

Application No: 11/3389N

Location: WHITTAKERS GREEN FARM, PEWIT LANE, BRIDGEMERE.

Proposal: VARIATION OF CONDITION N.9 ON PERMISSION 7/2009/CCC/1

Applicant: MR F H RUSHTON

Expiry Date: 13-Dec-2011

SUMMARY RECOMMENDATION

Partial approval; amended condition

MAIN ISSUES

Impact on highway network, neighbouring land uses and local amenity

Use of the site to receive green waste on Bank Holidays

REASON FOR REPORT

This is a waste application which, due to the site area, has to be determined by the Strategic Planning Board in accordance with the established Terms of Reference.

DESCRIPTION OF SITE AND CONTEXT

The application site is an existing green waste composting facility, located within the open countryside, approximately 8.5 miles south east of Nantwich and kilometre south of Hunsterson off Pewit Lane. The surrounding countryside is slightly undulating, divided into medium sized fields and utilised for arable production.

There are a number of isolated properties and farm units widely spaced surrounding the compost site. The nearest residential property, Fox Moss, is 230 metres to the north east of the site, with Pewit House a further 200 metres away to the north east. The Uplands lies 440 metres away and Whittakers Green Farm is located 470 metres to the north of the application site. Woodend is 350 metres to the east of the site, and Woodfall Hall Farm is 670 metres to the south west.

The site has a weighbridge and small office and on-site facility building at its entrance. The reception of waste, shredding, composting and storage takes place upon a large sealed concrete pad. Hunsterson Footpath No. 22 lies immediately on the eastern and southern boundary of the compost site.

DETAILS OF PROPOSAL

The applicant has applied to amend condition 9 of permission 7/2009/CCC/1. The current conditions reads:

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

0900 – 1500 Monday to Friday

0900 – 1200 Saturday

No importation of green waste shall take place outside of these times or on Sundays, Bank Holidays or Public Holidays.

The applicant proposes the following replacement text:

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

0800 – 1800 Monday to Friday

0800 – 1200 Saturday

No importation of green waste shall take place outside these times or on Sundays.

The effect of the change would extend the weekday period for importation by 4 hours and 1 hour on Saturdays and also allow the importation of green waste on Bank and Public Holidays between the hours of 0800 and 1800. The existing hours of operation for on-site activity remains unaffected.

RELEVANT HISTORY

The site has been operational for approximately seven years. The relevant planning history is as follows:

- Planning permission was granted (7/P04/0124) for the use of the land for the composting of green waste on 11th August 2004. The permission enabled the applicant to produce compost for use as a soil improver. Conditions imposed on the consent restrict the export of compost from the site.
- Permission granted on 6th December 2006 (7/2006/CCC/11) to vary condition 13 of permission 7/P04/0124 to allow the importation of green waste on Bank Holidays except for Christmas. The conditions attached to the initial permission, with the exception of pre-commencement conditions which had been satisfied, were replicated within this consent. This includes the restriction of 5 vehicle movements in and out on any day.
- Permission granted on 25th June 2007 (7/2007/CCC/7) to extend the existing green waste composting facility. Similar conditions to those previously imposed were again replicated.
- Permission granted on 30th March 2009 (7/2008/CCC/7) to create a new access off Bridgemere Lane and track to join up to existing tracks at Whittaker's Green Farm, and thereby the compost site (and hence avoid the use of Pewits Lane). Consented subject to a legal agreement regarding vehicle routing.
- Application 7/2008/CCC/9 for a variation of Condition 14 of permission 7/P04/0124 to increase the green waste vehicle movements from 10 in-and-out movements, to 40 a

day, was refused permission on 7th July 2008 against officer recommendation. This was subsequently appealed, and the appeal dismissed on 27th October 2008. The reasons for the appeal dismissal were that the increase in vehicle movement would generate a level of traffic which would be unsuitable on the local highway network and which would harm the safe movement of traffic on the local roads, and it would also have an unacceptable impact on local communities and the local environment with regards to increased noise and disturbance. The Inspector did note that they had no numerical breakdown of the types of vehicles used and therefore gave regard to the fact that they could all be of the larger variety.

