

Development Control Committee – 8 November 2023

Update Sheet

Item 4 - Planning Application LCC/2023/0024 – Hapton

Background

This application was first presented to the Development Control Committee meeting on 18 October 2023. At that meeting the committee resolved to defer the determination of the application until after visiting the application site and surrounding area. The site visit took place on Friday 3 November 2023.

Representations

A further representation has been received from a neighbouring resident, which re-emphasises concerns about the existing arrangements at the site and states that the current operations and HGV movements have drastically changed since the waste management site was first established. The resident asks that all previous planning conditions be reviewed to reflect current day time operations before further determination of the current planning application takes place. This should include a robust traffic management plan that now recognises the size and weight of the heavy HGV's, the condition and suitability of the road, and speed restrictions based on the size and weight of the HGV's. Since the last planning application was granted the HGV arrival pattern has dramatically changed and at 7.00am every weekday morning anything between 10 and 20 HGV's enter the site within a 5 minute period followed by further HGV's over a 20 minute period. Conditions should control vehicle speed and movement given residential property windows are 26ft from the road. It is no use leaving it to the operator to police themselves, they won't. The self-imposed 10mph signage just gets ignored by the drivers.

Advice

The existing site is subject to a number of planning permissions with conditions that were imposed at the time. The current planning application seeks to allow development that would provide an additional means of managing waste that is already delivered to the site. Conditions currently restrict daily vehicle numbers leaving the site and the maximum throughput of waste is controlled by the Environmental Permit. Condition 23 of permission 12/97/479 for the original waste transfer building utilising the former colliery access already requires that the access road is to be kept metalled, free from potholes, drained, and clear of debris. This condition remains in force.

With regard to the speed of vehicles on the access road, the road is relatively short and has a good surface. A condition limiting speeds on the access road is therefore not considered to be necessary and would also present several issues in relation to

the ability to monitor speeds and enforce the condition. The condition would therefore not meet the tests in paragraph 56 of the National Planning Policy Framework.

Planning permission reference LCC/2022/0050 for the construction of three additional waste processing/storage buildings and an office building at the site includes a condition requiring details of further noise attenuation measures to be employed between properties at Valley Gardens and the access road. The site operator, in conjunction with a noise specialist, has been investigating this requirement and has concluded that a 3m high acoustic fence would be the best solution to deliver a significant noise reduction for neighbouring residents. However, as this is a substantial development in its own right, a separate planning application has been submitted and is currently being validated. When valid it will be advertised in due course.