing fire training tower subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

1. Application details

- 1.1 This full planning application proposed alterations and extensions to the existing fire training tower located in the yard to the rear of Stratford Fire Station. The alterations are proposed in order to enable a wider range of training exercises to be carried out by member of the Fire and Rescue Service at the site.
- 1.2 The existing training tower covers 3.8m x 4m in area and measures 17.5m in height. The structure is brick built and has 5 window type openings at various heights on one elevation to allow various training scenarios. A single storey building measuring approximately 8.1m x 8.4m forms a 'T' shaped structure around the base of the tower itself. This building is used to house a drill room, hose repair area, boiler house and oil tank.
- 1.3 The application proposes alterations to the existing tower consisting of the formation of new window openings to match the existing on an additional elevation, a first floor open balcony type area, a first floor covered area incorporating a pitched galvanised roof and the construction of a 2 storey imitation house complete with pitched roof. The new structure would occupy the same floor area with the highest element being the pitch of the training house measuring 7m. Internal configuration at ground floor level would remain similar to present with the relocation of the fuel store, removal of the oil tank and addition of a compressor room.
- 1.4 The training house would be constructed from brick masonry walls and a tile roof, complete with chimney to provide realistic training scenarios. Windows and doors are also proposed. The domestic style property would be used for search and find training, there would be limited use of water on occasions, but not frequent use. There are to be no live fires as part of the training exercises. The tower itself would remain largely unchanged internally, expect for the provision of additional ladders.

2. Consultation

- 2.1 Stratford District Council Planning – No objection.
- 2.2 Stratford District Council Environmental Health – No objection.
- 2.3 Councillor Dominic Skinner – No comments received at time of writing.
- 2.4 Highway Authority – No objection.
- 2.5 Environment Agency – No objection.
- 2.6 Stratford-upon-Avon Town Council – No representations to make.
- 2.7 Ecology – requested initial bat survey and subsequent mitigation if necessary.
- 2.8 Site notices posted – 13 September 2019
- 2.9 5 nearest residential/business properties individually notified on

3. Representations

- 3.1 No representation received from members of the public.

4. Previous Planning History

- 4.1 The application site has been occupied by the Fire and Rescue Service as far as records date back and has previously been subject to an application to extend the main building to improve facilities in 1985. Since that time the only other application made has been for the erection of 1 radio dish and 6 antennae that was approved in 2011.

5. Assessment and Observations

Location and Impact

- 5.1 The applications site is the existing Fire Station located on Mason Road to the west of Stratford town centre. Access is via a gate to the south of main station building and there are no proposed alterations. The immediate locality is occupied by a mix of residential and industrial premises. Residential properties are located to the south and opposite the frontage of the site. While industrial units occupied by businesses are located to the north, closest to the training tower. To the east of the site, there is a large car park and the associated super market it serves.

- 5.2 The training tower itself is located within the rear yard of the fire station and despite its height is well screened from view. The large industrial units to the north provide a setting which ensures the structure does not look out of place or dominate the area. The proposed alterations do not increase the maximum height, and the extensions will be smaller than the existing fire and ambulance station building so as not to cause an adverse impact on the street scene.

Amenity Issues

- 5.3 The proposed alterations are not expected to have an adverse impact upon amenity given that training exercises will not include the use of smoke or live fires. There may be some intermittent impact by way of noise during training activities that may occur during the day and during the evening. However, this impact would be sporadic and is not considered to be significant enough to warrant refusal of the application given the background noise levels in the urban environment.

Environmental Issues

- 5.4 The proposals are within a previously developed site surfaced with a concrete hardstanding and as such are not expected to give rise to adverse effects on biodiversity. A tributary of the River Avon passes beneath the site at the northern boundary but it is culverted so unaffected by the proposals.
- 5.5 The application site is wholly within Flood Zone 3 and partly within Flood Zone 2 as defined by the Environment Agency's flood maps. The development is not considered sensitive given that it is an unoccupied training facility and is to be built on pre-existing hard surface, thus not reducing permeability and creating additional flood risk. The existing oil storage tank is proposed to be removed, and only small quantities of fuel will be stored on site within handheld containers. As such, no further protection in case of a flood risk event is deemed necessary.
- 5.6 The County Ecologist requested a Preliminary Ecological Assessment (PEA) of the site as records show a pond to the North of the application site where a GCN had been recorded. Further investigation revealed that the pond no longer existed and the area in question was now occupied by a large industrial building. As such, it has been agreed that a PEA will not be required.
- 5.7 A condition would be appended to any approval that may be granted requiring the assessment of the suitability of the training tower to support bats. Should potential be found, further survey work would be required to be carried out in the appropriate season, and subsequent mitigation measures implemented if necessary.