- Permission granted on 11th March 2009 (7/2009/CCC/1) to vary condition 14 of permission 7/P04/0124 to increase the number of vehicle movements. It differed from the previous application by including seasonal variations in maximum vehicle movements, and sought less vehicles than previously applied for and refused. Also included restricted hours of delivery to avoid school traffic peak times and to encourage an alternative route; and restricted deliveries on bank holidays. It is the condition attached to this permission that is the subject of the current application.
- Application 10/4485N sought to vary condition 9 of 7/2009/CCC/1 to provide for the *'importation and unloading of green waste to take place from 0800 – 1800 hours Monday to Friday; 0800 – 1200 hours Saturday; with no importation taking place outside of these hours or on Sundays'*. The application was refused as being contrary to Policy 28 of the Cheshire Replacement Waste Local Plan; in particular having an unacceptable environmental impact on the safe movement of traffic on local roads and villages in the area and the arrival and departure of vehicles and people at local schools.
- Applications 10/1005N and 10/2251N, for a revision to the definition of waste allowed on the site and allowance for a quantity of contaminated waste to be imported granted on appeal.
- Application (10/2984W) for variation of conditions in order to permit export of compost from the site; appealed against non-determination dismissed on the basis of the likely harm to the living conditions of local residents, in particular noise and disturbance.
- Enforcement notice served on 30 January 2009 for the alleged change of use to waste transfer station operating in addition to green waste activities due to mixed waste being brought on site. Notice was appealed and the appeal dismissed. Subsequent appeal to High Court dismissed.

POLICIES

National Planning Policy

Planning Policy Statement 10: Planning for Sustainable Waste Management

Planning Policy Guidance Note 13: Transport

Planning Policy Statement 23: Planning and Pollution Control

Planning Policy Guidance Note 24: Planning and Noise

Regional Spatial Strategy

EM10: A Regional Approach to Waste Management

DP 7 Promote Environmental Quality

Local Plan Policy

Cheshire Replacement Waste Local Plan 2007 (CRWLP)

Policy 1	Sustainable Waste Management
Policy 12	Impact of Development Proposals
Policy 20	Public Rights of Way
Policy 23	Noise
Policy 28	Highways
Policy 29	Hours of Operation

Crewe and Nantwich Adopted Replacement Local Plan 2011 (CNRLP)

NE.2	Open Countryside
NE.17	Pollution Control
BE.1	Amenity

Other Material Considerations

Government Review of Waste 2011
Waste Strategy for England 2007

CONSULTATIONS (External to Planning)

Highways: Original Comments

There is currently a temporary 7.5 ton weight restriction order in place for Bridgemere Lane (between London Road and Pewitt Lane). This order was introduced on the 21 March 2011 for a period not exceeding 18 months. A consultation was undertaken towards the end of 2011 to make this order permanent. Objections have been received and are currently being considered with a view to making a decision before the expiry of the order in September 2012. This temporary order currently restricts all vehicles over 7.5ton from using Bridgemere Lane (except for access) and therefore from passing Bridgemere School.

Condition 9 only restricts vehicular movements from entering into the application site attached to planning permission 7/2009/CCC1. The reasons why condition 9 was attached to planning application 7/2009/CCC1 was with the aim of limiting the potential vehicle (HGV) conflicts with all highways users of Bridgemere Lane, in particular around the Primary School during drop off and collection times.

This application (11/3389N) is to increase the hours of operation to 0830-1800hrs Monday to Friday and suggests this increase to the spread of hours will reduce the impact of site traffic on Bridgemere Lane and passing schools.

In July 2011 the Council's Transport team undertook an Available Walking Routes Assessment at Bridgemere Lane School. This concluded that this section of Bridgemere Lane to be non hazardous due to low vehicular flows and the inclusion of informal step off facilities. Step off facilities are areas that pedestrians can stand in to keep away from passing vehicles. If this route had been assessed as hazardous, children living in the area and attending their catchment school would have been eligible for free transport to school.

After giving careful consideration to the application and supporting information from the applicant and responses from local residents and school users, it is evident that an increase in the operational activities of this site during the hours of darkness in the winter months could have a detrimental impact on vulnerable highway users.

The Highways Authority would not support the application in the form presented. Having said this, it would support a revised application based on the following alternative Condition 9.

Revised Condition 9:

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

*0800-1800hrs Monday to Friday between 1st March and 31st October.
0800-1200hrs Saturday.*

*0900-1500 Monday to Friday between 1st November and 28th February.
0800-1200hrs Saturday.*

No importation of green waste shall take place outside these times or on Sundays.

Reason: In order to reduce the impact of vehicular movements on the highway network close to the site throughout the year in order to protect the safe and adequate movements of vulnerable highway users.

