**AGENDA MANAGEMENT SHEET**

**Name of Committee**: Regulatory Committee

**Date of Committee**: 23 February 2010

**Report Title**: Unit 3, Featherbed Lane, Pathlow, Stratford-upon-Avon - Change of Use from B1 Business Use Class to Waste Transfer Station

**Summary**: This application seeks planning permission for the change of use of part of the existing building from an existing B1 ‘Business’ use class (currently used for storage) to a Waste Transfer Station for Construction and Demolition Waste and mixed skip waste.

**For further information please contact**: Neal Richmond  
Senior Planning Officer  
Tel. 01926 412247  
nealrichmond@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?**: No

**Background Papers**: Planning application submitted 9 December 2009.  
Email from Stratford on Avon District Council Environmental Health dated 15 December 2009.  
Email from Wilmcote Parish Council dated 30 December 2010.

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

**Other Committees**: .................................................................

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

| X | Councillor R Hobbs – strongly objects to the proposed development as it would be unacceptable near to residential properties, and raises concern that a condition requiring working with the doors closed can be enforced. |

**Other Elected Members**: .................................................................
Cabinet Member  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)  

Chief Executive  

Legal  
I Marriott – comments incorporated.  

Finance  

Other Chief Officers  

District Councils  
Stratford on Avon District Council Planning – comments will be reported verbally. Stratford on Avon District Council Environmental Health – no objection in principle subject to conditions.  

Health Authority  

Police  

Other Bodies/Individuals  
Environment Agency – no objection subject to conditions requiring a scheme to dispose of surface water and contaminated run off. Wilmcote Parish Council – objects to proposal and does not feel that the proposed use is appropriate for the site and is concerned about the control of waste brought to the site.  

**FINAL DECISION**  YES  *(If ‘No’ complete Suggested Next Steps)*  

**SUGGESTED NEXT STEPS :**  

Details to be specified  

Further consideration by this Committee  

To Council  

To Cabinet  

To an O & S Committee  

To an Area Committee  

Further Consultation
Regulatory Committee – 23 February 2010

Unit 3, Featherbed Lane, Pathlow, Stratford-upon-Avon - Change of Use from B1 Business Use Class to Waste Transfer Station

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the refusal of planning permission for the Change of use from B1 Business Use to Waste Transfer Station for Construction and Demolition Waste and mixed skip waste at Unit 3, Featherbed Lane, Pathlow for the following reasons.

1. The proposed development does not meet the criteria in paragraph 3.8 of PPG2 for the re-use of buildings because it would have a materially greater impact on the openness of the Green Belt and the purposes of including land in it through the presence, storage and activity of vehicles which is not in keeping with its rural surroundings. Therefore, it is inappropriate development in the Green Belt.

2. The harm caused by inappropriateness is compounded by the impact on the amenity of the countryside and its residents of heavy goods vehicles travelling on rural roads passing through small rural settlements. This harm conflicts with the criteria in paragraph 29 and Annex E to PPS10 and Policy 1 of the Waste Local Plan.

3. The proposed development would make a contribution to the rural economy however has no direct relationship with the adjacent uses. The proposal can not be regarded as an appropriate re-use of the building and does not comply with the guidance within PPS7.

4. The proposed development would make a contribution to moving waste up the waste hierarchy. However, it is located in a building in a sensitive rural location, accessed along a residential road and located adjacent residential properties which it is not compatible with. For these reasons, it fails to meet the criteria for the location of such development in Policy WD3 of the Regional Spatial Strategy for the West Midlands and Policy W5 of its Phase 2 Revision, Policy PR.2 of the Stratford on Avon District Local Plan 2006, Policies 1 and 6 of the Waste Local Plan and PPS 10. There is no evidence that the need for such facilities cannot be met in more sustainable location outside of the Green Belt.
5. The benefits of the development do not constitute very special circumstances outweighing the harm to the Green Belt and the other harm to amenity, the countryside and policies for the sustainable development of waste facilities. Therefore, the proposal is contrary to Policy PR.2 of the Stratford on Avon District Local Plan paragraph 3.2 of PPG2, the harm that would be caused cannot be avoided or satisfactorily mitigated through conditions or obligations and there are no other material considerations indicating that it should be permitted.

