

Proposed remodelling of metals reclamation and recycling process works at Flexdart Limited, Marsh Lane, Water Orton.

NWB/23CM002

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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2024.

2. The development hereby permitted shall be carried out in accordance with the submitted application Ref. NWB/23CM002 and following drawings and documents:

- 1534 LOC - 01 A4
- 1534 LOC – 02 A1
- Site Plan – industrial development 1534 – 20 Revision C 1:500 A1 dated 27th October 2023.
- Site Plan – metal reclamation 1534 -21 Revision C 1:500 A1 dated 27th October
- Floor Plan 1534 -24 New Flexdart Building 1-200 Floor Plan A1
- Floor Plan 1534 -25 Existing Flexdart Buildings 1:200 Floor Plan A1
- Proposed Elevations 1534-29 New Flexdart Buildings 1-200 Elevations - A2
- Existing Flexdart Buildings 1534 -31 1 of 4 A1
- Existing Flexdart Buildings 1534 -32 2 of 4 A2
- Existing Flexdart Buildings 1534 -33 3 of 4 A2
- Existing Flexdart Buildings 1534 -34 4 of 4 A2
- Proposed Site Layout Masterplan, 1534-35 Revision C, dated 27 October 2023
- EA Maintenance Access 1534 EA01 dated October 2023
- DASS – metal reclamation
- Drainage Strategy 21005 C 1000 Revision P1 dated 21 November 2023.
- Floodplain Compensation Calcs 2021s1541 Version S3 Po1 dated 21 November 2023

- Proposed Drainage Plans 21005 C001 version P3, C002 version P4, C004 -C006 Version P2
- PEA V2 1198 210316
- BNG (BBNG + PBNG) 1198 240402 dated 3rd May 2024.
- Flood Risk Assessment (FRA) Marsh Lane, Water Orton ref PAP/2021/0372 dated October 2023

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 define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

Pre-Commencement Conditions

Construction Management Plan

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the Waste Planning Authority for the site. The Plan shall provide for:
 - i) the parking of vehicles of site operatives and visitors.
 - ii) the routing for vehicles accessing the site associated with the construction of the development and signage to identify the route.
 - iii) the manoeuvring of vehicles within the site.
 - iv) loading and unloading of plant and materials used in constructing the development, including topsoil.
 - v) the location of site compounds.
 - vi) storage of plant and materials.
 - vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 - viii) wheel washing facilities.
 - ix) measures to control the emission of dust and dirt during construction.
 - x) measures to control and mitigate disturbance from noise.

xi) a scheme for recycling/disposing of waste resulting from construction works.

xii) any on-site lighting as required during construction.

xiii) measures to protect existing trees and hedgerows proposed for retention.

xiv) delivery, demolition, and construction working hours; and

xv) means by which the terms will be monitored, details of a contact person and the procedure for reporting and resolving complaints.

The approved Construction Management Plan shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details, unless otherwise agreed in writing by the Waste Planning Authority.

Reason: In the interests of highway safety, in the interests of residential amenity and the protection trees and hedges.

Construction Environmental Management Plan (CEMP: Biodiversity)

4. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Waste Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones.”
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities of an ecological clerk of works (ECoW)/similarly competent person.

- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Waste Planning Authority.

Reason: To ensure that protected, important and priority species and their habitats are not harmed by the development and to safeguard biodiversity in accordance with the Local Plan Policy LP16.

Habitat Management and Monitoring Plan (HMMP) (otherwise referred to as a LEMP)

- 5. A Habitat Management and Monitoring Plan (HMMP) for a minimum 30-year timeframe shall be submitted to, and be approved in writing by, the Waste Planning Authority prior to the commencement of the development. The content of the HMMP shall include the following:
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including annual work plan capable of rolling forward over a five-year period).
 - g) Details of the body or organisation responsible for implantation of the plan.
 - h) Ongoing monitoring and remedial measures.
 - i) The completed statutory metric applied to the application site to demonstrate that a biodiversity net gain will be achieved.
 - j) Locations and numbers of bat and bird boxes, reptile, and amphibian refugia, invertebrate boxes.
 - k) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
 - l) The plan shall also set out (where results from monitoring show that conservation aims and objectives of the HMMP are not being met)

how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan shall be implemented in accordance with the approved details.