Further consultation comments received 8th March 2012

Does not feel that condition 9 achieves the results of its intended use. The condition was there to protect schools but only influences vehicular movements into the site access approximately 3 miles away. It does not prevent any vehicle from passing schools. If the site is operated over a longer day, the risk of conflict with other highways users would reduce, because 20 vehicles operating over a longer day reduces average flows in and around this site and therefore reduces potential conflicts. The operator could reduce the impact around school peak times if they operated over a longer working day. The change of condition would not directly control this, but would aid the operator to look at logistical changes to maximise their 20 vehicular movements.

The walking route assessment being classed as non hazardous means that the risks to pedestrians is not as significant as was first considered. The results mean that Cheshire East Transport team are happy for school users to walk to designated bus stops within this area and will not be providing a taxi service for these individuals. In view of this, it provides evidence to support the changes to condition 9, as the risk is clearly less than initially thought.

Environmental Health: Would not object to the change in hours providing the restrictions imposed, as part of the previous permission granted in 2006, on the vehicle movements on Bank Holidays (i.e. no more than 5 movements on any Bank Holiday) is maintained as part of any permission granted for this application. The reasons for maintaining this restriction is to prevent any impact on amenity due to noise being caused by vehicles on the site.

VIEWS OF THE PARISH / TOWN COUNCIL none received

OTHER REPRESENTATIONS

Approximately 25 letters of objection have been received from local residents, including parties associated with two local schools. They raise issues concerning impact on safety and capacity of local highway network, condition and adequacy of local road network, impact on local school traffic, impact on amenity, noise and disruption, potential for expansion/intensification of operations beyond its capacity.

APPLICANT'S SUPPORTING INFORMATION

Supporting Planning Statement dated September 2011 and Highways Report dated June 2010

Further supporting letter dated 28th November 2011

OFFICER APPRAISAL

The original 2004 permission, which took access from Pewit Lane was restricted to a daily limit of 5 vehicles (10 movements of 5 in and 5 out). Permission was then sought (through two consecutive applications) for a new alternative access to replace Pewit Lane; which was approved; and to increase the number of vehicle movements to 20 a day (7/2008/CCC/9); which was refused against officer recommendation. This was subsequently appealed and dismissed.

The reasons for the dismissal were that the increase in vehicle movement would generate a level of traffic which would be unsuitable on the local highway network and which would harm the safe movement of traffic on the local roads. It was also considered to have an unacceptable impact on local communities and the local environment with regards to increased noise and disturbance, contrary to Policy 28 of the Cheshire Replacement Waste Local Plan (CRWLP). In forming this opinion the Inspector did note that no numerical breakdown of types of vehicles used was available, and therefore gave regard to the potential that they could all be of the larger category of vehicle.

An application to increase vehicle movements was subsequently submitted (7/2009/CCC/1) and approved in March 2009. This proposed seasonal variations in maximum vehicle movements; maintaining a daily figure of 20 (40 movements) during the summer, reducing to 16 during the winter when less green waste is produced, in order to reduce the impacts of vehicle movements. Reduced hours of delivery of 0900 to 1500 Monday to Friday were proposed in an attempt to address potential conflicts between school users and delivery vehicles to the green waste composting site. A vehicle routing agreement was also proposed to ensure vehicles exiting the site turned left to avoid Bridgemere Primary School. The County Highway Engineer raised no highway objection to the proposal, subject to the above being incorporated into conditions, together with additional conditions to ensure no compost was exported from the site; and that only the new access road was used.

A further application was submitted (10/4485N) to vary condition 9 of 7/2009/CCC/1 to permit extended hours of green waste delivery to 0800 – 1800 hours Monday to Friday; 0800 – 1200 hours Saturday; with no importation taking place outside of these hours or on Sundays. No objections were raised by the Highways Officer to the scheme. The officer's report to committee considered that the existing conditions restricting vehicle movements were in the main working and could, with the operator's cooperation, successfully remove conflict with

school traffic. Longer delivery times were deemed necessary on Bank Holidays for the receipt of waste from HRWCs. As such, a partial change to the wording of condition 9 was recommended to maintain the existing hours of delivery Monday to Saturday, but provide for delivery and unloading of green waste from HWRCs only 1200 – 1700 hours Bank Holidays and Public Holidays (except Christmas Day).