Application No: S1113/09CM025

Received by County: 9/12/2009

Advertised Date: 17/12/2009

Applicant(s): Mr Edward Brain, Edward Brain & Sons Ltd, Lordswood, Pathlow, Warwickshire, CV37 0EP.

Agent(s): Stansgate Planning LLP, Conrad House, Birmingham Road, Stratford-upon-Avon, Warwickshire, CV37 0AA.

The Proposal: Change of use from B1 Business use to Waste Transfer Station for Construction and Demolition Waste and mixed skip waste.

Site & Location: 0.015 Ha. At Unit 3, Land south of Featherbed Lane, Pathlow, Stratford-upon-Avon. [Grid ref: 417,258].

See plan in Appendix A.

1. Application Details

1.1 This application seeks consent for a change of use of Unit 3, Featherbed Lane from its authorised use as B1 (Business), (currently used as storage used by Ragdoll Ltd.) to a Waste Transfer Station for construction and demolition waste and mixed skip waste. The unit is proposed to be used in association with the recycling of inert demolition and construction waste which may otherwise be sent to landfill.

1.2 It is proposed that a loaded skip lorry would enter the building and discharge its waste onto the floor in the centre of the building. The waste would then be sorted and separated by hand into skips of varying waste streams. The sorted waste is proposed to remain on site until skips are full for transportation off site for recycling or final disposal. All empty skips are proposed to be stored within the building when not in use. The applicant has advised that the following waste streams would be recovered from the operation:
(i)  Plasterboard
(ii) Metals
(iii) Subsoil
(iv) Soil
(v)  Brick
(vi) Concrete
(vii) Timber
(viii) Plastic
(ix)  Green Waste

1.3 No waste or skips are proposed to be stored or sorted outside of the building and all operations would be carried out within the building. It is proposed that the site would operate Monday to Friday 8.30am to 4.30pm and Saturday 8.30am to 12.00pm with no working on a Sunday or Bank/Public Holidays.

1.4 Skip lorries loaded with waste would enter the site from Featherbed Lane down the existing private drive. It is anticipated that maximum movements of the lorry would be 5 in and 5 out per day (a total of 10 movements per day).

1.5 The applicant advises that the majority of waste dealt with at the proposed site will originate from the south Warwickshire area.

2. Consultation

2.1 Stratford on Avon District Council (Planning) – comments to be verbally reported to Regulatory Committee.

2.2 Stratford on Avon District Council (Environmental Health) - no objection in principle, however, would wish to see conditions requiring that all doors to the building are to be kept closed when material is deposited in building and external storage forbidden.

2.3 Wilmcote Parish Council - does not feel that the proposed industrial use of the building is appropriate for this site and has the following concerns:-

(i)  How will it be ensured that the skips do not contain hazardous waste e.g. asbestos, chemicals and carcinogenic materials? How is it proposed to prevent any contaminated liquids that may be discharged from the operation causing pollution?

(ii) The business also supplies skips to private properties – what measures would be taken to ensure these skips would not be taken to this site as there would be no control whatsoever over the contents;

(iii) What proposals are in place covering health and safety, environmental issues and other legislation covering waste management;

(iv)  Strict conditions regarding permitted noise levels, vehicle movements, no storage outside the building etc would presumable continue but how would they be controlled.
(v) In view of the concerns the Parish Council recommends refusal of this application.

2.4 **Councillor R Hobbs** – strongly objects to the change of use and has concerns that the development would result in an unacceptable expansion of the use of the site within the Green Belt.

“I do not see how a condition of only working in the building when the doors are closed can be enforced; I assume that this is a B2 use and this type of waste can not be controlled under its current consent; and This use would be unacceptable near the residential properties.”

2.5 **Environment Agency** – no objection subject to a planning condition requiring a scheme for the disposal of surface water and potentially contaminated run off to be submitted prior to the commencement of development.

