

Item No. 13

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| APPLICATION NUMBER | CB/12/00193/MW |
| LOCATION | Totternhoe Lime And Stone Works, Knolls View, Totternhoe, Dunstable, LU6 2BU |
| PROPOSAL | Change of use of part of the former Lime Works from B2 to End of Life Vehicle and Metal Recycling Facility with associated plant and the erection of a de-pollution building |
| PARISH | Totternhoe |
| WARD | Eaton Bray |
| WARD COUNCILLORS | Cllr Mrs Mustoe |
| CASE OFFICER | Georgina Toye |
| DATE REGISTERED | 09 May 2012 |
| EXPIRY DATE | 29 August 2012 |
| APPLICANT | Totternhoe Metal Recycling Ltd |
| AGENT | Wilbraham Associates |
| REASON FOR COMMITTEE TO DETERMINE | Called in by Ward Cllr Mrs Mustoe |
| RECOMMENDED DECISION | Waste Application - Granted |

Delegated Application – See DM/12/313

That planning permission be delegated to the Head of Development Management to approve the application subject to consultation with the Chairman, Vice-Chairman, the Executive Member for Sustainable Communities – Strategic Planning and Economic Development and the Ward Member to amend conditions.

- 1 Planning permission shall extend to the area delineated by a thick black line on the attached plan no. CB/12/00193/MW-1 and development shall be carried out in accordance with the planning application dated 19th January 2012 (as validated on 9th May 2012) and all accompanying supporting information dated 26th July 2012, 11th September 2012 and 19th October 2012, except for any minor amendments which may be approved in writing by the Local Planning Authority.

Reason: To define the permission and allow for minor amendments.

- 2 The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

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.

Access

- 3 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).

- 4 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 dust and to protect the surrounding SSSI (Policies GE18 and GE11 of the MWLP).

Hours of Operation

- 5 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).

Site Operations

- 6 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).

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall not be more than 50 HGV movements (1 in and 1 out equals 2 movements) in any one working day (pro-rata for Saturdays) associated with the development hereby permitted.

Reason: In the interest of highway safety (Policy GE23 of the MWLP).

- 8 No fixed plant, machinery or buildings other than those authorised by this permission shall be erected on site.

Reason: To protect the Green Belt and in the interests of visual amenity. (Policies GE 5 and GE9 of the MWLP).

- 9 No storage of wastes, materials, plant or other site associated equipment including skips shall take place on site at a height in excess of 3 metres from ground level.

Reason: To protect the Green Belt and in the interests of visual amenity. (Policies GE 5 and GE9 of the MWLP).

- 10 No car de-pollution activities or treatment and baling of scrap metals (excluding ELVs) shall take place outside the building hereby permitted.

Reason: To restrict development to that applied for and to minimise disturbance in the interests of local amenity (Policy GE18 of the MWLP).

- 11 No development shall commence unless and until a detailed site layout / working plan (drawn to scale) has been submitted and approved by the Local Planning Authority. The plan shall include the following information:

- Positioning and colour of all buildings.
- Positioning and colour of the tanks.
- Positioning of the storage bays, containers, plant and machinery and circulation space.
- Specification and colour of boundary fencing.

The details shall thereafter be implemented as approved and complied with at all times.

Reason: To main control over the development, to protect the Green Belt and in the interests of visual amenity (Policies GE5 and GE9 of the MWLP).

Environment:

- 12 No operations authorised by this permission shall take place unless and until a CCTV camera has been installed in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of and provide for:
- The columns and cameras to be used;
 - The area to be covered by the cameras;
 - The capability for remote access viewing of live footage and recordings.

The CCTV system shall thereafter be implemented only in accordance with the approved scheme and complied with at all times.

Reason: To allow the monitoring of traffic movements and operating hours (MWLP Policies GE18 and GE23).

- 13 No floodlighting or security lighting shall be used on site except in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover and include provision for:
- Details of number, location and specification of floodlights or security lights;
 - Minimising potential for light spill or glare.
 - Lighting timers and sensors.

The scheme as may be approved shall be complied with at all times.

Reason: To minimise disturbance to residential and rural amenity and to protect the nearby SSSIs. (MWLP Policies GE11 and GE18).

- 14 No development shall take place unless and until a scheme for the suppression, control and monitoring of dust has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include measures to be undertaken in the event of any complaints about dust. Thereafter, the scheme as may be approved shall be carried out in full and complied with at all times.

Reason: To minimise disturbance to residential properties and local amenity. (Policy GE 18 of the MWLP).

- 15 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 70dB 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).

- 16 In addition to and notwithstanding the operational hours prescribed in condition 5 of this permission, the car baler shall only be used between the hours of 0900 to 1600 hours on weekdays and not at all on Saturdays.

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

- 17 Except as may otherwise be agreed in writing by the Local Planning Authority, no tonal reversing alarms shall be used on mobile plant on the site.

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

- 18 No plant or machinery equipment shall be used on site unless fitted and operated with noise suppression equipment in accordance with the equipment manufacturer's specification.

Reason: To minimise nuisance by way of noise (MWLP Policy GE18).

- 19 No development shall place unless and until a scheme for the control and monitoring of noise has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include procedures to be followed and measures to be undertaken in the event of any complaints about noise and shall also include details of:

- a) Monitoring location(s)
- b) Monitoring frequency and duration and the equipment to be used;
- c) The logging of all weather conditions and on site and off site events occurring during measurements including 'phased out' extraneous noise events;
- d) Timetable for the reporting of results to the Local Planning Authority and;
- e) Protocol to be followed if any breaches of the prescribed noise limits are found, including provisions for noise mitigation measures to be introduced.

Thereafter the scheme as may be approved shall be implemented in full and complied with at all times.

Reason: To enable compliance with prescribed noise levels for on-site operations to be adequately monitored and assessed (MWLP Policy GE 18).

- 20 No burning of any wastes or materials shall take place on site.

Reason: To minimise disturbance to nearby residential properties by reason of smoke and odour (Policy GE 18 of the MWLP).

- 21 Any facilities 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 shall be at least the equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses shall 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 pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent water pollution (Policies GE17 and GE20 of the MWLP).

- 22 Prior to being discharged into any watercourse, surface water sewer or soak-a-way, all surface water drainage shall be passed through an oil interceptor designed and constructed to have a capacity compatible with the site being drained.

Reason: To ensure satisfactory drainage of the site and to prevent increased risk of pollution to the water environment (Policies GE17 and GE20 of the MWLP).

Landscaping

- 23 No development shall take place unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:
- A survey to identify existing trees and vegetation to be safeguarded and retained.
 - A specification detailed the species, size, number and location of all trees, shrubs and hedgerow to be planted.
 - Planting techniques.
 - Measures to be undertaken for protection of planting against weeds and vermin;
 - Measures to be undertaken to ensure that the planting does not encroach upon the Byway Open to All Traffic (BOAT) throughout the life of the development.

The approved planting shall be carried out in full in the first planting season following approval of the scheme. Thereafter, all plants shall be maintained for a period of 5 years from the date of planting and any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

Reason: To provide for the satisfactory landscaping of the site (Policies GE9 and GE10 of the MWLP).

[N.B. Where conditions include the phrase "Except as may be/unless otherwise approved in writing by the County Planning Authority.." this is to

allow for exemptions to be approved for temporary periods for special circumstances or minor amendments to be made.]

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. Conditions to be amended in consultation with the Chairman, Vice-Chairman and Ward Members.]