Heritage

- 5.8 There are no listed buildings in the vicinity of the application site and the Stratford-upon-Avon conservation area is over 330m to the East. The proposed development is not visible from the conservation area, nor does it impact upon its setting.

Planning Policy

The Development Plan

- 5.9 The development plan is as follows:
- Stratford-On-Avon Core Strategy 2011 - 2031
- 5.10 Other relevant policy documents are:
- National Planning Policy Framework 2019 (NPPF)

Stratford-On-Avon Core Strategy

- 5.11 Policy CS.1: Sustainable Development – the policy states that developments that contribute towards the principles of sustainability; economic, environmental and social, will be supported. Where developments comply with the policies in the core strategy and relevant sections of the NPPF, they will also be supported.
- 5.12 The proposed extension and alterations to the training tower would allow for enhanced training to be provided to local Fire and rescue Officers based in Stratford and surrounding auxiliary stations. This would prevent the need for said officers to travel to facilities that are further afield, negating the need for additional travel. The proposal also complies with relevant policies in the Core Strategy and the NPPF, and as such is in accordance with this policy.
- 5.13 Policy CS.4: Water Environment and Flood Risk - States that *'Development within the Environment Agency's flood risk zones 2 and 3a will only be acceptable when the sequential test and, where applicable, the exception test has been satisfied, as set out in the National Planning Policy Framework. Land use in High Probability Flood Zone 3b should be restricted to water compatible or, with the exception test, essential infrastructure.'*
- 5.14 The application site falls within Flood Zone 2 and partly within Flood Zone 3 and as such must be judged against the relevant sections of the NPPF and Planning Practice Guidance. The proposed development does not seek an increase in floor space and is set upon existing hard standing so does not create an increased flood risk by adversely affecting permeability.

- 5.15 The proposed development would be unoccupied and used for training purposes only and is considered a low risk use in terms of flooding. As such the proposal is considered to comply with the policy.

National Planning Policy Framework

- 5.16 Paragraph 7 of the NPPF states that *'The purpose of the planning system is to contribute to sustainable development.'* Paragraph 11 states that *'...For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay...'* It has been demonstrated above that this proposal complies with the relevant policies of the current adopted Core Strategy.
- 5.17 Paragraph 92 states: *'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: ...c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'*
- 5.18 The proposed development would improve the existing training facilities available at the fire station contributing to its continued viability and offering training for firefighters in their local area. As such, it is considered that the proposal contributes to the protection of a valued community facility and service.
- 5.19 Paragraph 163 of the NPPF states that: *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*
- 5.20 The development proposal satisfies the requirements of the NPPF given that it is supported by a site-specific flood risk assessment which states: *'The proposal will not create any additional floor space at ground floor level and the additional floorspace is at first floor level. The space created is for fire service training only.'* As such it is considered that the development is appropriately flood resistant and resilient given it creates no additional floor space and would be unoccupied and used for training purposes only.

- 5.21 In addition, the building is located on existing hardstanding which is not proposed to be increased, and as such does not increase flood risk on site or elsewhere. The site has existing drainage infrastructure that would continue to be utilised for the improved training facilities. Given that the structure is not proposed to be occupied, and would not be used during a flood event, it is not considered necessary to require an emergency plan.
- 5.22 Paragraph 164 of the NPPF goes on to state: '*Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 50.*'
- 5.23 Given that the development proposal constitutes 'minor development' and is a small non-residential extension with a footprint of less than 250m², it is not necessary to apply the sequential or exception tests that are required to be applied to major developments proposed within Flood Risk Zones 2 or 3.

6. Conclusion

- 6.1 The application proposes the alteration and extension of the existing training tower at Stratford-On-Avon Fire Station in order to improve the training facilities available on site. Should Members be minded to grant approval, it would allow for members of the Fire and Rescue Service to be trained at their local station, negating the need to travel to alternative facilities. As such, the proposal is considered sustainable in terms of protecting the environment and socially, as it would ensure the ongoing viability of the Fire Station within the town.
- 6.2 The application has not received any objections from statutory or non-statutory consultees and complies with National and Local planning policies as demonstrated above. It is for these reasons that the application is recommended for approval subject to the conditions listed below.