3. **Representations**

3.1 The application was advertised by the posting of 2 site notices, a press notice and the direct notification of nine properties. There have been seven letters of representation, and a nine signature ‘petition style’ letter received in connection with the proposed development, all of which object to the proposed development. The objectors raise the following concerns:-

(i) Increased Noise.
(ii) Increased Pollution.
(iii) Erosion of Countryside and impact on Green Belt.
(iv) Increased HGV movements and safety hazard.
(v) Visual intrusion (Including waste lorry movements).
(vi) Existing conditions not being monitored.
(vii) Proposal would intensify the industrial nature of the site.
(viii) Proposal does not accord with waste local plan policies.

4. **Site, Location and History**

4.1 The building is an isolated commercial property within a residential area on the southern side of Featherbed Lane, 300m to the west of the Birmingham Road in the village of Pathlow and is accessed via a private drive off Featherbed Lane.

4.2 Pathlow is a rural residential area located within the West Midlands Green Belt with residential properties located as close as 11 metres to the north of the entrance to the proposed site, and approximately 65 metres from the part of the building (unit 3) the subject of this application.
4.3 The building was built for, and is currently occupied by commercial uses. It has in recent years been subdivided into four units, and is currently used by two separate businesses. Three of the units are used by Ragdoll Ltd for a mixture of storage and workshops, with the fourth unit occupied by a window manufacturing business. The unit proposed for the change of use to Waste Transfer Station is currently used by Ragdoll Ltd for storage purposes.

4.4 The site has a varied planning history, which to date has been dealt with by Stratford on Avon District Council. The following shows the applications received for the site by the District Planning Authority. The current change of use application, is to date the first and only application submitted to the Waste Planning Authority.

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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<tbody>
<tr>
<td>02/03513/FUL</td>
<td>Change of use to soft play centre</td>
<td>Refused 05.03.03</td>
</tr>
<tr>
<td>00/02596/FUL</td>
<td>Change of use and refurbishment to accommodate the sale, storage and servicing of agricultural and grounds maintenance machinery and for use as light industrial and office use (Class B1)</td>
<td>Granted 22.11.00</td>
</tr>
<tr>
<td>99/03531/FUL</td>
<td>Class B1 use</td>
<td>Granted 9.2.00</td>
</tr>
<tr>
<td>98/01761/FUL</td>
<td>Variation of Condition 4 attached to 97/01466/FUL (Personal permission)</td>
<td>Granted 11.2.99</td>
</tr>
<tr>
<td>97/01466/FUL</td>
<td>Change of use and refurbishment of dairy unit to accommodate the sale, storage and servicing of agricultural and grounds maintenance machinery</td>
<td>Granted 12.2.98</td>
</tr>
<tr>
<td>94/00345/FUL</td>
<td>Conversion to craft units B1</td>
<td>Granted 22.2.95</td>
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4.5 There is some question as to whether the current stated use of the building (storage B8) is in fact an authorised planning use (in its current guise). This is because the extant planning permission for the site (00/02596/FUL dated 22/11/00) prohibits the change of use to B2, B8 and A1 of Town and Country Planning (Use Classes) Order 1987 and the other aspects of the permission (which included A1 retail, and storage of agricultural and grounds maintenance machinery were in fact personal to the then applicant (Western Farm Implements)).

4.6 The question of whether storage (in its current guise) is an authorised use is a District Council planning matter, and should not influence the decision as to whether the proposed Waste Transfer Station is acceptable. However, the restrictions which have previously been imposed limiting the use class to which
the building can be employed do serve to highlight the sensitivity of this commercial building in its existing location.

5. Planning Policy

5.1 Section 38 (6) of the 2004 Planning and Compensation Act requires that planning applications are determined in accordance with the provisions of the Development Plan “unless material considerations indicate otherwise”.

