

## Item No. 8

<b>APPLICATION NUMBER</b>	<b>CB/13/02595/MW</b>
<b>LOCATION</b>	<b>The Hangar, Tempsford Road, Everton, Sandy, SG19 2JW</b>
<b>PROPOSAL</b>	<b>Retrospective application for the variation of conditions 18 and 23 of permission 34/2008 to permit temporary operational changes to existing in-vessel compositing site.</b>
<b>PARISH</b>	<b>Tempsford</b>
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Gurney &amp; Cllr Zerny</b>
<b>CASE OFFICER</b>	<b>Natalie Chillcott</b>
<b>DATE REGISTERED</b>	<b>19 September 2013</b>
<b>EXPIRY DATE</b>	<b>19 December 2013</b>
<b>APPLICANT</b>	<b>The Countess of Erroll</b>
<b>AGENT</b>	<b>JMJ Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Ward Councillors</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### Recommendation

That Planning Permission be Grant permission subject to the following:

### RECOMMENDED CONDITIONS / REASONS

- 1 Planning permission shall extend to the area edged with a thick black line on the attached plan no. BC/CM/2008/14-2. The development shall be carried out in accordance with the planning application dated May 2008 with supporting flood risk assessment, odour impact assessment, and design and access statement and as amended by letter dated 1<sup>st</sup> September 2008 (with supporting documentation), and further amended by the S73 planning application dated September 2013, except for minor amendments which may be agreed in writing by the Local Planning Authority.

(Reason: To define the permission and allow for minor amendments)

- 2 The landscaping works to the west of the access shall be carried out in accordance with details dated 20<sup>th</sup> June 2007. Once the vegetation has been cut back it shall be maintained as such at all times

(Reason: To maintain the required visibility in the interests of highway safety)(Policy GE23 of the MWLP).

- 3 Landscaping works shall take place in accordance with scheme no. BC/CS/2009/19 and agreed by formal letter dated 13<sup>th</sup> May 2009. The scheme shall be implemented in full.

(Reason: To improve roadside amenity)(Policy GE9 of the MWLP)

- 4 Prior to the construction of the new building and associated works temporary fencing shall be constructed in accordance scheme CB/09/06221/MWS as approved by formal letter dated 29<sup>th</sup> October 2009

(Reason: To provide protection to Biggin Wood)(Policy GE10 of the MWLP)

- 5 No HGV's exiting the site access onto the public highway shall turn left out of the site.

(Reason: To ensure that HGV's do not travel through the village of Everton in the interests of highway safety)(Policy GE23 of the MWLP)

- 6 The sign implemented under scheme BC/CS/2009/16 and agreed by formal letter of approval dated 16<sup>th</sup> March 2009, which instructs all drivers of heavy goods vehicles to turn right out of the site shall be maintained for the duration of the use of access for the purposes hereby permitted and removed thereafter.

(Reason: To ensure that HGV's do not travel through the village of Everton in the interests of highway safety)(Policy GE23 of the MWLP)

- 7 Unless otherwise approved in writing by the Local Planning Authority, no operations authorised or required under this permission other than plant maintenance shall take place on site except between 07:00 hours and 18:00 hours, Monday to Friday and 07:30 hours to 13:00 hours on Saturdays, Sundays and Public Holidays.

(Reason: To protect the amenities of nearby properties)(Policy GE18 of the MWLP).

- 8 Unless otherwise approved in writing by the Local Planning Authority, there shall be not more than 78 HGV movements entering and exiting the site in any one working day (pro-rata for part days).

(Reason: To restrict throughput capacity at the site and in the interests of highway safety)(Policy GE23 of the MWLP)

- 9 A record of daily HGV movements shall be maintained at all times and sent to the Local Planning Authority every three months for the duration of the permitted use. The record shall be made available for inspection by the Local Planning Authority within 7 working days of a written request.

(Reason: To allow the monitoring of condition 8).

- 10 No vehicles shall leave the site without first passing through an efficient wheel cleaning system as detailed under the approved scheme BC/CS/2009/17 and approved by formal letter dated 23<sup>rd</sup> March 2009.

(Reason: To minimise any nuisance by reason of dust or mud on the highway)(Policy GE18 of the MWLP).

- 11 No composting of waste shall take place, unless carried out in accordance with scheme BC/CS/2009/13 as approved by letter dated 15<sup>th</sup> April 2009, except as approved under condition 17.

(Reason: To ensure a satisfactory standard of development and to safeguard the amenities of the surrounding area)(Policy GE9 and GE18 of the MWLP).