7. Supporting Documents

- 7.1 Submitted Planning Application – Planning reference SDC/19CC011
- 7.2 Appendix A – Map of site and location.
- 7.3 Appendix B – Planning Conditions.

	Name	Contact Information
Report Author	Tom Evans	tomevans@warwickshire.gov.uk 01926 41 2247
Assistant Director for Environment Services	Scott Tomkins	scotttomkins@warwickshire.gov.uk 01926 412422
Strategic Director for Communities	Mark Ryder	markryder@warwickshire.gov.uk 01926 412811
Portfolio Holder	Cllr Jeff Clarke	cllrclarke@warwickshire.gov.uk



Application No: SDC/19CC010
Stratford Fire Station, Masons Road, Stratford-upon-Avon
Alterations and Extensions to Existing Fire Training Tower

Regulatory Committee 5 November 2019
 Scale 1:2500 Drawn by: TE Dept: Communities



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Appendix B

Alterations and Extensions to Existing Fire Training Tower

Stratford-upon-Avon Fire Station, Masons Road,
Stratford-Upon-Avon, CV37 9NA

SDC/19CC011

Planning Conditions.

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

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

2. The development hereby approved shall be implemented in accordance with the application forms, Planning & Flood Risk Statement (Revision A) dated August 2019 and drawings numbered: 4727-007D - Proposed Drill Tower, 4727-007C - Proposed Drill Tower, 4727-006B - Existing Drill Tower, 4727-001-Location Plan and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason: In order to ensure a satisfactory standard of development.

3. Prior to the commencement of development an initial bat survey of the training tower will be conducted. Should it be concluded that the tower has the potential to support bats, an evening/dawn activity survey will be undertaken during the appropriate months. Should the survey conclude that bats are occupying the tower, appropriate mitigation measures will be put in place and approved in writing by the County Planning Authority. The approved mitigation measures shall be implemented prior to the commencement of the development.

Reason: In the interest of biodiversity.

Development Plan Policies Relevant to the Decision.

Stratford-On-Avon Core Strategy

Policy CS.1

Policy CS.4

Compliance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

In considering this application, the County Council has complied with paragraph 38 contained in the National Planning Policy Framework 2019.

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Item 4

Regulatory Committee - 5 November 2019

Installation of four additional bunded leachate tanks, forming part of the landfill's leachate treatment plant at Bubbenhall Landfill Site, Weston Lane, Bubbenhall (Retrospective).

WDC/19CM018

Application No.: WDC/19CM018

Advertised date: 13 September 2019

Applicant(s) Mr Joseph Haigh,
FCC Environment
3, Sidings Court
White Rose Way
Doncaster
Yorkshire
DN4 5NU

Registered by: The Strategic Director for Communities on 27 August 2019

Proposal: Retrospective application seeking approval for the installation of four additional bunded leachate tanks, forming part of the landfill's leachate treatment plant.

Site & location: Bubbenhall Landfill, Weston Lane, Bubbenhall, CV8 3BN. [Grid ref: 436080.271224].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission for Installation of four additional bunded leachate tanks, forming part of the landfill's leachate treatment plant at Bubbenhall Landfill Site, Weston Lane, Bubbenhall (Retrospective) subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

1. Application details

- 1.1 This application seeks retrospective planning permission for the installation of four bunded leachate tanks on open land some 40 metres from the Weston Lane (south western) boundary of the landfill site.
- 1.2 The individual tanks are either 9.96 meters long or 10.96 metres long and sit about 3 metres above ground level. Each tank has a ladder and access platform to the top of the tank allowing for access and inspection. For safety reasons the access platforms are surrounded by a guard rail which rises approximately 1.5 metres above the highest point of the tank giving a total height of 4.5 metres for the entire feature on site.
- 1.3 The tanks are located within a compound which is located some 40 metres from the boundary hedge which runs along Weston Lane, the nearest public highway. All four tanks are positioned at right angles to Weston Lane and are painted either dark green or black.
- 1.4 The applicants advise that this location has been chosen for the leachate tanks to allow easy access for tanker lorries which remove the leachate for off site treatment. The site is located some 45 metres from the junction with the public highway.
- 1.5 In an e-mail dated 14th October 2019 the applicant's agent advises that the leachate tanks are required for approximately the next 30 years or the surrender of the landfill permit granted by the Environment Agency.