5.2 The Development Plan against which this application must be judged consists of the following documents:-

(i) The Regional Spatial Strategy for the West Midlands (RSS11),

(ii) The Regional Spatial Strategy for the West Midlands Phase Two Revision Draft,

(iii) The saved policies of the Warwickshire Structure Plan 1996 – 2011,

(iv) The saved policies of the Waste Local Plan for Warwickshire, and,


Regional Spatial Strategy for the West Midlands (RSS11)

5.3 The Regional Spatial Strategy (RSS) makes it clear that the Region must play its part in delivering targets set out in the National Waste Strategy. Policy WD1 sets out targets for waste management in the Region. This includes, to recover value from at least 40% of municipal waste by 2005, 45% by 2010 and 67% by 2015, to recycle or compost at least 25% of household waste by 2005, 30% by 2010 and 33% by 2015 and to reduce the proportion of industrial and commercial waste which is disposed of to landfill.

5.4 Policy WD2 acknowledges that further facilities will be required to handle Municipal Waste by means of composting, recycling and other forms of recovery. The application would comply with this policy.

5.5 Policy WD3 of the RSS advises that development plans should guide waste treatment and recycling facilities towards appropriate locations, having regard to the proximity principle and other environmental and amenity principles as identified elsewhere in this guidance.

Regional Spatial Strategy for the West Midlands Phase Two Revision

5.6 Policy W5 of the Regional Spatial Strategy for the West Midlands Phase Two Revision Draft - Location of New Waste Management Facilities directs new waste management facilities towards, amongst other locations, sites with current use rights for waste management purposes, previous or existing industrial land and contaminated or derelict land or redundant agricultural or forestry buildings and their curtilages.
Planning Policy Guidance Note No. 2

5.7 The site is located within the Green Belt and as such Green Belt policies within the local plan and those outlined in Planning Policy Guidance Note 2 (PPG2) apply.

Paragraph 1.5 of PPG2 identifies the five purposes of including land in Green Belts:-

(i) To check the unrestricted sprawl of large built-up areas;
(ii) To prevent neighbouring towns from merging into one another;
(iii) To assist in safeguarding the countryside from encroachment;
(iv) To preserve the setting and special character of historic towns; and
(v) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.8 Paragraph 3.7 of PPG2 states “With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

5.9 Paragraph 3.8 notes that the re-use of buildings inside a Green Belt is not inappropriate development providing:-

(i) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
(ii) Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (eg because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
(iii) The buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
(iv) The form, bulk and general design of the buildings are in keeping with their surroundings. (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

5.10 Paragraph 3.9 states that ‘If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic
grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes. Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use.

5.11 **Paragraph 3.2** identifies that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

**Planning Policy Statement 10**

5.12 **PPS 10, Planning for Sustainable Waste Management** adopts the National Waste Strategy of moving waste management up the ‘waste hierarchy’ focusing on reduction, reuse, recycling and composting as preferred waste management options with disposing as the last resort. The Statement makes it clear that this means a step change in the way waste is handled and significant new investment in waste management facilities. It makes it clear that the planning system is pivotal to the adequate and timely provision of the new facilities that will be needed.

5.13 **Paragraph 29 of PPS 10** says that in considering planning applications for waste management facilities, planning authorities should consider the likely impact on the local environment and amenity. Annex E sets out more specific locational criteria including; protection of water resources, visual intrusion, traffic and access, air emissions, odours, vermin, noise, litter, potential land use conflict, etc.

5.14 **Paragraph 3 (1) a of Schedule 20 of the Environmental Permitting Regulations** requires every Authority to have regard to article 4 of the Waste Framework Directive. Article 4 requires planning authorities to have regard to the following objectives when determining planning applications relating to the recovery or disposal of waste:-

Ensuring that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment and in particular without:-

(i) Risk to water, air, soil, plants or animals; or

(ii) Causing nuisance through noise or odours; or

(iii) Adversely affecting the countryside or places of special interest;
Planning Policy Statement 7

5.15 **PPS7** sets out the Government’s policies in the delivery of sustainable development within rural areas. Due to the site’s isolated location paragraphs 14 to 18 regarding the countryside are of particular relevance.

5.16 **Paragraph 14** notes that planning has a major role “in supporting and facilitating development and land uses which enable those who earn a living from, and help to maintain and manage the countryside, to continue to do so.”

