

## **Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/12/01317/FULL</b>
<b>LOCATION</b>	<b>Henlow Lakes and Riverside, Arlesey Road, Henlow</b>
<b>PROPOSAL</b>	<b>Provision of 29 additional pitches, realignment of internal access road, creation of a pitch for managers accommodation &amp; erection of club house, tea room &amp; activity centre (enlarged from previous approval).</b>
<b>PARISH</b>	<b>Henlow</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Drinkwater &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>19 April 2012</b>
<b>EXPIRY DATE</b>	<b>14 June 2012</b>
<b>APPLICANT</b>	<b>Henlow Lakes &amp; Riverside Ltd</b>
<b>AGENT</b>	<b>Sherwood Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Request by Councillor Wenham on the basis that the proposal is an overdevelopment .</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Site Location:**

The application site, known as Henlow Bridge Lakes and Riverside, covers approximately 13 hectares of land and includes 4 fishing lakes with capacity for 92 anglers, 26 camping and caravan pitches, an amenity building with education room, and an information point/reception cabin. The site is accessed off a one way road linked to the A507.

The River Hix and riverside walk runs alongside the east and part of the northern boundary with the footpath continuing along the northern boundary of the site to meet the Kingfisher Way footpath, which extends along the west boundary of the site, whilst Knights Footpath runs along the south boundary.

To the east of the site, beyond the river, is the London mainline railway and Arlesey Railway Station, with the A507 running close to the southern site boundary. Beyond the footpath to the west of the site is an aggregates depot, whilst to the north is Henlow Grange.

The site is located just outside the settlement envelopes of Henlow and Arlesey, within open countryside.

The site up until 2010/11 had just 5 caravan pitches, but this was increased to the current 26 by virtue of planning permission granted in 2010 (CB/10/02980). The approval was subsequently amended to replace 3 of the caravan pitches with timber camping pods, which are now in situ. The consent also included two of the current fishing lakes, one providing access and provision for disabled persons and the other providing facilities for juniors and beginners. The 2010 consent also included permission for an amenity building which has been constructed. The building provides a laundry, washing, shower /toilet facilities, and an education room. In addition an extension to an existing building to create a new reception and tourist information area, was also granted, and is currently being completed.

Permission also exists, by virtue of the same 2010 consent for a tea room in the south east corner of the site comprising a single storey building of approximately 120sqm (13.2 metres long x 9.18 metres wide). The building would have a pitched roof which at its highest point would be 5 metres with a clock tower feature on top.

### **The Application:**

This application seeks consent for a larger building than the approved tea room, to be sited in the same area of the site (in the south east corner). It is described as a clubhouse and activity centre, and would include a reception and display area, a café, children's play area with additional seating, toilet facilities, kitchen and stores. In total the building would have a footprint of approximately 430sqm. The building would have a steel sheeted pitched 8.3m high roof with rooflights on both north and south roofslopes, and solar panel installed on the south facing elevation. The walls would be finished with black stained softwood weatherboarding.

As with the previous approval a new access would be provided leading directly to the facility, with parking for 42 vehicles (previously 24 parking spaces).

The application also seeks planning permission for managers accommodation in the form of a 2 bed mobile chalet home (15.5m x 6.5m x 4.1m high), proposed to be located adjacent to the play area, in the south west part of the site.

In addition, the application proposes the addition of 29 grassed pitches in the west part of the site, resulting in a new total of 55 pitches.

The application is accompanied by a supporting statement and a further letter date 22 June to support the application. The letter clarifies that the proposed managers accommodation would be constructed off site of a form capable of being easily dismantled and removed if required. In addition, a flood risk assessment has also been provided.

