

Regulatory Committee – 11th July 2023

Temporary upgrade of an existing agricultural access off Higham Lane, St Nicolas Park, Nuneaton, CV11 6GS until March 2025

NBB/22CM010

Application No.: NBB/22CM010

Advertised date: 25 January 2023

Applicant: Severn Trent Water Limited
Severn Trent Centre
2, St John's Street
Coventry
Warwickshire
CV1 2LZ

Agent: Mr Maxwell Griffin
The Estate Office
Fisher German LLP
Norman Court, Ivanhoe Business Park
Ashby de la Zouch
LE65 2UZ

Registered by: The Strategic Director for Communities on 19 December 2022

Proposal: Temporary upgrade of an existing agricultural access off Higham Lane, St Nicolas Park, Nuneaton, CV11 6GS until March 2025

Site & location: Agricultural access off Higham Lane, Higham Lane, St Nicolas Park, Nuneaton, CV11 6GS. [Grid ref: 437651.294324].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the temporary upgrade of an existing agricultural access off Higham Lane, St Nicolas Park, Nuneaton 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 The applicant, Severn Trent Water Ltd (STWL) has a statutory responsibility for the provision of water and sewerage. STWL is currently implementing its Asset Management Plan for AMP7 (April 2020 to March 2025) which is the mechanism by which the regulator OFWAT defines in a five-year capital expenditure programme for all water companies. The investment during the AMP7 period is in response to a number of key challenges including population growth and the importance of protecting the environment. Installation of a new sewer pipeline is required to meet the increased demand of the rising population in the wider area.
- 1.2 The planning application seeks consent for the temporary upgrade of an existing farm access off Higham Lane until March 2025. The access onto the classified road (C110) would be used to provide construction access to a section of the route of the proposed sewer pipeline which is routed from Hinckley sewage treatment works (STW) to Hartshill STW.
- 1.3 The current application is one of several planning applications submitted by STWL to both Warwickshire County Council and Leicestershire County Council (LCC) for the temporary upgrade of existing field gates to enable the construction of the sewer pipeline. The proposed access subject of this application is numbered 'Access 12a'. An access currently for determination by LCC off Nuneaton Lane, numbered 'Access 10' is located 240 metres to the north, on the northern side of the A5. Two further planning applications have been submitted in April 2023 to WCC for access from A444 Weddington Lane.
- 1.4 The installation of the sewer pipeline would be permitted development under Schedule 2, Part 13, Class B(a) of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO). The installation of the haul road is permitted development under Schedule 2, Part 4, Class A of the GPDO. Details of the haul road and the sewer pipeline have not been included in the planning application. Information has been provided in the Design and Access Statement supporting the application indicating that the first 20 metres of the internal haul road would be constructed of compact asphalt to avoid mud or debris
- 1.5 The existing field access is required to be modified. Removal of a 6 m length of the existing hedgerow to the north of the access and 23 m length to the south of the access would be required to provide a suitable visibility splay. (The section of hedgerow proposed to be removed at the time of submission of the application was subsequently removed prior to determination of the application to avoid bird nesting season).
- 1.6 The existing access point would be widened to a width of 8 m, with a bellmouth tied into the existing road level. The bellmouth is proposed to comprise 100mm of asphalt surfacing laid above sub-surface materials.

- 1.7 A gate would be installed to secure the haul road when not in use.
- 1.8 The temporary access area would slope away from the highway, with surface water draining into the field and the surrounding highway verge.
- 1.9 On completion of the STWL works the access would be reinstated to its previous state. The sections of removed hedgerow would be replanted with a double staggered row of whips comprising a mix of at least 6 native species. The replanted hedgerow would in the long term be managed by the third-party landowner.
- 1.10 In response to the comments received from the Highway Authority a Stage 1 Road Safety Audit (RSA) was submitted in April 2023 together with a construction management plan, amended plans and additional information.
- 1.11 The construction management plan details that traffic movements for each access would be split between daily traffic which would be transport of personnel to and from the pipeline construction area and site delivery traffic which would be the delivery of materials, plant and equipment. Materials to be delivered to Access 12a, are indicated to require a total of 160 HGV movements. The materials would include some 574 concrete pipes, 9 manholes, 2 reception shafts. Site deliveries would be limited to 24 HGV movements per day.
- 1.12 Road sweepers and wheel washing facilities are proposed to prevent transfer of mud and debris onto the highway.
- 1.13 The proposed layout plan as originally submitted with the planning application (A7S14280-JMS-XX-ZZ-DR-T-00) indicated there to be no right turn into the temporary access for vehicles travelling south on Higham Lane from the A5. The scheme was subsequently amended by revised drawing indicating the no right turn removed, allowing vehicles to enter the temporary access when travelling south on Higham Lane.
- 1.14 Advanced warning signs stating 'works access' are proposed to be erected on the highway verge to warn motorists of turning/stationary vehicles.