2. Consultation

- 2.1 Warwick District Council – Planning – No comments received.
- 2.2 Warwick District Council - Environmental Protection – No comments received.
- 2.3 Bubbenhall Parish Council advise that:
 1. They deplore the fact that this application is retrospective and ask WCC to advise the applicants that this is not a practice which can be condoned
 2. The applicants advise that the tanks cannot be seen. The Parish Council recommend that WCC's Regulatory Committee make a site visit to ensure that there is no impact on the landscape and to ensure that effective screening is erected if it is deemed necessary.

3. As this development may result in more tanker movements on local roads already overrun with HGV traffic we ask that the applicants state the number of tanker movements which will result from this application.

- 2.4 Councillor Wallace Redford – No comment received as of 22 October 2019
- 2.5 Environment Agency – No comments received.
- 2.6 WCC Fire and Rescue – No comments received.
- 2.7 WCC Flood Risk and Water Management – No objections
- 2.8 WCC Highway Control – No objections
- 2.9 WCC Ecology – No objections
- 2.9 1 site notice posted – 13 September 2019
- 2.10 Press notice posted on - 13 September 2019
- 2.11 10 nearest residential properties individually notified on 13 September 2019

3. Representations

- 3.1 None

4. Previous Planning History

- 4.1 Bubbenhall Landfill Site is a well-established waste disposal facility which has operated for many years. The landfill is slowly filling up and the operators intend to start to fill the remaining landfill cells. However, plant and equipment needed to operate the landfill site successfully is currently located within these cells so to fill them will require the relocation of these features.
- 4.2 The leachate tanks the subject of this application were originally located within one of the areas which will eventually be filled with waste and were therefore moved to this location by the operators to enable them to start filling the remaining waste cells.
- 4.3 In a site monitoring report issued in February 2019 the landfill site operators were advised by Warwickshire County Council that they should obtain planning permission for the tanks before moving them and that the location where they currently stand may not be ideal because it has the appearance of open farmland. The site monitoring report prepared on 6th June 2019 noted that the tanks had, by that date, been installed in breach of planning controls.

5. Assessment and Observations

Location

- 5.1 The leachate tanks and the entire landfill site are located in an attractive rural landscape some 4 kilometres to the north east of Cubbington. Despite the close proximity to Coventry this landscape retains a strongly rural character and appearance and is included in the West Midlands Green Belt

Amenity Issues

- 5.2 The nearest residential properties to the tanks are two modern dwellings located some 200 metres to the south east of the tank. A group of detached residential properties fronting Weston Lane are located to the north west of the tanks at distances of between 200 and 500 metres. The village of Bubbenhall is located approximately 1km to the north of the tanks.
- 5.3 The most significant amenity impacts resulting from the location of the tanks in this position are the visual impacts and the impacts which would result from HGV traffic accessing the site.
- 5.4 With regard to the impacts of HGV traffic the applicant's agent advises that approximately 20 loads of leachate are taken away per week. It must be noted however that these impacts have been occurring for some time as the tanks have been in use elsewhere on the landfill site. Approval of this application will therefore not result in any significant increase in traffic generation on local roads. Thus whilst the traffic generated by the tanks may at times be intrusive it is concluded that it is not so intrusive as to justify withholding planning permission for this development particularly given the practical need for the development.
- 5.5 Visual impacts are dealt with in paragraphs 6.2 and 6.3 of this report.

Environmental and heritage Issues

- 5.6 The installation of the tanks has not resulted in significant environmental or heritage issues. The site was not occupied by vegetation of significant amenity or ecological value and the site does not affect any significant heritage assets. The planting of extra vegetation as required by condition 2 will ultimately enhance local biodiversity provide an effective visual screen for the development.

Planning Policy

The National Planning Policy Framework (NPPF).