### **RELEVANT POLICIES:**

**National Planning Policy Framework (2012)**

**The Good Practice Guide on Planning for Tourism**

## **Central Bedfordshire (North Area) Core Strategy and Development Management Policies 2009**

CS11 - Rural Economy & Tourism  
CS14 - High Quality Development  
CS16 - Landscape and Woodland  
CS17 - Green Infrastructure  
CS18 - Biodiversity and Geological Conservation  
DM3 - High Quality Development  
DM14 - Landscape and Woodland  
DM15 - Biodiversity  
DM16 - Green Infrastructure

Nb. (In accordance with Annexe 1: "Implementation", paragraph 215, of the National Planning Policy Framework, the above policies are considered to be broadly consistent with the NPPF and have therefore been given significant weight in the determination of this application.

### **Supplementary Planning Guidance**

Design in Central Bedfordshire: A Guide to Development

### **Planning History**

CB/10/02980/FULL      Formation of two additional lakes. Layout for 26.no. touring caravans. Erection of amenity block with educational room and tearoom. Extension of existing storage building for reception and tourist information, ancillary works and car parking. Approved.

MB/08/00084/FULL      Extension to storage building. Approved 28/2/08

### **Representations: (Parish & Neighbours)**

Arlesey Town Council	Recommend approval in principle, but severe reservation raised on the highway access.
Henlow Parish Council	No objection
Langford Parish Council	Fully supportive of the application which we believe further enhances facilities in our area.
Neighbours	Three letters of objection have been received, one from the occupiers of 13 Clifton Road and two from and on behalf of Champneys, at Henlow Grange.  Two letters of support have been received.  The letters of support make the following points;

- The whole area is an asset to the village thanks to the continued investment of the owner in landscaping the site.
- The proposed facilities would be a natural evolution of the site into a full service camping and caravanning facility.
- Would provide additional employment opportunities.
- The tea room will be popular with walkers and residents.
- The site causes no inconvenience to local residents.
- An extension of the site brings it visibly nearer to the footpath.
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The objection letters from and on behalf of Champneys, Henlow run to a number of pages long. A summary of the points made in those letters and the other third party objection letter is listed below;

- The facility is evolving too rapidly and is having an adverse impact on the local character.
- The number of visitors will have an adverse impact in terms of traffic and noise.
- No consideration has been given as to how the proposal will impact on the Grade II\* Listed Henlow Grange and Champneys business.
- The enlargement of the camping setting will infringe directly on the amenities of the grounds of The Grange.
- Whilst Champneys state they have no objection to “the modest warden house”, the other third party letter questions the need for such accommodation saying that it could be provided by shift workers, however if allowed should be conditioned for precise use.
- Object strongly to the clubhouse and activity centre as it would be intrusive in the countryside and disproportionate for the site.
- The proposal will affect the landscape impact when viewed from the A507 and footpath.
- Impact on the riverbank from the tea room/activity centre and car parking

## **Consultations/Publicity responses**

Minerals and Waste            No comments to make

Highways Development Control	No objection, consider that as the anticipated traffic movements would be spread throughout the day the proposed increase in traffic to the site would not cause harm to the local road network.
Rights of Way Officer	No objections, satisfied that the proposal would not affect the right of way. .
Environmental Health	No objection subject to condition limiting the hours of use of the tea room/clubhouse from 0700 to 2300hrs.
Natural England	Advise that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils. Attention is drawn to matters to consider including possible impact on protected species, and possible opportunities for biodiversity enhancements.
Network Rail	Request consideration of any flood risk issue to the railway. Refer to previous comments which request that if permission is granted that the Network Rail Asset Protection Team be contacted. It does not appear that there would be any adverse effect on the railway however if planning permission is granted the applicant will need to contact Network Rail Asset Protection regarding works to ensure that there is no negative impact on the railway.
Tree & Landscape Manager	There has been development of the site that has included substantial additional landscaping and enhancement, therefore no objection.
LDF Team	From the information provided it appears that the proposal is generally in conformity with national and local policy. Conclude that this would be largely dependent on the design of the enlarged buildings and the routing of the internal road. The need for security, safety and management/control of the site should be considered acceptable for on-site accommodation.
Environment Agency	No objection, subject to condition relating to disposal of foul water, surface water and trade effluent.
Ecology	No objection

### **Determining Issues**

The main considerations of the application are;

1. Principle of Development

2. Impact on Character and Appearance of the Area
3. Visual Impact
4. Impact on Nearby Neighbours
5. Ecology
6. Trees and Landscape
7. Highways
  
8. Other Issues

## **Considerations**

### **1. Principle of Development**

#### *Managers accommodation*

The application site falls outside of any settlement envelope and therefore is for planning purposes considered to be in the open countryside.