The enforceability of this revised condition was questioned. As such, the application was recommended for refusal and subsequently refused on the basis of being contrary to policy 28 of CRWLP; (in particular having an unacceptable environmental impact on the safe movement of traffic on local roads and villages in the area and the arrival and departure of vehicles and people at local schools).

This application is a re-submission of the same application as 10/4485N and proposes the same hours of operation. The applicant considers that the committee members may not have had the benefit of the full view of the highways officer at the time of the original decision and therefore wants the scheme to be reconsidered. For the purposes of clarity, a full copy of the highways officer's comments is contained in the list of representations above.

Principle of amended hours of operation

The applicant considers that the current condition does not achieve its intended aims in:

- preventing conflict with local school and commuter traffic;
- has an adverse impact on the business and;
- prevents the business from operating to allowable capacity.

Policy 29 of the Cheshire Replacement Waste Local Plan (CRWLP) deals with hours of operation for waste management facilities (except Household Waste and Recycling Centres (HWRCs), covered by policy 30). Normal permitted hours of operation for such sites are between 0730 to 1800 Mondays to Fridays and 0730 to 1300 on Saturdays with no working on Sundays and Bank Holidays. Sites may be permitted further opening hours on Saturdays, Sundays and Bank Holidays solely for the receipt of waste from household waste and recycling centres including 0800 to 1700 hours Sundays and Bank or Public Holidays. The policy also states:

Where it is considered that normally permitted hours of operations would have an unacceptable impact on neighbouring land uses, revisions to the normal working hours to give a later start time, earlier finish or different hours for Saturdays will be necessary.

It is accepted that restricting the hours that vehicles are allowed to access the site, but not internal working within the site could restrict business, particularly from those wishing to deliver green waste near the end of the standard working day. It is also feasible that local landscaping contractors would find early closure of the site inconvenient and hence seek other sites.

With the exception of bank holiday working, the proposed revision to condition 9 accords with the daily limits set in Policy 29 and would therefore be acceptable in principle, subject to demonstrating no unacceptable impact on neighbouring land uses.

Impact on neighbouring land uses

Concerns have been raised by local residents over the potential highway safety issues associated with this application and adequacy of the road network for green waste vehicles. This relates particularly to peak hour school traffic, along with horse riders, cyclists and pedestrians, especially in winter months on unlit roads.

Peak school traffic is between 0800 and 0900 hours when children walk, cycle or are driven to Broad Lane and Bridgemere Primary Schools. Secondary school children are likely to walk to or be dropped off at bus collection points on country lanes during this period. The afternoon peak is between 1500 and 1600, although some bussed children may be dropped off later.

The restrictions imposed on condition 9 of 7/2009/CCC/1 were an attempt to partially address any conflicts between green waste vehicles and peak school traffic. Local residents consider that the existing condition helps to, in part, manage green waste vehicle movements on local highway network across the day and helps to reduce conflicts with other highway users.

It is acknowledged that regardless of its intention, the condition is only effective insofar as it prevents vehicles from entering directly onto the application site outside of the stipulated hours. There are no restrictions on vehicles using the local highway network before 0900 hours, passing the school and waiting on the haul road off Bridgemere Lane until the site is open, thereby causing conflict with school users. The applicant's highways report states that this reflects the current situation at the site; whereby vehicles often arrive within the peak school times (0830 – 0900 hours), with a return trip being made around 1445 hours and vehicles being back on the network at 1500 hours again conflicting with school peak hour. Evidence of the relationships between site traffic timings and school traffic timings, based on site observations, are provided to support this claim.

The Highways Officer accords with this view and considers that the condition as currently worded has no overall control on green waste vehicle movements on the surrounding highways network outside of the site.

The applicant's highway report states that the revised condition will enable site traffic to be at the site for an 0800 hours opening and be away from the area before 0830 hours. Any return trip will arrive at the site around 1400 hours and be back on the network by 1430 hours. As such, it is stated that the vast majority of vehicles will not be on the local highway network at peak times for school and commuter traffic, thus avoiding conflict with school users and local residents, and improving highway safety. The applicant claims that the longer working hours could therefore help to spread the impact of traffic over a longer period, and would therefore improve highway safety.

The Highways Officer considers that longer vehicle delivery times would reduce the risk of conflict with other highways users by enabling the 20 vehicles to operate over 10 hours instead of 6, which would reduce average flows in and around the site and therefore reduce potential conflicts with local traffic.