- 5.7 In February 2019 the government published the National Planning Policy Framework (NPPF) to set out the government's planning policies for England. The NPPF emphasises that the attainment of sustainable development is a central goal of the planning system. Paragraph 133 of the NPPF states that the government places great importance to Green Belts and their protection. Paragraph 145 states that the construction of new buildings is inappropriate development unless it falls within one of seven categories of built development which are "appropriate development" in Green Belts. Paragraph 146 identifies six kinds of development, not involving new buildings, which can also constitute appropriate development. The NPPF further states that all other types of development are inappropriate in the Green Belt and that inappropriate development should only be approved by planning authorities where "very special circumstances" exist which justify approval.
- 5.8 Paragraph 170 of the NPPF advises that developments should minimise impacts upon and provide for net gains in biodiversity. The same paragraph advises that developments should not contribute to existing developments being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air, water or noise pollution.

The Development Plan.

- 5.9 This planning application must be judged against the policies of the development plan, in particular the policies of the Warwick District Local Plan adopted by the District Council in September 2017. The following policies are particularly relevant to the consideration of this submission.
- Policy DS5 "Presumption in Favour of Sustainable Development" indicates that the planning authority will work pro-actively to secure sustainable development.
 - Policy DS18 "Green Belt" requires the application of national planning policies to the Green Belt areas defined by the local plan.
 - BE1 "Layout and Design" requires development to positively contribute to the character and quality of the environment through good layout and design. Developments which would have a significant impact on the character and appearance of the area must supply a Layout and Design Statement to show how they comply with this policy.
 - Policy BE3 "Amenity" requires that new developments have an acceptable impact upon local amenity.

- Policy NE3 “Biodiversity” requires new developments to result in no net loss of biodiversity on site and if this is not possible, for the developer to undertake appropriate mitigation.
- Policy TR1 “Access and Choice” requires the provision of good access arrangements by a variety of modes of transport and the provision of safe and secure layouts. This policy also requires the provision of some electronic charging points for ultra-low emission vehicles.
- Policy TR2 “Traffic Generation” requires all large-scale developments to be supported by a Transport Assessment and where necessary a Travel Plan to demonstrate the practical and effective measures which are to be taken to avoid the adverse impacts of traffic. A Transport Statement may be required for smaller scale developments in accordance with the Guidance on Transport Assessments.
- Policy TR3 “Parking” requires developments to make adequate on site car parking provision.

5.10 The most significant matter to consider with this development is whether or not the development constitutes appropriate development in the Green Belt as defined by paragraph 145 of the NPPF and if the development constitutes inappropriate development whether or not very special circumstances exist which justify approval of the development. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6. Conclusions

6.1 The leachate tanks constitute inappropriate development in the Green Belt as defined by the NPPF. The applicants must therefore demonstrate that very special circumstances exist to justify approval of the development in the Green Belt. All general landfill sites produce leachate which must be dealt with on site to some degree. Thus these tanks constitute essential plant and equipment which must be provided to serve the landfill site. Such facilities are best provided either on the landfill site or in locations close to it. It is therefore concluded that the need for leachate management facilities to serve the Bubbenhall Landfill site constitute the very special circumstances which justify approval of this application in the Green Belt.