National planning policy guidance now comprises the recently issued National Planning Policy Framework (NPPF). Of particular relevance to the proposal are paragraphs 28 and 55.

#### *Paragraph 28*

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should;

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of new buildings and well designed new buildings.
- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

#### *Paragraph 55*

Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as;

- the essential need for a rural worker to live permanently at or near their place of work in the countryside

Government planning advice on tourism is also contained within the document The Good Practice Guide on Planning for Tourism which has not been replaced by the National Planning Policy Framework, albeit its references to PPS4 and PPS 7 are no longer relevant having themselves been superseded by the NPPF. Under the heading “staff accommodation” the guide advises;

“For many types of holiday parks, a residential managerial presence is often essential, to achieve a quality of service to the customer, security for the property, and to meet the obligations of health and safety regulations.

Accommodation may also be needed for key members of staff. As far as possible suitably located existing dwellings should be used to meet these accommodation needs. But where there is not a feasible option, and particularly in locations where suitable housing is not available, or is unaffordable, it may be necessary to provide new, on-site accommodation for managerial and/or other staff. In such cases the conversion of any suitable available existing buildings should be considered first in preference to the construction of new and potentially intrusive housing development in the countryside”.

The applicants supporting statement points out that the site is currently warden controlled and has CCTV cameras. They say that there are no suitably located or priced dwellings for staff. It is stated that the warden would provide regular late evening, early dawn and night checks in order to maintain site security from human or wildlife predators. In addition visitors sometimes arrive late at night due to break downs and hold ups, requiring staff to leave their homes to open up the site. The applicant claims that employing night time staff 7 days a week would be costly and unviable. Also without 24 hour cover the applicant states that the quality of service would be reduced.

The applicant has also referred to other examples where accommodation has been permitted by the Council for accommodation to support fishery enterprises and considers that the same if not greater need exists here, with the added responsibility of managing the camping/caravanning facilities.

The application proposes a mobile home and has confirmed that this would be a structure constructed off site and of a form which could be dismantled and removed from the site if no longer required. It would be of a form in keeping with and appropriate to the use of the site as a caravan/camping park. The business was until 2010 a relatively low key concern providing just 5 pitches and 2 fishing lakes. However, since the granting of consent in 2011 the number of pitches has been increased to 26 and with 2 additional fishing lakes, resulting in a large increase to the number of visitors to the site. This application would increase the number of visitors still further with a resultant total of 54 camping/caravanning pitches and 3 camping pods. In addition the proposed construction of an tea room clubhouse would provide a further area of responsibility for the owners which would add to the expanding facilities to be managed on site. Whilst the site is relatively new there has nevertheless been significant financial investment by the owners over recent years, with more investment planned, subject to approval of this application. The business does therefore appear to be a successful enterprise. It is considered reasonable, on the basis of the above, that in order to provide a good level of service to visitors and the need to provide an on site presence to control activity on site outside of normal office hours that accommodation in the form of a mobile home for a manager is justified. However, in light of the relatively recent and proposed expansion of the business it is considered necessary that any consent should be on a temporary basis such that consideration may be given at a later stage by the Local Planning Authority as to whether there remains a justification for such accommodation.

### *Additional Camping/caravan pitches*

Core Strategy Policy CS11 takes a positive stance toward the proposal for tourist facilities in the countryside. It states that the Council should seek to support the rural economy and promote tourism. The policy supports tourism and leisure development where it provides opportunities for rural diversification and is well located to support local services, businesses and other attractions. It is considered that the application site is well situated between Arlesey and Henlow and benefits from pedestrian access to both and should therefore help to support local services, with additional visitors likely to utilise local visitor attractions, food shops and restaurants in particular.

