

Following publication of the Committee report, the applicant has submitted a written request for amendments to be made to some of the conditions recommended in the report.

These conditions are as follows;

Recommended condition 3 reads as follows in the published report:

No development shall commence unless and until a scheme for the erection of warning signs and the mirrors to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all time.

The applicant has requested a minor change to the wording of this condition on the basis that the required scheme may demonstrate that only one directional mirror is required. Officers are agreeable to changing the word 'mirrors' to 'mirror(s)' in the event that one mirror is shown to be adequate.

Recommended condition 3 - will therefore now read as follows:

No development shall commence unless and until a scheme for the erection of warning signs and the mirror(s) to be located by the access of the former Lime works has been submitted to and approved by the Local Planning Authority. Such as scheme shall include provision for:

- Sign(s) stating the speed of HGVs to be no more than 20mph*
- Sign(s) warning HGV drivers of pedestrians and horses;*
- Sign(s) warning pedestrians of HGVs.*

The scheme as may be approved shall be implemented prior to the importation of waste and thereafter maintained in accordance with the scheme at all times.

Reason: In the interest of Highways Safety (MWLP Policy GE23).

Recommended condition 4 reads as follows in the published report:

The access road from the public highway to the operational site shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

The applicant contends that this recommended condition is unenforceable as the access into the estate is shared by numerous businesses which are not associated with the proposed development or the application site. The applicant also points out that the land is already concreted and as such question whether the condition is

needed. The suggestion put forward by the applicant is that the condition should be modified to refer specifically to vehicles associated with the site not to deposit mud etc. Officers have re-considered the wording of condition and deem that it would be reasonable to refer to a limited section of the access road between the highway and the operational site so that the requirement to keep the road clean affects only traffic associated with the development. An additional plan (number CB/12/00193/MW-2) has been drawn and referenced in the amended condition so that there is no doubt which area needs to be kept clear of mud and debris.

Condition 4 will therefore now read as follows -

That section of the access road between the shared section of access and the entrance point into the operational site, as shown hatched blue on plan number CB/12/00193/MW-2 attached to this permission, shall be kept clear of mud and dust at all times.

Reason: To minimise any nuisance to nearby residents by reason of mud and dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Recommended condition 5 reads as follows in the published report:

No operations authorised or required under this permission shall take place on site except between the hours of:

*07:00 to 17:00 hours Mondays to Fridays
07:00 to 16:00 hours Saturdays*

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

The applicant has pointed out that a weekday finish time of 1800 hours was requested in the application yet the condition in the published report imposed a finish time of 1700 hours. However, the applicant would not object to site operations closing an hour earlier at 17:00 hours provided that there is an express saving for emergencies. Officers consider that there is no planning reason why the applicant's proposed finish time of 1800 hours should be resisted.

Recommended condition 5 will therefore now read as follows:

No operations authorised or required under this permission shall take place on site except between the hours of:

*07:00 to 18:00 hours Mondays to Fridays
07:00 to 16:00 hours Saturdays*

And no operations authorised or required under this permission shall take place on Sundays and Public / Bank Holidays.

Reason: To minimise any nuisance to nearby residents by reason of Noise (Policy GE18 of the MWLP).

Recommended condition 6 reads as follows in the published report:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained at all times and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

The applicant has stated that vehicle movement information would not be held for more than 2 years and therefore the condition should be amended to reflect this. Officers accept that this suggested change is reasonable as it is not expected that the Local Planning Authority would need to request data that is more than 2 years old.

Recommended condition 6 will therefore now read as follows:

A record of daily HGV movements generated by the operations hereby permitted shall be maintained for a period of 2 years and submitted to the Local Planning Authority within 7 days of any written request covering the period specified in the request.

Reason: In the interest of highway safety and for monitoring compliance with other conditions of this permission (Policy GE23 of the MWLP).

Recommended condition 15 reads as follows in the published report;

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations, such as site preparation, construction, soil and overburden stripping, the free-field noise level due to work at the nearest point to each dwelling shall not exceed 70dB LAeq, 1hr, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).

The applicant considers that the time limit of eight weeks in respect of the higher noise limit for temporary operations may not be sufficient for the initial construction phase of the development. The applicant points out that the possibility of construction works being prolonged by periods of inclement weather needs to be taken into account. It is therefore suggested by the applicant that a limit of 12 weeks could be imposed in relation to the noise limit for temporary operations. On reflection, officers consider that a time restriction on the noise limit for temporary operations is not warranted on amenity grounds.

Recommended condition 15 therefore now reads as follows:

Except for temporary operations, the free-field Equivalent Continuous Noise Level, LAeq,1hr, due to operations on the site, shall not exceed 50dB LAeq,1hr, when measured at the boundary of any residential dwelling. For temporary operations involving site construction, the free-field noise level due to work at the nearest point

to each dwelling shall not exceed 70dBb LAeq, 1hr, when measured at the boundary of any residential dwelling. .

Reason: To minimise nuisance to nearby residents by reason of noise (Policy GE18 of the MWLP).