2. Consultation

- 2.1 **Nuneaton and Bedworth – Planning:** No objections in principle to the application. NBBC queried why the planning application was only submitted to the County Council – considered the same application should be submitted to NBBC as the site falls within the NBBC boundary.

The proposed access is a County Matter and therefore determined by the County Planning Authority rather than the Borough Council as the Local Planning Authority because the access is required to facilitate a waste development for the provision of a sewer pipeline.

- 2.2 **Nuneaton and Bedworth - Environmental Protection:** No adverse comments from Environmental Protection.
- 2.3 **Cllr Robert Tromans:** No comments received at time of writing.
- 2.4 **WCC – Highways:** No objection, subject to recommended conditions requiring the temporary access to be laid out in accordance with the drawing, submission and approval of a Construction Management Plan and a condition requiring the reinstatement of the field access on completion of the use of the temporary access.
- 2.5 **WCC – Archaeology:** No archaeological comments to make on this application.
- 2.6 **WCC - Ecology:** No objection subject to conditions and notes to be attached to any consent granted.
- 2.7 The application is for temporary access to the agricultural field, which includes proposed removal of 6m of hedgerow to the north and 23m of hedgerow to the south of the existing access. The ecological walkover survey (Middlemarch Environmental) included a survey of the existing hedgerow which is species-poor, approx. 1.7m in height and regularly trimmed. The grass verge was approximately 0.5m wide and was species-poor, however the survey was undertaken at a sub-optimal time of year for surveying grassland in November 2022.
- 2.8 There are no statutory or non-statutory sites of nature conservation interest within close proximity to the site.
The County Ecologist recommended that prior to works commencing on site, thorough visual checks should be made of the hedgerows for the presence of breeding bird activity. Ideally all hedgerow removal works should be carried out outside the main nesting bird season, generally considered to be March to September.
- 2.9 The WBRC holds record of great crested newt within the local area, the nearest record being c.200m to the south-east of the application site in the housing development. However the nearest pond to the site is over 200m from the site, and as such I agree with the conclusion of the report that any impact on GCN is unlikely. GCN are a European Protected Species and also protected under the WCA (1981). I would recommend that care is taken during site clearance works and removal of the hedgerow, and in the unlikely case any GCN or reptile species (such as grass snake) is found, all works must stop immediately whilst advice is sought from a suitably qualified ecologist or Natural England.

- 2.10 The hedgerow is proposed to be replaced in 2025. We would recommend the replacement hedgerow is established using an appropriate mix of native species which are characteristic to the local area (in line with the Warwickshire Landscape Guidelines). A species-rich mix is recommended to benefit biodiversity, and we would recommend at least different 6 species are planted. Appropriate stakes, ties and rabbit guards, and watering will be required to ensure the hedgerow is established successfully. Details of the hedgerow and grassland verge establishment should be provided in a combined ecological and landscaping scheme and secured via condition, in order to ensure no net loss of biodiversity.
- 2.11 A condition is recommended requiring a detailed ecological and landscaping scheme and notes relating to nesting birds, reptiles and amphibians and a general trench note be attached to any consent granted.
- 2.12 **Environment Agency:** No comment received.
- 2.13 **National Highways:** Confirm that there are no comments to make in relation to the proposals as this location falls under the remit of the local authority.
- 2.14 **Leicestershire County Council Highways:** There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.

LCC Highways are aware of Leicestershire County Council application reference 2022/CM/0166/LCC for similar proposals on the Leicestershire side of Nuneaton Lane, to which it advised further information was required from the Applicant.