The applicant cites Maw Green (Landfill and composting site) and Pym's Lane (HWRC) as two examples of facilities with standardised operating hours. However neither are considered to offer a useful comparison to the application site given that both have good road access; and the impact on neighbouring land uses from these facilities, particularly associated with local school traffic is not known.

There is scope for the operator to work with his suppliers to discourage drivers from approaching the site outside of permitted hours. Such management does work well in practice on other mineral and waste sites. Local residents also consider that this tool could be utilised more effectively.

In regard to this point, the Highways Officer considers that the longer working day would give the operator opportunities to have more flexibility and provide manage the logistics of their business more effectively, maximising their 20 vehicular movements around peak school and commuter times.

Previous Inspector decisions on this site and reasons for refusal on highways grounds are noted. However, further technical assessments by Cheshire East Transport team have been undertaken in the intervening period since application 10/4485N was determined, which are considered material to the this issue.

Cheshire East Transport team have undertaken an 'Available Walking Routes Assessment' at Bridgemere Lane School. This has identified the section of Bridgemere Lane from A51 to Pewit Lane as non-hazardous due to the low level of vehicular flows, and due to the inclusion of informal step off facilities which allow pedestrians areas to stand and avoid passing vehicles. The classification as non-hazardous for school children means that the team consider it acceptable for school users to walk to designated bus stops within this area without requiring intervention.

In view of this assessment, the Highways Officer considered that the risk to school users is not as significant as originally considered and as such considers that there is sufficient evidence to support an amendment to condition 9.

Given that the above assessment was only carried out in daylight hours, the Highways Officer remains concerned that an increase in the operational activities of this site during the hours of darkness in the winter months could have a detrimental impact on vulnerable highway users, such as those walking along the unlit road. As such, in order to address any potential impact on vulnerable highway users in winter months, a revision to the wording of condition 9 is suggested which would restrict the importation of green waste and unloading of green waste to the following periods:

*0800-1800hrs Monday to Friday between 1st March and 31st October.
0800-1200hrs Saturday.*

*0900-1500 Monday to Friday between 1st November and 28th February.
0800-1200hrs Saturday.*

With no importation of green waste taking place outside these times or on Sundays.

Overall the Highways Officer considers that the application could result in vehicle movements being spread over a larger working day, and thus provide greater scope to avoid sensitive peak times for school users and commuters. Likewise it is considered by the Highways Officer that the longer hours would enable greater scope to provide management of site deliveries around the school day and avoid potential conflicts with traffic and school users arising. In view of the evidence provided by the application, results of the Cheshire East

Transport Walking Route Assessment and on the basis of the revised wording of condition 9 proposed above, the Highways Officer considers that the application is acceptable. In the absence of any objection from the Highways Officer, it is considered that the scheme accords with Policies 28 and 29 of CRWLP, Policy Be.1 of CNRLP, PPS10 and PPG13.

The other element of the application would be to allow delivery of green waste on public and bank holidays. This would not affect working on the site and, if allowed, would only enable the waste to be deposited.

The site has been permitted to accept green waste (not just restricted to waste from HWRCs) on Bank Holidays or public holidays except Christmas before (7/2006/CCC/11) for up to 5 deliveries in and out per day. The amended condition would permit the delivery of green waste from 8 – 6 on Bank Holidays. As the applicant is varying consent 7/2009/CCC/1 which currently permits 20 vehicle movements in and out a day, this would then enable 20 vehicles to delivery to the site on bank holiday. This equates to 40 vehicle movements, as opposed to the 10 vehicle movements currently permitted on Bank Holidays.

Policy 29 is specific in only permitting the receipt of waste on Bank Holidays where it is from household waste recycling centres(HWRCs). Other waste deliveries should remain within the standard hours of operation. This is because Bank Holidays are often when there is greatest demand for household waste recycling centres. The supporting text to this policy states that *'In exceptional circumstances, certain types of waste management facilities require longer working hours. These facilities will typically be enclosed "industrial" type facilities'*.

It goes on to say that, where longer hours are proposed, *'applicants would need to demonstrate the exceptional circumstances pertaining to their application and the mitigation methods to be used to minimise any impacts arising from longer working hours'*.