Reason: To ensure a biodiversity net gain in accordance with the NPPF and to safeguard biodiversity in accordance with the Local Plan Policy LP16.

External lighting scheme

6. The development hereby permitted shall not commence until details of all external lighting (to include location, height from ground level, lux level contour plan, and hours of operation) have been submitted to and approved by the Waste Planning Authority.

External lighting proposed should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The development shall be carried out in full accordance with such approved details.

In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting used to avoid the blue-white wavelengths
- Lighting directed away from vegetated areas
- The brightness of lights will be as low as legally possible
- Lighting timed to provide some dark periods
- Connections to areas important for foraging will contain dark corridors.
- Lighting shielded to avoid spillage onto vegetated areas.

Details of Surface Treatment

7. No development shall take place until details (including plans and specifications for construction and maintenance) of the construction/surface treatment of all outside areas (access roads/manoeuvring areas, external storage bays, parking areas etc) within the site has been submitted to and approved in writing by the

Waste Planning Authority. The details shall be implemented as approved and maintained for the duration of the development hereby permitted.

Reason: To define the permission. In the interests of the visual amenities of the area and the openness of the land located in the Green Belt.

Noise Conditions

8. None of the operations or uses authorised by this permission (including the maintenance of vehicles and plant) shall be carried out other than during the following times:

- 0700 – 1700 hours Mondays to Fridays
- 0700 – 1300 hours Saturday

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

Reason: In order to protect the amenity of residents.

9. No additional externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the new material handling building unless full details thereof, including design, acoustic emissions data and any mitigation measures, have first been submitted to, and approved in writing by, the Waste Planning Authority.

Reason: To avoid significant adverse impacts on health and quality of life, to mitigate and minimise adverse impacts on health and quality of life and where possible contribute to the improvement of health and quality of life at noise sensitive receptors. [NPPF paragraph 191, Noise Policy Statement for England 2010, and PPG on noise].

10. Prior to the occupation of the new material handling building a Noise Management Plan (NMP) shall be submitted to, and approved in writing by, the Waste Planning Authority. The approved measures within the NMP shall be carried out and completed in full before the building is brought into use and shall be retained thereafter.

Reason: To avoid significant adverse impacts on health and quality of life, to mitigate and minimise adverse impacts on health and quality of life and where possible contribute to the improvement of health and quality of life at noise sensitive receptors. [NPPF paragraph 191, Noise Policy Statement for England 2010, and PPG on noise].

Energy Efficiency and Air Quality

11. No development above formation of slab for the new material handling building shall take place until an Energy Statement which provides at least 10% of the development's energy through low carbon sources, has been submitted to, and approved in writing by, the Waste Planning Authority. A total reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved in accordance with the relevant statement. The approved measures within the statement shall be carried out before the use or operation of the building commences and shall thereafter be maintained and operated.

Reason: In the interests of achieving sustainable development and meeting development plan policy requirement LP35 of the adopted North Warwickshire Local Plan and the Air Quality SPD.

12. No development above slab level of the new material handling building shall commence until an 'Electric vehicle infrastructure strategy and implementation plan' and covered cycle storage shall be submitted to, and approved in writing by, the Waste Planning Authority. The scheme shall include details of the number, location and maintenance of the electric vehicle charging points and future ducting. The electric vehicle charging points and covered cycle storage shall be implemented in accordance with the approved details and timescales for implementation, with the agreed details maintained in a working manner thereafter. Parking or servicing areas not provided with charging points shall be installed in a manner to allow the future installation of electric charging points.