The Tourism Growth Strategy for Bedfordshire and Luton (2007-2012) seeks to promote the growth of the family and short breaks market and the attractions of the County's 'green offering', including countryside sites and rivers. The need to increase self-catering accommodation and the provision of low cost accommodation has also been identified. Provision could take the form of lodges, campsites and rural pubs and the Council is willing to be flexible when these can support local services and provide opportunities for rural diversification.

The principle of an increase to the number of pitches within the site by providing grass plots suitable for campers is seen to be complimentary to the objectives of the Core Strategy.

### *Clubhouse, tea room, activity centre*

Planning permission already exists for a tea room facility of 115sqm, in the same location as the building now being proposed. Whilst other elements of the 2010 planning permission have been implemented the tea room building has not been constructed. The site is located outside any settlements and within the open countryside wherein development is restricted, albeit there is no in principle objection in the Core Strategy to tourist related development in such areas when outside the Green Belt. Indeed Policy CS11 supports proposals for tourist or leisure development in the countryside. The National Planning Policy Framework (para 19) states that local planning authorities should do encourage economic growth. The expansion of sustainable tourist and visitor facilities is specifically encouraged (para 28).

The previously approved facility was based on a total of 26 pitches, whereas this proposal would more than double the pitches to 55. The proposed enlarged tea room/clubhouse building would provide seating for approximately 80 people within a seating area approximately three times larger than that approved in 2010. This proposal also seeks to provide an additional area catering for young children at the site, the numbers of which are also likely to significantly increase. The proximity of the proposed building to the riverside footpath is also noted and it is considered that such a facility selling refreshments and providing toilet facilities would be advantageous to the tourist/recreational function of the locality and users of the footpath. The applicant has also clarified the purpose of the "reception/display area", as providing an interactive area for visitors with information relating to the surrounding natural environment. Given the potential



benefits of the building to users of the adjacent footpaths and the enhancement of the facilities to serve a proposed larger caravanning/camping facility to the benefit of tourism and the knock on benefits to the local economy, by providing all year round facilities, it is considered that in principle a larger building is acceptable, subject to all other planning considerations.

## **2. Impact on Character and Appearance of the Area**

Core Strategy DM3 requires that proposals for new development should be appropriate in scale and design to their setting. Also, that proposals should contribute positively to creating a sense of place and respecting local distinctiveness through design and use of materials. Policy DM14 requires that the landscape impact of proposals is considered.

The proposed tea room/clubhouse building would be finished in black stained roof and a sheeted lightweight steel roof. The proposed design and appearance of the barn, with black stained timber cladding, would be similar to other buildings on the site and would have an agricultural barn type appearance, in what is a semi-rural setting. It is considered that the building would comply with the general design principles of the "Design in Central Bedfordshire" guide. There is significant landscaping to all site boundaries where the new building is proposed, such that it and the rolled pea shingle parking area would be relatively well screened from the riverside footpath, from the A507 and from the footpath to the south.

The new grassed pitches would be located within the boundary of the existing site where new planting has already taken place. Significant planting around the perimeter of the site on new bunds will further mitigate the impact of the new pitches.

The proposed managers accommodation would be modest and not unduly prominent, given the boundary screening and the existing buildings within the site. As such it is not considered that any harm to the character and appearance of the open countryside would result.

As such the proposed development is in accordance with Core Strategy policies DM3 and DM14 of the National Planning Policy Framework.

## **3. Impact on Nearby Neighbours and Future Users of the Site**

Core Strategy policy DM3 requires new development to respect the amenities of surrounding properties.

The site is located in an isolated position with Henlow approximately 1km to the west and Arlesey 250m to the south east on the opposite side of the A507.