As part of application reference 2022/CM/0166/LCC, LCC advised it was unclear what type of vehicles would be using the access on a daily basis, or the frequency of vehicles throughout the day. In order to establish if the access is safe and suitable for the type and volume of traffic which would be using it, LCC advised this information was required. The information provided by the Applicant to support this application is similar and does not contain trip generation information. LCC were unaware of this current application at the time it provided its response for Leicestershire County Council application reference 2022/CM/0166/LCC, however it is considered that there could be a possibility that vehicle trips would be generated between this access and the proposed access within the Leicestershire boundary. Nevertheless, as part of application reference 2022/CM/0166/LCC, LCC advised it could only consider the site access arrangements and the impact of the proposals on the Leicestershire road network. Any impact of vehicles travelling between the two accesses is likely to be on the Nuneaton Lane/ A5 Watling Street/ Higham Lane roundabout, which is under the jurisdiction of National Highways.

- 2.15 **Leicestershire County Council Planning:** We have no significant concerns from a minerals and waste safeguarding perspective.

As you may be aware Leicestershire County Council have also received two very similar applications from Severn Trent to create new temporary accesses' (Ref. 2023/10005/04 - Watling Street & 2023/10006/04 - Nuneaton Lane). These applications are still under consideration, with additional highways information having been requested by the relevant consultees.

- 2.16 Two site notices were displayed on lamp columns on the side of the road opposite the proposed access on 25 January 2023. In addition a Press notice was published in the local paper on 25 January 2023.
- 2.17 The 17 nearest residential properties were individually notified by post on 25 January 2023.

3. Representations

- 3.1 In response to the consultation, objections were received from the Nuneaton & Bedworth Borough Councillor and from 6 local residents who objected to the proposal on the following grounds:
- 3.2 Increase in volume of traffic will be unacceptable due to large volume already incurred from the new housing estate and the loss of the low bridge on Hinckley Rd. Before these changes HGV's did not use this road but has now become a main route for them.
- 3.3 The proposed no right turn into the site will push extra hgv traffic onto the already congested roads in the local area instead of the shorter route from the A5.
- 3.4 The plans indicate no right-turn into the site. This is ridiculous. It will be far more dangerous for all the necessary vehicles to have to approach the site by coming up Higham Lane, through a residential area and probably past both Higham Lane school and Milby school. This is not to mention how they will reach Higham Lane to be travelling in the right direction to turn left into the site– through the Town Centre? down Weddington Road and the gyratory? If they go down Higham Lane from the A5, where are they going to turn round? There are only mini roundabouts not designed for large vehicles. Higham Lane is well used by cyclists as it is the only reasonable route up to the Leicestershire lanes; having to share this with additional large vehicles (described in the application as HGVs and large items of plant and construction equipment) is dreadful. The site is close to the A5 and access should ONLY be from the A5.

- 3.5 'The Construction traffic being routed up Higham Lane will cause problems of safety for school children, other pedestrians as well as put added pressure on already over burden roads. Worst idea they have had for ages.'
- 3.6 I understand that the works are necessary, but the access must be provided in a less destructive, safer way. It is not even the works to improve things for the area I live but for Hinckley.
- 3.7 I am appalled at the amount of hedgerow that is to be removed. If greater visibility is required, the hedge could just be reduced in height. The biodiversity value of a mature hedge is immeasurable. It will take years for a re-instated hedge to grow back. There is not even mention of the fact that there are restrictions as to when this could even be done i.e. not from March to October, which is bird nesting season. This cannot be allowed for a 'temporary' issue.
- 3.8 Concerns regarding local wildlife particularly nesting birds with loss of hedgerow. I refer you to 'Hedgerow protection and management. The hedgerow will meet most if not all criteria as regards its protection
- 3.9 Notification of the submission of amendments to the scheme, including the removal of the 'no right turn' was sent as an email on 13th April 2023 to all parties that had made a comment on the application.
- 3.10 The local Borough Councillor commented that the removal of the no right turn was very useful. He also commented that the traffic survey did not record cyclists who are common in this location as this (Higham Lane) is one of very few places to get onto country lanes and cycle routes towards MIRA from Weddington and Nuneaton East Divisions in Nuneaton. It would be difficult to refuse the application, but if County is minded to approve it then we need robust conditions to prevent the local clay soils getting onto Higham Lane. The Councillor also requested that the speed limit past the site entrance be reduced to 30 mph.