The applicant has not provided any information to demonstrate such exceptional circumstances to justify longer hours than those stated in Policy 29 and no mitigation methods to minimise impacts arising from longer working hours have been identified. Equally, it is understood that the green waste to be delivered would not be solely from HWRCs, and, given the conditions on consent 7/2006/CCC/1, it is not considered that placing such a constraint to restrict deliveries to solely green waste from HWRCs could be imposed. As such, it is considered that the delivery of 20 green waste vehicles with general green waste as opposed to waste from HWRCs on Bank Holidays would not accord with the provisions of Policy 29 and the approach of PPS10. The Environmental Health Officer considers that the restriction imposed on 7/2006/CCC/1 should be maintained in order to prevent any impacts on amenity caused by vehicle movements to the site.

As such, it is recommended that revised wording of condition 9 is imposed to restrict such deliveries on Bank or Public Holidays.

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

*0800-1800hrs Monday to Friday between 1st March and 31st October.
0800-1200hrs Saturday.*

0900-1500 Monday to Friday between 1st November and 28th February.

0800-1200hrs Saturday.

With no importation of green waste taking place outside these times or on Sundays, bank or public holidays.

Impact on residential amenity

Concern has also been raised by local residents regarding the potential for the increased delivery times to impact on local amenity, in particular increased noise and disruption on the surrounding road network and the impact on the tranquillity of the countryside.

This is an existing facility which has been operational for a number of years. No changes are proposed to the overall methods of working on site or nature of green waste vehicles. Subject to the amended wording above, the only change relates to an increase in the times that vehicles would deliver and unload at the site

The Environmental Health Officer has not raised any concerns in respect of impact of noise or disruption, and raises no objections to the scheme.

As such, subject to the above amendments it is considered that the scheme is unlikely to give rise to unacceptable levels of noise pollution and therefore accords with policy 23 of CRWLP, Policies BE1 and NE.17 of CNRLP; along with PPS10, PPS23 and PPG24.

Intensification of use

Concern has been raised by local residents that the proposal represents an attempt at intensifying the existing site further. It is however noted that the current green waste facility is restricted in its capacity by vehicle numbers and there is no change proposed to this. Based on the amended condition suggested above, there would be no increase in the amount of waste that could be imported to the site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Previous planning permission to increase the number of vehicles delivering green waste to Whittakers Green Farm from 5 a day to 20 a day was approved (7/2009/CCC/1) in March 2009, subject to the hours of delivery being restricted in order to avoid conflict with school pick up and drop off times. The operator now wishes to amend the relevant condition (9) on this permission to increase the hours of operation and allow green waste to be delivered to the site on public and Bank Holidays.

The impact of green waste vehicles conflicting with users of the local highway network has previously been considered by both the Local Planning Authority and Planning Inspector and has been deemed to be unacceptable. Condition 9 of 7/2009/CCC/1 was imposed in order to attempt to remedy some of the conflicts identified but it is acknowledged that its effectiveness is limited, as it does not directly control green waste movements beyond the site.

Overall, the Highways Officer considers that the longer delivery times could result in vehicle movements being spread over a larger working day, and thus provide greater scope to avoid sensitive peak times for school users and commuters. Likewise, it is considered that the longer hours would enable greater scope to provide management of site deliveries around the school day and avoid potential conflicts with traffic and school users arising. In view of the evidence provided by the application, results of the Cheshire East Transport Walking Route

Assessment and on the basis of the revised wording of condition 9 proposed above, the Highways Officer considers that the application is acceptable.

Whilst it is acknowledged consent 7/2006/CCC/1 provides for delivery of 10 vehicle movements of green waste on Bank Holidays, Policy 29 is clear that normal green waste should remain within the hours stated in the policy. No justification has been provided by the applicant to demonstrate why a variation from the policy is necessary or acceptable in this instance. The condition proposed by the applicant would result in 40 vehicle movements to the site on Bank Holiday for general green waste, which is contrary to Policy 29.

The condition, as amended above, is not considered to give rise to unacceptable impacts on local amenity. As such, it is considered to accord with Policies 23, 28 and 29 of CRWLP, Policies BE.1 and NE.17 of CNRLP; as well as PPS10, PPG13, PPS23 and PPG24.

RECOMMENDATION

That the Board agrees to the partial change of the wording of condition 9 of permission 7/2009/CCC/1 to read:

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

***0800-1800hrs Monday to Friday between 1st March and 31st October.
0800-1200hrs Saturday.***

***0900-1500 Monday to Friday between 1st November and 28th February.
0800-1200hrs Saturday.***

With no importation of green waste taking place outside these times or on Sundays, Bank or Public Holidays.

HUNSTERTON CP

The Site

