

## Item No. 10

<b>APPLICATION NUMBER</b>	<b>CB/17/05518/MW</b>
<b>LOCATION</b>	<b>Secondary Aggregate Recycling Plant, Herons Farm, Mancroft Road, Aley Green, Luton, LU1 4DR</b>
<b>PROPOSAL</b>	<b>Store materials at a height of 5 metres for a temporary period of two years as a variation to the height restriction attached to Lawful Development Certificate issued on 3rd December 2010 (retrospective).</b>
<b>PARISH</b>	<b>Caddington</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Jerry Smith</b>
<b>DATE REGISTERED</b>	<b>02 August 2018</b>
<b>EXPIRY DATE</b>	<b>07 December 2018</b>
<b>APPLICANT</b>	<b>Mr Sayers</b>
<b>AGENT</b>	<b>MSC Planning Consultants Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in by Local Member</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

### Site Location:

Herons Farm lies within the South Bedfordshire Green Belt approximately mid-distance between Caddington to the north and Aley Green to the south-east on the south-western side of Mancroft Road from which vehicular access is formed. The complex operates as a working farm containing a mix of farm buildings developed along with two residential properties bordering Mancroft Road. The northern-most residential property is occupied by the applicant's family whilst the the applicant's parents occupy the more centrally located dwelling.

The south-eastern part of that front portion is an area of open land which benefits from a Certificate of Lawful Use or Development for the importation and storage building materials, soils and subsoils and the weekly crushing of building materials for recycling and use elsewhere. The area subject to the Certificate totals some 0.32ha and extends south-westwards on rising ground roughly to a point in line with the rear elevation of the adjacent farm building (*see Plan*). The rear half of the landholding comprises open land and forms the highest part of Herons Farm and at the time of the site inspection some five trailers were present. Planning permission has been granted for the construction of a calf rearing building on part of this rear half of the landholding. Whilst that planning permission has been implemented, construction is currently suspended.

The landholding is surrounded on three sides by agricultural fields separated by mature field boundary hedgerows. The fields to the north-west and south-west are owned by the applicant whilst the field to the south-east is in separate ownership. A

further field, also in the applicant's ownership, lies to the north-east beyond Mancroft Road, again separated by established hedgerow, and is in use for pasture. Residential development has been developed along Mancroft Road approximately 100m to the east of the recycling area whilst further dwellings lie to the south-east with views across the field towards the complex some 150m distant. Additional housing on Manor Road occupies higher ground to the north-east at a distance of typically 330m.

Public Footpath Caddington No 19 runs parallel to the site's south-eastern boundary in a south-westerly direction from Mancroft Road. A further public footpath, Caddington Number 20, extends in a north-easterly direction from Mancroft Road to Manor Road cutting through the pasture field. Both paths then link up with the wider public footpath network. Millfield Lane, which lies nearly 800m to the south-west, represents the nearest boundary of the Chilterns Area of Outstanding Natural Beauty (AONB) to the site subject to this application.

### **The Application:**

This application relates to that part of the landholding which benefits from the Certificate of Lawful Use or Development for the importation and recycling of building materials and soils. It seeks planning permission to increase the height of stored inert material from a maximum height of 3m, as specified in the Certificate, to a maximum height of 5m for a temporary period of two years. Information in support of the application explains that the reason behind this proposal arises from a need to upgrade the yard through the provision of a concrete pad and that the additional proposed storage height would enable the applicant to continue to store a similar volume of material on site whilst the pad is being constructed.

It is proposed that the concrete pad be installed in four phases advancing in a south-westerly direction away from Mancroft Road. Whilst the application seeks permission for the increased storage height to be permitted for two years, it states that if the concrete pad is completed within that two year period, the operations would revert to the 3m height restriction imposed by the Certificate in advance of that timescale.

### **RELEVANT POLICIES:**

**National Planning Policy Framework (NPPF) (July 2018)**

**National Planning Policy for Waste (NPPW) (October 2014)**

**National Planning Practice Guidance**

**Bedfordshire & Luton Minerals and Waste Local Plan (MWLP) 2005**

Saved Policy GE1: Matters to be addressed in planning applications

Saved Policy GE5: Protection of Green Belt land

Saved Policy GE7: Protection of Chilterns AONB

Saved Policy GE9: Landscape protection and Landscaping

Saved Policy GE10: Protection/enhancement of trees and woodland

Saved Policy GE17: Pollution control

Saved Policy GE18: Disturbance

Saved Policy GE20: Water resources

Saved Policy GE24: Ancillary minerals and waste developments

## **Minerals & Waste Local Plan: Strategic Sites & Policies (MWLP:SSP) (Jan 2014)**

Policy MWSP1: Presumption in Favour of Sustainable Development

Policy WSP14: Inert Waste

## **South Bedfordshire Local Plan Review Policies**

Policy BE8: Design Considerations

## **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

## **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

## **Relevant Planning History:**

Application Number	SB 06 00755 LDCE
Description	Certificate of Lawfulness for the continued use of land for storage , parking and the sale of machinery
Decision	Granted Certificate of Lawful Use or Development
Decision Date	4 Sept 2005
Application Number	CB 10 00358 MWLE
Description	Application for a Lawful Development Certificate for an existing use, operation or activity for the importation, storage and crushing of building materials
Decision	Refused
Decision Date	2 July 2010
Application Number	CB 10 03422 MWLE
Description	Application for a Certificate of Lawful Development for the importation and storage of building materials, soils and subsoils to a maximum height of 3m and the weekly crushing of building materials for recycling and use elsewhere.
Decision	Granted Certificate of Lawful Use or Development
Decision Date	3 Dec 2010