There is one residential property, known as The Lodge, located adjacent to the south western corner of the site which is approximately 200m from the proposed new camping/caravanning pitches. The Grange is a building used commercially as a hotel and for health and beauty treatments. It is however also located in

excess of 200m from the proposed new camping pitches, albeit that the gardens serving the premises extend up to the site boundary. The northern boundary of the site boundary adjacent to the gardens of the Grange comprises extensive mature trees which provide an effective natural screen. Whilst there may be some additional noise generated by users of the new pitches it is not considered that this would be unduly harmful to the amenity of the occupants of either neighbouring property or harmful to the continued function of Champneys as a tourist destination. Similarly, due to the proposed siting of the managers accommodation and tea room/clubhouse building still further from the neighbouring properties it is not considered that they would cause undue harm to the neighbours' amenity.

To the east of the site, on the opposite side of the River Hiz and mainline railway line, is Etonbury Farm and Etonbury Lake House. It is not considered that the amenities of residents in these properties would be affected due, to the distance from the site and the intervening land uses.

#### **4. Ecology**

The site is adjacent to a County Wildlife Site (CWS). Core Strategy policy CS18 states that the Council will support the designation, management and protection of such sites and protected species and that development that would prejudice the biodiversity network will not be permitted. Core Strategy policy DM15 states that applications considered to be harmful to wildlife will be refused, the protection and enhancement of biodiversity is required and native and locally appropriate plant species should be used.

The Council's Ecologist has raised no objection to the proposal.

#### **5. Trees and Landscape**

Core Strategy policies CS16 and DM14 seek to conserve and enhance countryside character and local distinctiveness, conserve woodlands and hedgerows and promote an increase in tree cover.

The whole site is subject to a Tree Preservation Order and therefore any works to trees need consent. The applicant has already planted many new trees within the site.

The application would not affect any existing trees and hedging whilst new planting has already been provided around the proposed camping pitches.

The Tree officer has raised no objections.

#### **6. Highways**

The proposed development would be served by the existing access road onto the A507 Arlesey- Stotfold By-pass that in addition to providing access to the site provides access to Arlesey railway station disabled car parking. The access road is a loop type which currently operates as a one way system, with traffic entering through the north side of the loop and exiting through the south side. As with the previous approval a formalised access would be provided off the A507 access road to serve the tea room building.

## Parking

There is an existing car parking area which accommodates approximately 5 cars and would be used for short periods for people visiting the reception, office or shop. Each of the camping/caravan pitches would have a parking space in addition to the area for the tent/caravan. The tea room/activity centre would have 42 parking spaces available, including 2 disabled spaces. It is considered that the parking provision within the site would be at a satisfactory to prevent on-street parking outside of the site. The level of car parking for the tearoom/clubhouse would also enable parking for staff and users of the footpaths. Overall it is considered that the level of parking on the site is acceptable.

Highways have confirmed that they have no objection to the proposal.

## **7. Other Issues**

Champneys at Henlow Grange have objected to the impact on the setting of the Listed Building. The Conservation Officer considers that there does not appear to be any obvious significant adverse impact on the setting of the Listed Building as a result of the application due to the physical separation and nature of the proposal.

The site is within a Flood Risk Area and a Flood Risk Assessment was therefore submitted as part of the planning application. The Environment Agency are satisfied that no harm would result and have raised no objection subject to condition.

## **Recommendation**

That Planning Permission be APPROVED subject to the following conditions:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The mobile home hereby permitted shall be removed and the site reinstated to its previous condition or to such a condition as may be agreed beforehand in writing by the Local Planning Authority, within a period of 5 years from the date of this permission, unless a further period is otherwise agreed by the Local Planning Authority.

Reason: To enable further consideration of the requirement for a continuation of such on site accommodation based on the future needs of the business or otherwise to ensure that the site is restored to its original condition/use.

- 3 Notwithstanding the detailed drawings submitted, the managers accommodation shall meet the definition of a caravan as set out in the Caravan Sites Act 1968, Part 3, Section 13. This shall include compliance with the size criteria for a mobile home being that it shall not exceed a length of 18.2888m, width of 6.096m and with an internal height of living accommodation not exceeding 3.048m.