4. Previous Planning History

- 4.1 There is no previous planning history relating to the application site.

5. Assessment and Observations

Location

- 5.1 The application site is located some 3 km to the north-east of Nuneaton town centre and over 2.5 km to the west of the outskirts of Hinckley. The existing access is on the western side of Higham Lane, 75 m to the south of the roundabout serving the junction of Higham Lane with A5 Watling Street. The ungated field access serves the arable land to the west. The field is bounded by a hedgerow which is less than 2 m in

height set back from the highway by a narrow grass verge. On the eastern side of Higham Lane, opposite the existing field access is a new housing development which has recently been constructed and at the time of the Officer's site visit was partially occupied.

- 5.2 The site is located within Flood Zone 1 where there is a low probability of flooding.
- 5.3 The site is not located in the Green Belt. There are no public rights of way impacted by the proposal. The nearest public right of way is located some 400 m to the south of the application site. There are no listed buildings or conservation areas within the vicinity of the application site.

Planning Policy

- 5.4 Paragraph 11 of the National Planning Policy Framework (NPPF) July 2021 explains that there is a presumption in favour of sustainable development and what that means. What the presumption means in relation to a planning application is that:
 - (a) proposals which accord with an up-to-date development plan should be approved without delay; and
 - (b) where there are no relevant development plan policies or the policies most important for determining the application are out-of-date, then permission should be granted unless:
 - (c) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - (d) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Where the presumption in (b) applies, it is often referred to as the "tilted balance" in favour of the application.

Paragraph 12 goes on to explain that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- 5.5 Paragraph 48 explains that authorities may give weight to relevant policies in emerging development plans according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to this Framework.
- 5.6 In this case, the development plan is the Warwickshire Waste Core Strategy Adopted Local Plan (July 2013) and the Nuneaton and Bedworth Borough Council Borough Plan (2011 – 2031) adopted in June 2019, which has relevant policies that are up to date so far as they relate to this proposal. The application should therefore be determined (as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004) in accordance with those policies unless material considerations indicate otherwise.

The National Planning Policy Framework

- 5.7 At a national level the NPPF sets out the Government's planning policies and how these should be applied.
- 5.8 The NPPF has at its heart a presumption in favour of sustainable development and states that proposals which accord with the development plan should be approved without delay. The NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. In meeting development needs the NPPF acknowledges the importance of minimising adverse effects on the local and natural environment.

Paragraph 20 of the NPPF states that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat).

- 5.9 **Paragraph 111** states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.10 **Paragraph 153** confirms that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

- 5.11 **Paragraph 174** states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside and wider economic benefits including the economic benefits; minimising impacts on and providing net gains for biodiversity and by preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- 5.12 **Paragraph 180** requires local planning authorities, when determining planning applications to apply the principle that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 5.13 **Paragraph 185** states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

National Planning Policy for Waste (NPPW)

- 5.14 The NPPW sets out the Government's ambition to work towards a more sustainable and efficient approach to resource reuse and management, including driving waste management up the waste hierarchy. The NPPW reaffirms that waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. When determining waste planning applications, the NPPW requires waste planning authorities to consider the likely impact on the local environment and on amenity against criteria including visual impact, traffic and access, air emissions including dust, odours, noise and litter.

Warwickshire Waste Core Strategy Adopted Local Plan (July 2013)

- 5.15 The Warwickshire Waste Core Strategy contains policies specific to directing future waste development including general development management policies which apply to all development proposals on waste sites. The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 5.16 **Policy CS1 – Waste Management Capacity:** seeks to ensure that there is sufficient waste management capacity provided to manage the equivalent of waste arisings in Warwickshire. The Council will seek to meet identified capacity gaps for each waste stream.