## Consultees:

Caddington Council	Parish 10.9.18 Objection - Two years to construct a concrete pad seems excessive. If planning permission is to be granted, the Parish Council would prefer a temporary increase in height to 5m being restricted to one year.
	<p>Concern is raised regarding the current licence in that there is excessive, continuous noise as concrete is broken up. The Parish Council considers that operational hours should be limited to weekdays if possible between set hours and exclude noisy operations at weekends so that neighbours within a substantial radius do not continue to suffer loss of quality of life. The Parish Council would like to see noise in vicinity of the site monitored and action taken if noise levels are being breached.</p>
	<p>Dust and air quality also needs monitoring. The Parish Council is concerned that excessive dust is created but is not watered down as at other plants allowing it to drift on the wind to neighbouring properties. Monitoring is also requested in respect of excessive mud being left on the carriageway from vehicles leaving the site.</p>
Environment Agency	10.10.18 The Environment Agency (EA) comments that the operator may well be operating within the EA's waste permitted area but potentially not within the Certificate of Lawful Use. The EA advises that the operator can only operate within the permitted green boundary indicated on the waste permit and comments that it does not review or assess anything to do with a Certificate of Lawful Use.
CBC Landscape	28.8.18 Having walked the surrounds to the site, including local public rights of way, vehicles associated with Herons Farm are visible on the rising valley side to the southwest, however the existing recycling plant and associated stockpiles are not visually intrusive from PROW which are considered of higher sensitivity to visual change. There are limited glimpses of machinery associated with recycling processing from a short length of FP20 and these, visually, form part of the wider group of dwellings and agricultural buildings associated with Herons Farm. However the site visit was undertaken in summer months with hedgerows and trees in full foliage, and it is likely the application asite and farm buildings generally are more exposed visually in winter months.
	<p>There are potential landscape and visual concerns regarding the proposed height of stockpiles to 5m (max) over a temporary 2 year period and especially when there appears no detail submitted on the height and construction of concrete slabs. Such concerns are identified as:</p>

- Potential temporary visual impact on views from short lengths of FP20 and FP19 especially in winter months due to leaf loss.
- Potential impact on hedgerow boundary with FP19 adjoining stockpile areas due to increase in height and spread of stockpiles possibly compromising hedgerow.

Consequently,

- More detail is required on the build specification for proposed concrete slabs including areas and heights;
- The boundary treatment with existing hedgerow to FP 19 also requires further consideration regarding future protection from recycling activities / stockpiles impinging on hedgerow;
- If the application is to be approved it would be beneficial if the construction of the concrete slabs could be carried out as swiftly as possible and in the summer months to limit the period of any visual disturbance.

## Other Representations:

### Neighbours

The application has been publicised by the posting of a site notice and the sending of neighbour notification letters to the nearest occupiers. No representations have been received.

### Cllr Stay

09.08.18 Objection: Cllr Stay comments that the site has been a consistent issue for the immediate area for some years with non-compliance around layout, stored material height, noise emissions and weekend operations. Reference is also made to the site being the subject of a large number of communications received in the past few months.

The application is promoted as enabling compliance with the previous or current non-compliance with the 2010 layout attached to the lawful use certificate (retrospective). Objection is raised on the basis that if there is a temporary need to reduce the area used for materials recycling, then that should be achieved by reducing the quantum of material on site, not increasing the mass of material by increasing stack heights.

Cllr Stay notes a material inaccuracy within the application which states that the site is not visible from a public highway and comments that the whole site is clearly visible from Manor Road, Caddington. A photograph of the site is supplied taken from footway beside the highway at ground level, (*see displayed material*) to demonstrate that visual issues relating to the site are material to the application

and that an increase in stack height would have an increased impact on the Green Belt.

Cllr Stay requests the application is recommended for refusal on the basis that the site is inappropriate within the Green Belt, has a history of on-compliance, is the cause of considerable environmental impact locally and any increase in stack height would be detrimental to the Green Belt.

In summary, Cllr Stay highlights the following concerns:

- Contrary to policy on development in the Green Belt
- An overbearing visual impact on the Green Belt and adjacent AONB, is unacceptable and avoidable; and
- Would add to an already negative impact on the Green Belt and adjacent AONB.