Reason: For avoidance of doubt and to define the permission. In the interests of achieving sustainable development and meeting development plan policy requirement LP35 of the adopted North Warwickshire Local Plan and the Air Quality SPD.

13. Notwithstanding the submitted information, a scheme to offset the air quality impacts from the development and which is based on the Damage Cost Calculation, shall be submitted to, and approved in writing by the Waste Planning Authority before any development above floor slab level. The approved air quality mitigation measures shall be provided before the development is first brought into use and thereafter retained.

Reason: In the interests of achieving sustainable development and meeting development plan policy requirement LP35 of the adopted North Warwickshire Local Plan and the Air Quality SPD.

Contamination

14. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Waste Planning Authority.

This strategy shall include the following components:

1. A detailed risk assessment, options appraisal and remediation strategy based on the results of the previous site investigations giving full details of the remediation measures required and how they are to be undertaken. All works shall be carried out by a competent person and agreed in writing by the Waste Planning Authority prior to commencement of development.
2. In the event that contamination is found under condition 1, at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Waste Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Waste Planning Authority.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (1) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

Any changes to these components require the written consent of the Waste Planning Authority. The scheme shall be implemented as approved.

Reason: In accordance with Government Policy detailed in the National Planning Policy Framework (paragraph 189), 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. Therefore, should any significant contamination subsequently become apparent then responsibility remains with these parties.

Verification report

15. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the remediation strategy approved under condition 14 and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Waste Planning Authority. The report shall include results of sampling and monitoring carried out in

accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. In accordance with Government Policy detailed in the National Planning Policy Framework (paragraph 189), 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. Therefore, should any significant contamination subsequently become apparent then responsibility remains with these parties.

Highways

16. The access and egress to the site for vehicles shall not be used unless bell mouths have been laid out and constructed within the public highway in general accordance with drawing number 1534 - 21C and the specification of the Highway Authority. Gates within the access and egress to the site shall be located in the positions shown, and not open towards the public highway. The gates shall not be closed when any part of the development has people working on site / open for business.

Reason: In the interest of providing safe access for all users and safety on the public highway.

17. Within three months of the new access and egress to site being constructed all parts of the existing accesses within the public highway not included in the permitted means of access shall be closed and the highway reinstated in accordance with the specification of the Highway Authority.

Reason: In the interest of providing safe access for all users and safety on the public highway.

18. No phase of the development hereby permitted shall be occupied until the roads serving that phase, including footways, private drives, means of accessing plots, signage indicating HGV access and egress, car parking and manoeuvring areas have been laid out and substantially constructed in accordance with details first submitted to and approved in writing by the Waste Planning Authority in consultation with the Highway Authority. Areas for the parking and manoeuvring of vehicles shall be retained for their intended use at all times thereafter.

Reason: In the interest of providing safe access for all users and safety on the public highway.

19. Advanced warning signs approved in writing by the Highway Authority for the access and egress arrangement, and restrictions in Water Orton, shall be erected prior to first occupation.

Reason: In the interest of providing safe access for all users and safety on the public highway.

20. The development shall not be occupied until visibility splays have been provided to the vehicular access & egress to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.4 metres and 'y' distances of 160.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted, or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.9 metres above the level of the public highway carriageway.

Reason: In the interest of providing safe access for all users and safety on the public highway.

21. The development hereby permitted shall not be occupied until all the repairs to the public highway (Marsh Lane) fronting the site and in close proximity to the site have been completed.

Reason: In the interest of providing safe access for all users and safety on the public highway.

22. The development hereby permitted shall not be occupied until a Green Travel Plan to promote sustainable transport choices relevant to the occupier of the site, has been submitted to and approved in writing by the Waste Planning Authority in consultation with the Highway Authority. The measures proposed (and any variations) so approved shall continue to be implemented in full at all times.