Reason: The approval is granted on the basis of it being a mobile home.

- 4 The materials and finish for the tea room/activity centre shall only be carried out in complete accordance with the approved plans and specifications, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance.

- 5 Before the tea room/activity centre is first used, all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

- 6 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

- 7 The club house premises shall not be used except between the hours of 0700 hours to 2300 hours without the prior agreement in writing of the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents.

- 8 **The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water, surface water and trade effluent has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

**Reasons: To prevent pollution to surface waters and ground waters and to ensure that the Water Framework Directive status of the River Ivel catchment does not deteriorate from it's current status.**

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [401A, 402A, 500A, 501A, 502A, 503A, 504A, 506A].

Reason: For the avoidance of doubt.

## **Reasons for Granting**

The proposed development, including the addition of 29 camping/caravanning pitches, the erection of a tea room/activity centre, and a mobile home for providing managers accommodation, is supported on the basis that it would provide an acceptable expansion of a sustainable rural tourist business which would benefit the local economy, whilst not prejudicing the character of the surrounding area, or unacceptably harming the amenity of neighbouring properties. There would also be no adverse impact on highway safety, environmental, ecological or heritage interests. As such the proposal is in conformity with Policies CS11, CS14, CS16, CS17, CS18, DM3, DM14, DM15 and DM16 of the Core Strategy and Management Policies (2009), The National Planning Policy Framework (2012) and the Supplementary Planning Guidance, A Guide for Development (2010).

## **Notes to Applicant**

### **Advice for the Applicant**

Foul water from a septic must only be discharged to a drainage field and never to a watercourse. This is because a septic tank does not treat foul water, it only allows the settlement of suspended solids, and untreated foul water will cause pollution if it is allowed to enter a watercourse. The applicant may be required to change the current foul water arrangements if they are discharging to a septic tank that leads to a watercourse and/or the current foul water arrangements do not have sufficient capacity to deal with the increased foul water from the proposed 29 new caravan/ tent pitches, accommodation, club house and tea room. The applicant must arrange for a percolation test to be carried out to determine if discharge to a drainage field will be suitable if they wish to utilise this way of foul water disposal. Installing a sewage treatment plant is another alternative to treat foul water. This plant will treat the foul water to a suitable standard that we will allow to be discharged to a watercourse. The applicant can find further advice on sewage treatment methods and the percolation test in the Environment Agency's Pollution Prevention Guideline number 4, which is on our website at [www.environment-agency.gov.uk/ppg](http://www.environment-agency.gov.uk/ppg).

The applicant currently has an 'exemption from the need for an Environmental Permit' registered with the Environment Agency for a discharge of treated sewage effluent to a watercourse. The reference number for this exemption is EPR/XE5607PB. We are concerned because the site layout plan submitted with this planning application shows a septic tank and this exemption only permits a discharge from a sewage treatment plant and not a septic tank. As explained above, the applicant must carry out a full survey of the drainage arrangements on site. The applicant/ site operator will be committing a criminal offence if untreated sewage is entering a watercourse.

The applicant must ensure that they have the correct Environmental Permit issued by the Environment Agency for any current or new discharges of sewage effluent to a watercourse or to ground. There is guidance available on permitting on the Environment Agency's website at [www.environment-agency.gov.uk/business/topics/water/32038.aspx](http://www.environment-agency.gov.uk/business/topics/water/32038.aspx).

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. There is further guidance on the Oil Storage Regulations at [www.environment-agency.gov.uk/osr](http://www.environment-agency.gov.uk/osr).

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations. In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one direction, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>.

If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government Guidance on the waste hierarchy in England is at: <http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf>

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

Please forward a copy of this letter to the applicant.

Should you wish to discuss this matter further please do not hesitate to contact me, or the Environment Officer, Kyle Vivian (Tel: 01480 483254).

**DECISION**

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