- 5.17 **Policy CS2 – The Spatial Waste Planning Strategy for Warwickshire:** sets out the preferred broad locations where new waste management facilities would be suitable – general industrial land, sites under existing waste management use, active mineral sites or landfills, previously developed land, contaminated or derelict land, land adjoining a sewage works, redundant agricultural or forestry buildings.
- 5.18 **Policy DM1 – Protection and enhancement of the natural and built environment:** states new waste development should conserve, and where possible enhance, the natural and built environment by ensuring that there are no unacceptable adverse impacts upon:
- natural resources (including water, air and soil);
 - biodiversity;
 - geodiversity;
 - archaeology;
 - heritage and cultural assets and their settings;
 - the quality and character of the landscape;
 - adjacent land uses or occupiers; and
 - the distinctive character and setting of the County's settlements.
- 5.19 **Policy DM2 – Managing Health and Amenity Impacts of Waste Development:** requires proposals to demonstrate that they would not result in unacceptable adverse impacts on the local environment, economy or communities through any of the following: noise, lighting/illumination, visual intrusion, vibration, odour, dust, emissions, contamination, water quality, water quantity, road traffic, loss of best and most versatile agricultural land or land instability either individually or cumulatively with other existing or proposed developments. Proposals will only be permitted where the adverse impacts will be:
- i) avoided; or
 - ii) satisfactorily mitigated where an adverse impact cannot be avoided, or the adverse impacts have been avoided as far as possible.
- 5.20 **Policy DM3 – Sustainable Transportation:** requires proposals to demonstrate that the proposal facilitates sustainable transportation by, amongst other things, demonstrating that there are is no unacceptable adverse impact on the safety, capacity and use of the highway network.
- 5.21 **Policy DM6 – Flood Risk and Water Quality:** makes it clear that planning permission will not be granted where waste management proposals would be at risk of flooding or would be likely to increase the risk of flooding elsewhere.

- 5.22 **Policy DS1 – Presumption in favour of sustainable development:** states that a positive approach will be taken towards proposals that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 5.23 **Policy DS3 – Development principles:** requires that all new development is sustainable and of a high quality, fully supported by infrastructure provision, as well as environmental mitigation and enhancement. New development within the settlement boundaries will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure.
- 5.24 **Policy HS1 – Ensuring the delivery of infrastructure:** states that development will be required to provide infrastructure appropriate to the scale and context of the site in order to mitigate any impacts of the development, and address the needs associated with the development.
- 5.25 **Policy NE3 – Biodiversity and geodiversity:** seeks to conserve, enhance, restore and where appropriate create ecological value in sites as well as supporting biodiversity offsetting in order to achieve no net loss of biodiversity.
- 5.26 **Policy BE4 – Valuing and conserving our historic environment:** states that development proposals which sustain and enhance the borough's heritage assets, will be approved

Policy Considerations

- 5.27 The proposed development seeks to provide a temporary upgrade to an existing field access onto Higham Lane for a period of two years. The upgraded access is required to provide a construction access to a section of the route of a proposed sewer pipeline which is routed from Hinckley STW to Hartshill STW.
- 5.28 The provision of infrastructure is supported by both policies in the NPPF and the development plan. The upgrading of the access would facilitate the installation of essential sewage infrastructure to ensure the current and future waste management infrastructure needs of the region may be met.
- 5.29 The development plan also includes policy constraints which seek to ensure a satisfactory form of development in order to protect the natural and built environment and the amenity of neighbouring occupiers from any adverse impacts resulting from the development. Subject to such effects and impacts being appropriately managed, the

proposed development would accord with the policies of the NPPF and the development plan. The potential issues are considered below.