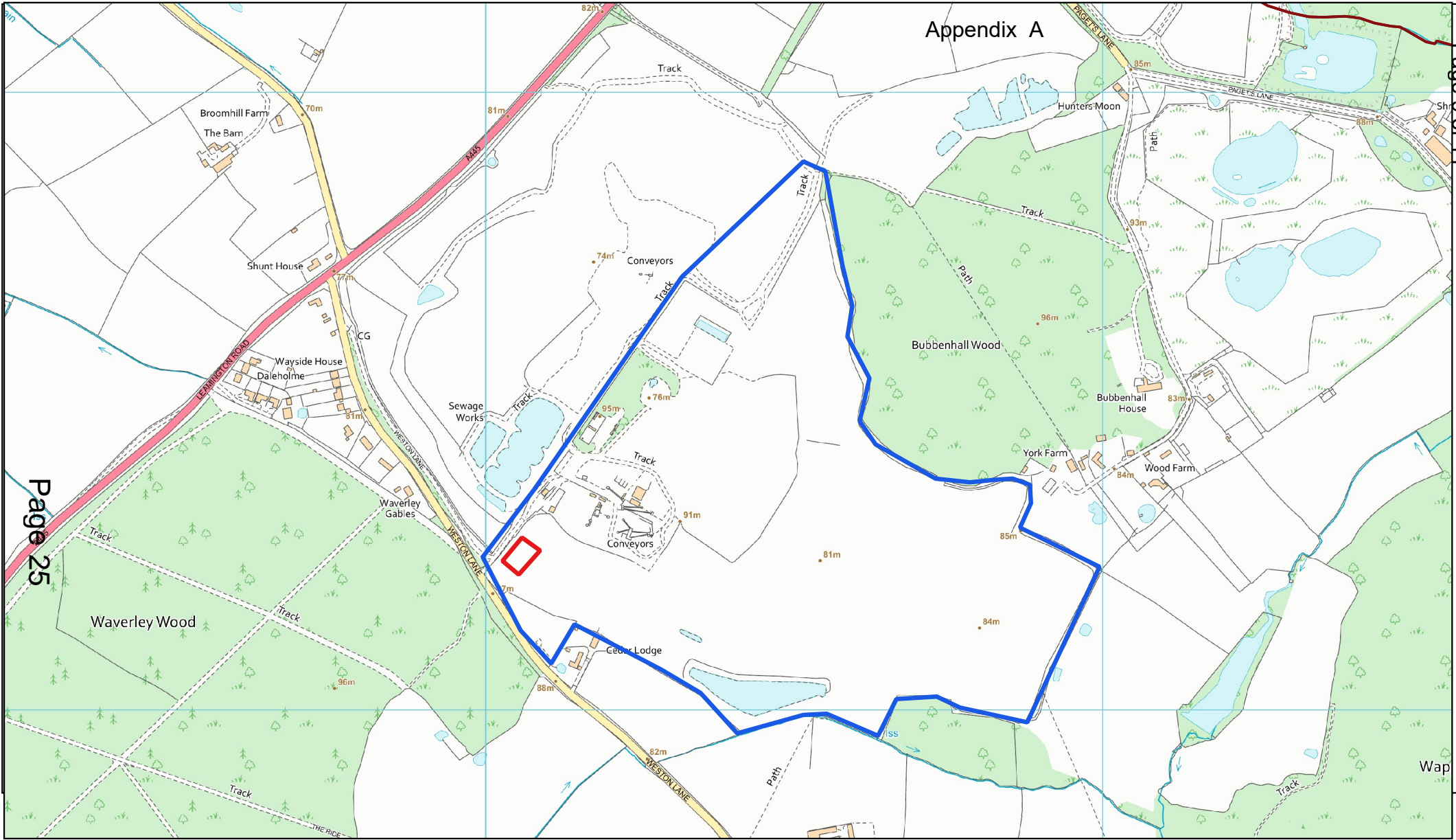
6.2 The tanks would constitute inappropriate development no matter where they were placed on the landfill site. It is also important that they are located in a visually acceptable location within the site. The tanks are screened by hedge and tree planting along the roadside boundary and along the access track to the landfill site so they are not particularly prominent. However, most of this planting is deciduous and thus the tanks will become significantly more prominent in the winter months.

- 6.3 It is concluded however that this impact can be mitigated by planning conditions which require (a) the retention of the existing hedgerows and (b) the planting of a belt of native trees and shrubs along the road frontage to provide substantial screening for this development.
- 6.4 The parish council ask that the Regulatory Committee consider making a site visit to assess the visual impact of this development. Members must decide if a visit is necessary.
- 6.5 The parish council also express concern about the quantity of traffic generated by this development. The tanks will generate traffic however they have been located on the landfill site for some time and have been relocated to this position so approval of this application will not result in a significant increase in traffic generated by the landfill site.
- 6.6 The parish council also express concern about the retrospective nature of this application. Their concerns are very understandable, but the application must be considered on its planning merits alone and if the development would be acceptable if this were not a retrospective application then the planning authority are obliged to approve it.
- 6.7 With regard to the polices of the development plan it is concluded that for the reasons detailed in this report, the development accords to the policies of the development plan detailed in paragraph 5.9 of this report, apart from being inappropriate in the Green Belt.
- 6.8 Management of leachate is a necessary part of the proper management of a landfill site. Failure to manage leachate properly would result in serious pollution affecting the water environment, ground water, soils and ecosystems. Thus it is concluded that providing the facilities necessary to manage leachate constitute sustainable development as defined by the NPPF and policy DS5 of the Warwick District Local Plan.
- 6.9 It is further concluded that any adverse impacts which would result from approval such as traffic generation or visual impacts can be overcome by the imposition of appropriate planning conditions. Thus, ensuring compliance with the relevant conditions of the development plan.