Reason: In the interests of the sustainable modes of travel, and to accord with policy LP23 of the North Warwickshire Local Plan and national guidance.

Flooding and Drainage

23. The development shall be carried out in accordance with the submitted Flood Risk Assessment (reference PAP/2021/0372 dated September 2023) and shall include the following mitigation measures:

- Setting the finished floor levels of the proposed units no lower than 75.37mAOD (i.e., 300mm above the maximum flood level during the

100 year plus 22% climate change event and accounting for the model sensitivity associated with the downstream conditions). Where an approved Flood Response Plan is in place and where the Waste Planning Authority is satisfied that the specific finished floor levels are not practicable due to plant access requirements, the finished floor levels may be reduced to 150mm above the maximum flood level during the 1% AEP 22% climate change event.

- New industrial units should be set at least 150mm above the finished ground levels and 300mm above design water level in the surface water drainage system, to prevent flooding from flowing or ponding storm water near doorways and other ingress routes.
- A level for level floodplain compensation will be required within the site boundary to retain the proposed units flood free during the design event and mitigate against the risk of increasing flood risk beyond the site boundary.
- Occupants of the proposed development should be required to sign up for the Environment Agency Flood Warning services on first occupation.
- A Flood Response Plan is prepared for the development and approved by the Waste Planning Authority in consultation with the Environment Agency and the site owners/ occupiers are familiarised with it prior to first occupation.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants

24. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Waste Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and retained thereafter. The scheme to be submitted shall:

1. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the runoff rate of 92l/s for the site in line with the approved surface water drainage strategy (ref: 21005-C002, revision P4, dated 29/6/23).

2. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.

3. Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual,' CIRIA Report C753.

4. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:

a. Suitable representation of the proposed drainage scheme, details of design criteria used incl. consideration of a surcharged outfall), and justification of such criteria where relevant.

b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events.

c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.

d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.

e. Calculations demonstrating the performance of the network in a total pump failure scenario and with a submerged outfall.

5. Provide plans such as external levels plans, supporting the exceedance and overland flow routeing provided to date. Such overland flow routing should:

a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.

b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.

c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.

25. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy (21-005-C1000 P1, dated: 21/11/23) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Waste Planning Authority. The details shall include:

1. Demonstration that any departure from the agreed design is in keeping with the approved principles.

2. Any As-Built Drawings and accompanying photos

3. Results of any performance testing undertaken as a part of the application process (if required / necessary)

4. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

5. Confirmation that the system is free from defects, damage, and foreign objects.

Reason: To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy.

26. No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the Waste Planning Authority in consultation with the LLFA. Such maintenance plan should

1. Provide the name of the party responsible, including contact name, address, email address and phone number

2. Include plans showing the locations of features requiring maintenance and how these should be accessed.

3. Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.

4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

Reason: To ensure the future maintenance of the sustainable drainage structures.

27. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes relevant to each phase have been provided in accordance with details first submitted to and approved in writing by the Waste Planning Authority.

Reason: In the interests of Public Safety from fire and the protection of Emergency Fire Fighters.

On-going

28. No materials stored in outside storage areas shall exceed the height of the 8m high concrete thurst walls shown on drawing 1534 -20 dated 27th October 2023.

Reason: In the interests of the visual amenities of the area and the openness of the land located in the Green Belt.

NOTES and INFORMATIVES

Highways

Condition numbers 16, 17, 18, 19 and 21 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a [Minor] Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works.

In terms of design guidance this is carried out in conjunction with the County Road Construction Strategy 2022 on our website as referred to on the opening page. Please see below link:

<https://api.warwickshire.gov.uk/documents/WCCC-770-261>

The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should **not** be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group,

Warwickshire County Council, Shire Hall Post Room, Warwick, CV34 4SX or by email to: s38admin@warwickshire.gov.uk

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution.

Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP or by email to: streetworks@warwickshire.gov.uk

For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

Environmental permitting regulations

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of, or within the floodplain of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission.