- 12 The external colour of the new building shall be painted one of the colours listed in scheme BC/CS/2009/14 as approved by formal letter dated 12<sup>th</sup> June 2009

(Reason: To safeguard the visual amenities of the surrounding area)(Policy GE9 of the MWLP).

- 13 There shall be no increase in existing flow rates into any culvert which passes beneath the railway without the prior approval of the Local Planning Authority.

(Reason: To maintain the integrity of the existing surface water regime and prevent flooding of railway property)(Policy GE19 of the MWLP)

- 14 The second building will not be constructed until the works detailed under scheme CB/09/05347/MWS as approved by formal letter dated 14<sup>th</sup> December 2009 has been implemented in full.

(Reason: To mitigate against the risk of flooding and to maintain the integrity of the existing surface water regime and prevent flooding of railway property)(Policy GE19 of the MWLP)

- 15 There shall be no burning of wastes on site.

(Reason: To safeguard amenities)(Policy GE17 and GE18 of the MWLP)

- 16 Composting material shall not be moved from the initial treatment phase unless the oxygen level throughout the material is above 3%.

(Reason: To minimise any nuisance by reason of odour)(Policy GE18 of the MWLP).

- 17 The deposit, storage and screening of oversize material, sanitised compost material and soil improver material shall not be permitted to take place outside of a building except within the limits of the dark grey area shown on drawing 13004 01 Rev P4 and shall not exceed 4 metres in height. Sanitised material pending screening shall not exceed 3 metres in height. This temporary arrangement for only those categories of material specified shall cease upon the expiry of 12 months from the date of this permission at which point all materials shall be deposited, stored and processed within the building(s).

(Reason: To minimise any nuisance by reason of odour)(Policy GE18 of the MWLP)

- 18 Both the initial composting phase and the maturation phase shall operate under negative pressure with air drawn through the compost and exhausted through a biofilter, except as approved under condition 17.

(Reason: To minimise any nuisance by reason of odour)(Policy GE18 of the MWLP)

- 19 A negative pressure system shall be applied to the waste acceptance / screening area with exhaust air passing through the biofilter. The waste acceptance area shall be maintained so as not to cause the production of anaerobic material.

(Reason: To minimise any nuisance by reason of odour)(Policy GE18 of the MWLP)

- 20 The self contained lagoon built under scheme CB/09/06617/MSW and approved by formal letter dated 12 January 2010 shall be retained at all times for the purpose of surface water drainage.

(Reason: To prevent pollution of watercourses an groundwater and to maintain the integrity of the existing surface water regime and prevent flooding of railway property)(Policy 17 of the MWLP)

- 21 No floodlighting shall be erected unless installed in accordance with scheme CB/09/05876/MWS and approved by formal letter on 29<sup>th</sup> October 2009.  
(Reason: To minimise disturbance to residential properties) (Policy GE18 of MWLP).

- 22 All contaminants accidentally brought onto the site during the normal course of business shall be stored in an appropriate container which itself shall be stored within a building or covered if stored outside. The container shall be removed from the site when full and immediately replaced. This condition shall not apply to cleaned wheelie bins.

(Reason: To ensure a satisfactory standard of development and safeguard amenities of the surrounding area).

- 23 No vehicles using reversing beepers shall be used on site to transfer material from one building to the other or from the building to the grey area permitted under condition 17.

(Reason: To minimise disturbance to surrounding properties by reason of noise)(Policy GE18 of the MWLP).

- 24 An Annual Environmental Monitoring Report for operations hereby permitted shall be submitted to the Local Planning Authority by 30 June each year for the preceding financial year (1 April to 31 March). The report shall contain the following;

- a) Identification of any problems caused by operations and action taken to address these;
- b) Identification of any future proposals, potential problems which could be caused by future operations and the action to be taken to address these;
- c) Quantities of waste imports for each waste type;

(Reason: To safeguard the amenities of the surrounding area and to assist the Local Planning Authority in the forward planning process).

### **Notes to Applicant**

1. The provisions of Section 91 of the Act (Implementation of development within a certain time) do not apply as this permission is for the retention of buildings or works, or continuance of a use that has already been carried out.
2. Where conditions include the phrase "except as may be/unless otherwise agreed in writing by the Local Planning Authority...", this is only to allow for exceptions to be approved for temporary periods for special circumstances or minor amendments to be made.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

The Council acted pro-actively through early engagement with the applicant. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### **NOTES**

- (1) In advance of the consideration of the application the Committee were advised of a compliant received from the Environment Agency and two complaints from the Environment Health Team at Central Bedfordshire Council.

A further 43 objections have been received subsequent to the agenda being issued. A petition containing 43 signatures has also been received.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.