7. Supporting Documents

- 7.1 Submitted Planning Application – Planning reference WDC/19CM018
- 7.2 Appendix A – Map of site and location.
- 7.3 Appendix B – Planning Conditions.

	Name	Contact Information
Report Author	Tom Evans	tomevans@warwickshire.gov.uk 01926 41 2247
Assistant Director for Environment Services	Scott Tomkins	scotttomkins@warwickshire.gov.uk 01926 412422
Strategic Director for Communities	Mark Ryder	markryder@warwickshire.gov.uk 01926 412811
Portfolio Holder	Cllr Jeff Clarke	cllrclarke@warwickshire.gov.uk



Application No: WDC/19CM018
Bubbenhall Landfill Site, Weston Lane, Bubbenhall
Retrospective application for installation of 4 additional leachate tanks



Warwickshire County Council
 Shire Hall
 Warwick, CV34 4SA
 Telephone (01926 410410)
www.warwickshire.gov.uk



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Appendix B

Installation of four additional bunded leachate tanks, forming part of the landfill's leachate treatment plant at Bubbenhall Landfill Site, Weston Lane, Bubbenhall (Retrospective).

WDC/19CM018

Planning Conditions.

1. The leachate tanks approved by this permissions shall be removed either within 30 years of the date of this permission or within six months of their use to store leachate having ceased, whichever is the sooner date and after that date the land on which they stand and any car parks hard standings or turning areas associated with them shall be restored in accordance with a restoration scheme which shall have first been submitted to and approved by the County Planning Authority before the removal of the tanks. The restoration scheme shall be implemented in full within 6 months of the removal of the tanks.

Reason: In order to ensure that the tanks do not become permanent features in this rural landscape and to ensure that the site is restored after their removal.

2. Within six months of the date of this consent a landscape scheme shall be submitted to and approved in writing by the County Planning Authority to ensure the effective screening of the development. The landscape scheme shall make provision for the planting of a 70-metre-long and 4-metre-wide planting strip along the Weston Lane boundary of the site to the south of the existing access to the site. The measured width shall exclude the existing roadside hedge width. The landscape scheme will specify numbers, species and locations of trees and shrubs to be planted. Once approved the landscape scheme shall be implemented in the first available planting season after its approval and should any plants die or fail within the first five years after planting, they shall be replaced with the same species (or others agreed by the County Planning Authority) in the first available planting season. The landscape strip shall be retained and maintained in its approved form for as long as the approved tanks remain in situ.

Reason: In order to ensure an effective screen for the proposed development.

3. The existing trees and hedgerow plants in the roadside hedge along Weston Lane and along the access road into the site located to the north of the approved tanks shall be retained and maintained at a height of no less than 3 metres (measured from ground level) for as long as the approved tanks remain in situ.

Reason: In order to retain an effective screen for the development.

4. Within two months of the date of this submission a plan showing an area of land dedicated to the parking and turning of Heavy Goods Vehicles serving the tanks approved by this permission shall be submitted to and approved by the County Planning Authority. The parking and turning area shall be laid out, constructed, surfaced and drained in accordance with a scheme which shall be submitted to and approved by the County Planning Authority at the same time as the plan required by this condition. These facilities shall be installed on site within two months of their approval in writing by the County Planning Authority and shall be retained for these uses as long as the tanks remain on site. Once the tanks have been removed in accordance with condition 1 of this permission these facilities shall be removed in accordance with the requirements of the same condition number 1.

Reason: In order to ensure that Heavy Goods Vehicles serving the tanks can park clear of the public highway and turn around and leave the landfill site in a forward direction.

Development Plan Policies Relevant to the Decision.

Warwick District Local Plan 2011 – 2029

- Policy DS5 “Presumption in Favour of Sustainable Development”
- Policy DS18 “Green Belt”
- Policy BE1 “Layout and Design”
- Policy BE3 “Amenity”
- Policy NE3 “Biodiversity”.
- Policy TR1 “Access and Choice”
- Policy TR2 “Traffic Generation”
- Policy TR3 “Parking”

Compliance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework 2019.

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