Amenity Issues and Environmental Issues

Highway and Access Issues

- 5.30 There are a number of recently constructed residential properties on the eastern side of Higham Lane, opposite the existing field access. Concern has been expressed by local residents that there would be an increase in HGV movements in the area. Objections were made in relation to the initially proposed no right turn into the site stating that vehicles travelling south from the A5 would be pushed onto the already congested local roads and HGV would potentially have to travel through Nuneaton town centre.
- 5.31 Following the preparation of a Stage 1 Road Safety Audit, amended plans were submitted indicating the 'no right turn' removed from the scheme which would allow vehicles travelling south from the A5 to turn right into the site. The erection of 'Works Access' signs on the grass verge beside the carriageway is proposed to give warning that vehicles would be stopping close to (just before /just after) the A5 roundabout to turn into the field access.
- 5.32 The amended submission provides the tracking for the Heavy Commercial Vehicles that would use the site to demonstrate that vehicles would be able to enter and leave the temporary access without having an impact on traffic on the opposite side of the carriageway.
- 5.33 The RSA review raised a lack of suitable wheel washing facilities. The Construction Management Plan (CMP) makes reference to the use of road sweepers. The Highways Authority advise that in addition to the use of a road sweeper the CMP should be revised to include reference to the provision of a site operative and jet wash to clean the wheels of vehicles before they re-enter the public highway. A revised CMP was submitted indicating that there would be a dedicated traffic marshal on site and a jet wash in place to clean vehicles before they leave the site.
- 5.34 Subject to the recommended planning conditions for the CMP and for the reinstatement of the temporary access to a field access, the Highway Authority revised their initial objection to a response of no objection.

Ecology Issues

- 5.35 There are no statutory or non-statutory sites of nature conservation within close proximity to the site. The Ecological Walkover Survey submitted with the planning application describes the section of hedgerow at Access 12a as species-poor intact hedgerow,

approximately 1.7 m in height comprising hawthorn, field maple and blackthorn. Parallel to the hedgerow is poor semi-improved grass verge with an arable field to the east of the hedgerow.

- 5.36 The proposed development would require removal of 6 m of hedgerow to the north of the access and 23 m to the south of the access. On completion of the sewer pipeline installation the access would be reinstated to a field access and a replacement hedgerow planted.
- 5.37 Objections were received from local residents relating to the removal of a section of the existing mature hedgerow and the impact it would have on nesting birds and biodiversity. A suggestion was made for the height of the hedge to be reduced for the time period of the temporary access rather than being removed. However, to achieve the required visibility splays it would be necessary to remove the sections of hedgerow as proposed. The Road Safety Audit noted that obstructed visibility would increase the risk of failure to give way type collisions.
- 5.38 The County Ecologist raised no objection to the removal of the hedgerow subject to the planting of the replacement. A species rich mix is recommended to benefit biodiversity with at least 6 different native species to be planted. Details of the replacement hedgerow and grassland verge to ensure no net loss of biodiversity are recommended to be provided in a combined ecological and landscaping scheme secured by planning condition.

Heritage

- 5.39 There are no listed buildings or conservation areas within the vicinity of the proposed development. The closest listed building being St James Church in Weddington, over 1.8 km to the south-west. The Nuneaton Town Centre Conservation Area is almost 3 km to the south-west. Given the scale and location of the proposed development and the distance to the nearest heritage asset, the proposed works would not have a detrimental impact on any designated heritage assets and are considered to accord with the requirements of policy BE4 of the Local Plan.

6. Conclusions

- 6.1 The proposed development for the temporary use of an existing field access would provide access for HGV to deliver plant, materials and construction equipment to the construction site of a STWL pipeline installation to be undertaken as permitted development by the Statutory Undertaker. The proposed development would therefore facilitate the provision of the necessary waste disposal requirements of the wider area, in accordance with policy DM2 of the Waste Core Strategy.

- 6.2 The design and layout of the temporary access is acceptable to comply with the requirements of the Highway Authority. On completion of the pipeline installation works, the temporary access would be removed and the access returned to a field access in accordance with policy DM3 of the Waste Core Strategy. The hedgerow removed to provide the adequate sightlines would be replanted in accordance with policy NE3 of the Nuneaton and Bedworth Borough Plan.
- 6.3 The proposed temporary access is considered to accord with policies the NPPF and the development plan and is recommended for approval subject to the recommended conditions.

7. Supporting Documents

- 7.1 Submitted Planning Application – Planning reference NBB/22CM010
- 7.2 Appendix A – Map of site and location.
- 7.3 Appendix B – Planning Conditions.

	Name	Contact Information
Report Author	Sally Panayi	sallypanayi@warwickshire.gov.uk 01926 41 2692
Director for Environment Services	Scott Tompkins	scotttompkins@warwickshire.gov.uk
Executive Director for Communities	Mark Ryder	markryder@warwickshire.gov.uk
Portfolio Holder	Cllr Jan Matecki	janmatecki@warwickshire.gov.uk