Please note that we have a 2-month statutory period in which to determine Environmental Permits once all information has been received and it should not be assumed that such consent will automatically be forthcoming. We would advise you to consult with us at the earliest opportunity in order to determine and secure formal consent for the proposed works as appropriate.

Any activity within 8 metres of the landward toe of the Flood Defence Embankment (including fencing, both permanent and temporary) and any excavations within 16 metres of this asset. This would be in addition to any grant of planning permission.

For pre-permitting enquiries, we recommend the applicant contact our area Partnerships & Strategic Overview (PSO) Team at swwmfloodconsent@environment-agency.gov.uk

Local Flood Management Authority

- The proposed drainage strategy (21005-C002 P4) makes reference to a new access road being constructed over what appears to be an open watercourse and an existing outfall is to be adjusted. Any works affecting the flow of an Ordinary Watercourse would be subject to Ordinary Watercourse Land Drainage Consent from the LLFA.

- The application site is located in fluvial flood zone 2/3 of a designated main river, and the applicant has undertaken detailed hydraulic modelling along with development of potential mitigation measures. The LLFA would recommend consultation with the Environment Agency (EA) as the statutory consultee for fluvial flood risk. Evidence should also be provided to the LLFA to demonstrate the EA are satisfied with the modelling undertaken.
- The LLFA notes that the EA have raised concerns over the proposed development with regards to the submitted FRA and the easements around the existing flood defences. The LLFA would recommend reconsulting the EA on the updated proposals.

Informatives for the next stage of design

As outlined within the condition, the strategy should be treated as a minimum at this stage of the design. Further consideration should be given during the next stage of the design to incorporate additional, localised source control SuDS such as green roofs, rain-gardens and tree pits as part of a 'SuDS management train' approach to provide water quality, amenity and bio-diversity benefits and increase the resilience within the design. Reference is also made to our Flood Risk Guidance for Development (updated June 2023) with more details and examples of SuDS which can be incorporated at later stages of design.

At the 'discharge of condition' stage proposals for surface water drainage should be approaching a level of detail suitable for tender or construction. Documentation should show the drainage scheme including SuDS features, specific details (e.g. standard details or cross sections) and demonstrate the performance and of the system through calculations and exceedance management, respectively. Such scheme should be in line with the original planning application/permission and where significant changes are made, justification should be provided.

Public Rights of Way

Public footpath M36 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.

The applicant must make good any damage to the surface of public footpath M36 caused during works.

Any disturbance or alteration to the surface of public footpath M36 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public footpath.

Development Plan Policies Relevant to the Decision.

North Warwickshire Local Plan 2021 - LP1(Sustainable Development); LP3 (Green Belt), LP11 (Economic Regeneration), LP14 (Landscape), LP16(Natural Environment), LP23 (Transport), LP29 (Development Considerations), LP30 (Built Form), LP33 (Water Management), LP34 (Parking) and LP35 (Renewable Energy)

Water Orton Neighbourhood Plan – CP01 (Expansion of Existing Businesses) and CP03 (Traffic Impacts) and TP01.

Warwickshire Waste Core Strategy 2013-2028 (July 2013) – CS1 (Waste Management capacity); CS2 (The Spatial Waste Planning Strategy for Warwickshire), CS4 (Strategy for locating small scale waste sites), CS5 (Proposals for re-use, recycling), CS7 (Proposals for disposal facilities) and CS8 (Safeguarding of Waste Management sites). DM Policies 1-5.

Other Relevant Material Considerations

National Planning Policy for Waste (NPPW)

National Planning Policy Framework December 2023 – (the “NPPF”)

The North Warwickshire Landscape Character Appraisal 2010

The Town and Country Planning (Consultation) (England) Direction 2021

Warwickshire Local Transport Plan

Air Quality & Planning Supplementary Planning Document (SPD) (September 2019).