5.17 **Paragraph 15** addresses countryside protection and development in the countryside specifically, stating that “planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible enhanced.”

5.18 **Paragraph 16** states when preparing policies for LDDs and determining planning applications for development in the countryside, local planning authorities should:

(i) Support development that delivers diverse and sustainable farming enterprises;

(ii) Support other countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the enjoyment of the countryside.

5.19 **Paragraph 17** supports the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:-

(i) the potential impact on the countryside and landscapes and wildlife;
(ii) specific local economic and social needs and opportunities;
(iii) settlement patterns and accessibility to service centres, markets and housing;
(iv) the suitability of different types of buildings, and of different scales, for re-use;
(v) the need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
Waste Local Plan

5.20 **Policy 1 of the Waste Local Plan for Warwickshire** sets out general environmental constraints that all waste related planning applications must comply with. Planning permission will only be given where the proposal would not, amongst other things:-

(i) Give rise to a significant risk of pollution;
(ii) Have significant adverse visual impact;
(iii) Have significant adverse impact on the amenity of local occupiers by reason of odour, noise, dust or visual intrusion having regard to the sensitivity of adjoining land uses and the proximity of residential property;
(iv) Give rise to traffic that would adversely affect highway safety or have a significant adverse environmental impact when traversing the routes which generated traffic is likely to take;
(v) Involve significant loss of or damage to agricultural land within grades 1, 2 or 3a.

The policy states that in evaluating proposals to develop any waste facility the extent to which the proposal makes a positive contribution to re-use and/or recycling of materials and satisfies the proximity principle will be taken into consideration.

5.21 **Policy 6 of the Waste Local Plan for Warwickshire** states that recycling facilities will be permitted: as an integral part of new and established disposal facilities, on industrial estates and on other land which has been used for a commercial use and where the proposed use would be compatible with adjacent land uses. It is not considered that the proposed use is compatible with an adjacent land use (namely a residential use).

Stratford on Avon Local Plan

5.22 **Stratford on Avon District Local Plan Review 1996-2011**

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<td>DEV. 4</td>
<td>Access</td>
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6. Observations

Green Belt

6.1 The site is located within the Green Belt and as such Green Belt policies within the local plan and those outlined in Planning Policy Guidance Note 2 (PPG2) apply. In this particular case the proposed development is inappropriate, as defined in PPG2, and as such should not be approved unless very special circumstances exit.

6.2 This proposal is considered to be inappropriate when assessed against the criteria in paragraph 3.8 of PPG2 because:
(i) it will have a materially greater impact on the openness of the Green Belt and the purposes of including land in it because of the increased presence, and movement of conspicuous vehicles associated with the transportation of waste.

6.3 The proposal would be an industrial operation on a greater scale and use than the existing use and this would be manifested in the external appearance of the surroundings with associated vehicles and paraphernalia. It is accepted that the facility would contribute to national and local objectives to increase recycling, however these factors are not considered to be sufficient to outweigh the harm to the Green Belt and the other harm to the locality and local residents identified later in this report.

**Re-use of Building**

6.4 PPS7 supports the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives whilst ensuring that the quality and character of the wider countryside is protected and, where possible enhanced. Whilst it is considered that the proposal would re-use an existing building within the Countryside, and would move waste up the waste hierarchy it is not considered that the proposal is suitably located and would not ensure the quality or character of the area is protected. As identified later in the report it is not considered that the proposed use is suitable in the location and would have a detrimental impact on the area as a whole and on local residents and adjacent land uses. The re-use of this building is not considered to comply with guidance within PPS7.

**Traffic and Transport**

6.5 Concern has been raised by local residents that the proposed change of use would result in prominent Heavy Goods Vehicles (HGVs) accessing and exiting the site and travelling through the nearby village of Pathlow and the safety and pollution implications that this could have to local residents.

6.6 The proposed change of use is located within a rural area, on a de-restricted (60mph) road near to, and opposite residential properties. Concern has been raised that the proposed type of HGV would have a detrimental impact on the amenity of the local resident due to additional noise and pollution from the vehicles delivering and removing waste from the site.

