Item: **01**

Reference: **09/00592/C**

Applicant: **Mr Zeeshan Aslam**

Location: **Land South Of Lindley Wood Fenn Lanes Fenny Drayton Leicestershire**

Proposal: **CREATION OF COMPOSTING SITE (COUNTY COUNCIL NUMBER 2009/C103/04).**

Introduction:-

This application is a County Matter whereby Leicestershire County Council is the determining planning authority. The Borough Council is a consultee and the County Council requests the observations of the Borough Council on the application.

The application proposes the creation of an outdoor windrow composting facility on a brownfield site to the west of the Motor Industry Research Association (MIRA) proving ground accessed of Fenn Lane, Fenny Drayton. The site was previously used as an electrical supply facility for RAF Nuneaton (now MIRA) and comprises broken concrete hard standings, a derelict building and a series of perimeter bunds.

A windrow composting site is a facility for the natural composting of organic waste material. The application specifies that the typical waste to be accepted for treatment at the proposed composting facility includes all wood waste, MDF, chipboard and off-cuts, green waste from civic amenity sites, waste pallets and packaging, clay slurries, horticultural waste, and other mineral waste.

The application is accompanied by a Composting Statement, Ecological Appraisal, Flood Risk Assessment, Noise Survey and a Management Plan.

History:-

08/00899/C	Creation of Composting Site (County Matter)	Refused



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Consultations:-

All consultations on this application are carried out by the County Council.

Policy:-

Central Government Guidance

PPS1 Delivering Sustainable Development, sets the Government's target for sustainable development and sees the planning system being at the forefront in terms of its position to guide and deliver the right development in the right location in a sustainable manner. The reuse of previously developed (brownfield) land for new development is seen as a priority over the unnecessary use of undeveloped greenfield land.

PPS7 Sustainable Development in Rural Areas, sets out the Government's position on development in rural areas. This guidance recognises the pressures facing the rural economy and seeks to encourage sustainable rural diversification without harming the character of the countryside.

PPS10 Planning for Sustainable Waste Management, sets out the Government's policy objectives on waste, with the overarching intention to protect human health and the environment by producing less waste and using it as a resource wherever possible.

Development Plan Policy

Policy BE1 considers the design and siting of the development, in terms of the effect on the character of the area, amenities of neighbours and highway safety.

Policy NE5 seeks to protect the countryside for its own sake and allows development of this type where it is important to the local economy cannot be provided within or adjacent to an existing settlement and only where the policies specific criteria are met fully.

Policy T5 requires all new development to achieve the relevant highway standards and vehicle requirements contained with the County Councils design guidance Highways, Transport and Development.

Appraisal:-

The main considerations with regard to this application are the principle of the development, the impact on highway safety, ecology, pollution and the impact on nearby residential properties.

The Principle of Development

Whilst countryside policy seeks to ensure only appropriate use for agriculture or recreation are provided within the countryside, it must be considered that this site is previously developed (brownfield site) and consideration must be given to the appropriate reuse of this site over utilising other areas of undeveloped countryside. Furthermore, a use such as this is not likely to be effective or acceptable in terms of amenity and highway safety in more built-up urban areas.

On balance and given the sustainable nature of the use for recycling organic material, the site is considered a suitable option in terms of the principle. The development of the site would satisfy the overarching national guidance for the redevelopment of previously developed land and the nature of the use is such that it lends itself to a rural location over an urban one.

Highway Safety

The County Council as the determining planning authority will formally consult the Highway Authority on this proposal; however at the time of writing this report the Borough Council is not aware of the Highway Authority's response.

The site is accessed via a partially unmade road leading to Fenn Lane and then to the A444 on the outskirts of Fenny Drayton, connecting to the principal highway network at the A5. Whilst this access to the highway network is generally good in this location, the increase in the number of vehicles using the network is likely to cause some concern to the safe operation of the highway system. The true understanding of the increased vehicle movement will be evaluated by the Highway Authority. The unmade nature of sections of the access route would benefit from upgrading to provide a suitable surface for the size and weight of vehicles accessing the site.

Ecology

The accompanying ecological appraisal does not identify the presence of any protected species within the curtilage of the site and therefore there is no ecological interest at the site.

Pollution

The Head of Community Services (Pollution) has provided a comprehensive response to the County Council, however further details have been requested before a final opinion on the pollution matters can be provided. Further comments will be reported as a late item.

Impact on Residential Properties

Rowden Cottage is the nearest residential property to the application site and is approximately 200 metres from the site. The acceptable separation distance between such a use and a residential property is not defined and is likely to be dependent on the prevailing wind direction and the exact working arrangements at the site. Any consideration in relation to odour and air borne pollution from the site is being assessed by the Head of Community Services (Pollution) and will be reported as a late item.

Conclusion

Notwithstanding the highway safety and pollution issues for which the formal observations of the relevant consultees are not known. The site, being previously developed land satisfies the general principles of Government guidance for the sustainable use of land. By way of the site being previously developed and the nature of the proposed use, the proposal is considered to satisfy the requirements of PPS10 and Policy NE5 of the local plan.

RECOMMENDATION :- That the Leicestershire County Council be advised that Hinckley & Bosworth Borough Council has the following comments to make:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

1 There is no objection to the principle of the proposal, subject to no adverse comments being received by the Highway Authority and Head of Community Services (Pollution).

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