6.7 The access onto Featherbed Lane from the site requires a visibility splay of 2.4m x 160m. This visibility splay is currently not present on site, and in order to be implemented would require the removal of both hedgerow and fencing. The additional land required to achieve the visibility splay is not located within the ownership of the applicant and whilst the applicant has suggested the imposition of a Grampian style planning condition there is no guarantee that the implementation of the visibility splay could be achieved. The removal of the hedgerow would also be deemed to be detrimental to the visual appearance and character of the area and should be avoided.
Development Plan Policies

6.8 Policy 6 contained in the Waste Local Plan for Warwickshire 1999 states that recycling facilities will be permitted: as an integral part of new and established disposal facilities, on industrial estates and on other land which has been used for a commercial use and where the proposed use would be compatible with adjacent land uses. The site of the proposed development is not on an industrial estate, is not part of a new or established disposal facility and although currently being within a commercial use it is not considered to be compatible with the adjacent land uses.

6.9 The whole building is currently restricted by Stratford on Avon District Council and prohibits the change of use from its current use to B2, B8 and A1 of Town and Country Planning (Use Classes) Order 1987 and the other aspects of the permission (which included A1 retail, and storage of agricultural and grounds maintenance machinery were in fact personal to the then applicant (Western Farm Implements). The previous planning permissions highlight the sensitivity of the location and the proposed use is not considered to be appropriate near to the residential properties and within the same building as the existing B1 commercial use.

6.10 It is considered that the site, which is located in the Green Belt and accessed through rural villages, would have a further industrialising urbanising effect on the locality. The proposal is considered to be contrary to the purposes of the Green Belt, would not be in keeping, and would detract from the character of the local area.

6.11 The development is considered to be contrary to guidance within PPS7 and Policies PR. 2(Green Belt) and PR. 8 (Pollution Control) of the Stratford on Avon Local Plan. The proposal would intensify waste operations at the site to an unacceptable level, and be contrary to Policy 6 of the Waste Local Plan.

Noise

6.12 Noise has been raised as an issue by local residents concerned that the noise from the proposal will affect the amenity of the village and surrounding properties. No information relating to noise has been submitted by the applicant however it is considered that the emptying of skips onto the floor of the building, the manoeuvring of skips around the site, the sorting of material and the loading and unloading of lorries taking the waste from the site could be a noisy operation which could have a detrimental impact on the amenity of the local residents and neighbouring businesses.

6.13 Traffic noise and nuisance in the locality has not be addressed in the application, and is a concern to local residents living in Pathlow. It is considered that HGVs and skip lorries in the rural locality could have a detrimental impact on the amenity of local residents due to the nature of the vehicles, the rural roads they are travelling and loads being transported. Should planning permission be granted a planning condition imposing maximum noise levels at the site should
be included. The two aforementioned circumstance are considered to be inappropriate in the location and contrary to Policy 1 of the Waste Local Plan.

**Odour**

6.14 The applicant has advised of the proposed waste streams which would be recovered during the process. Some of the materials could give rise to odour (e.g. Green Waste) and could have a detrimental impact on the local residents and neighbouring units. The applicant does not advise of any mitigation methods for odour should it arise and has produce an odour management plan for the site. It is considered that odour could become a source of nuisance at the site, and is considered to be contrary to Policy 1 of the Waste Local Plan.

7. **Conclusion**

7.1 The development is inappropriate in the Green Belt and although it would make a contribution to the rural economy moving waste up the hierarchy, it does not meet the criteria of the national and local policies which lend support to proposals offering these benefits. The harm to the Green Belt would be accompanied by other harm, particularly the impact of HGV traffic on rural roads and villages, and its benefits do not constitute very special circumstances outweighing that harm. Therefore, the Committee is advised to refuse permission for the reasons given in the recommendation.

PAUL GALLAND  
Strategic Director for Environment and Economy  
Shire Hall  
Warwick  
16 February 2010
Regulatory Committee: 23rd February 2010

Change of Use from B1 to Waste Transfer Station

Produced using Warwickshire Online Mapping Browser and Toolkit (WOMBAT) Corporate GIS.