### **Determining Issues:**

The main considerations of the application are;

1. Principle of the Development
2. Acceptability of the development in the Green Belt and affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Other Considerations
5. Conclusions

### **Considerations**

#### **1. Principle of the Development**

- 1.1 The site benefits from a Certificate of Lawful Use or Development issued on 3 December 2010 (Planning Ref. CB/10/03422MWLE) for use of an area roughly 0.32 ha in size towards the eastern corner of Herons Farm for the importation and storage of building materials, soils and subsoils and the weekly crushing of building materials for recycling and use elsewhere. The extent of the area subject to the Certificate is identified on the Plan appended to this report. The Certificate stipulates that material shall be stored to a maximum height of 3m.
- 1.2 The application seeks a variation to this height restriction to allow such materials to be stored to a maximum height of 5m for a temporary two year period. The application is put forward in order to enable the operator to maintain throughput capacity within a smaller footprint of the site whilst a concrete pad is constructed to serve the material storage area. Within the area covered by the Certificate, material is generally stored within the section adjacent to the south-eastern boundary as edged in brown on the Ordnance Survey Plan (Scale 1:1250) submitted with the application. This allows the adjacent area to be used for tipping, manoeuvring of plant and crushing operations, and as well as facilitating access to the rear part of the wider landholding. Policy WSP14 of the MWLP:SSP states that proposals for the recycling of inert waste will be permitted at various locations including within the area of and for the duration of an existing planning permission for a waste related use.

- 1.3 The operation has the benefit of an environmental permit issued by the Environment Agency which states, at paragraph 2.3.1, that the waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. The application explains that it is intended to comply with this requirement by concreting the base of the material storage area with connection to a surface water sump to enable rainwater to be collected before being discharged to ground. MWLP Saved Policies GE17 and 20 do not support proposals which would pollute groundwater or impact upon surface water drainage. Whilst the north-eastern part of the existing storage area already benefits from having a concrete base, the remainder (edged in red on the Ordnance Survey Plan (Scale 1:1250) accompanying the application) has no concrete base with imported material simply stored on the ground. The applicant therefore proposes to construct a concrete pad over the remainder of the materials storage area which would be undertaken in four phases as identified on the plan. The comment in the Environment Agency's response has been clarified and it would appear that the area of the Permit exceeds the area subject to the Certificate, however the area to be concreted and to accept increased storage heights lies wholly within both authorisations.
- 1.4 The application seeks permission for the increased storage height to be allowed for a period of two years albeit makes clear that the storage height would revert to a maximum of 3m should the pad construction works be completed ahead of that timescale. The applicant has confirmed that the pad would be installed over two years in order to maintain a continuity of service to its customer base.
- 1.5 In considering applications, the NPPW advises that waste planning authorities should consider the likely impact on the local environment and on amenity against criteria set out in Appendix B of that guidance. Such impacts, where relevant, are considered in the report below.
- 1.6 The provision of the concrete pad would allow surface water to be controlled whereas at present it seeps directly into the ground. This environmental benefit needs to be balanced against the key impact that the increased height of the stored materials would have on this part of the Green Belt for the temporary period sought as considered below.
- 1.7 Whilst the proposals would allow the applicant to broadly maintain current throughputs and therefore the site's contribution to inert recycling capacity, the reality is that if permission were not forthcoming, potential recyclable material would be taken to alternative facilities for the duration of the pad construction. The NPPF, however, advises that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The applicant has indicated that customers tend to contact the business only when there is a current demand for inert waste to be removed from a site and, if such demand cannot be met, those customers go elsewhere and do not necessarily return. The NPPF identifies that significant weight should be attributed to the need to support economic growth and productivity taking into account local business needs.
- 1.8 MWLP Saved Policy GE24 refers to ancillary development which the supporting text comments may be for the storage of waste. It goes on to comment that permission will normally be granted for such operations where the applicant can demonstrate the benefit of the development. In this case the applicant has identified a benefit of the development being the greater control over surface

water, in line with the Environment Agency's requirements, and it is relevant to note that the increased height of stored material would be for a temporary period.

## **2. Acceptability of the development in the Green Belt and affect on the Character and Appearance of the Area**

- 2.1 The development subject to this application, namely the storage of building materials and soils to an increased height, would be considered as inappropriate development in the Green Belt. The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. MWLP Saved Policy GE5 remains in broad accordance with this national policy. The inert waste recycling facility operating from Herons Farm is already authorised by virtue of the Certificate granted in 2010. The current application is promoted in order to permit an increase in the maximum height materials can be stored from 3m to 5m whilst a concrete pad is constructed in phases. This would allow the facility to fully meet the Environment Agency's requirements to protect groundwater resources through the provision of a chambered drainage collection system whilst ensuring that this agricultural diversification business is not adversely affected. The Agency would be responsible for associated drainage issues arising from the provision of the pad which lies outside the scope of this application. The NPPF advises that significant weight should be placed on the need to support economic growth and productivity taking into account local business needs. Taken together, such benefits could be considered sufficient to amount to very special circumstances provided such benefits are not outweighed by harm to the Green Belt by reason of inappropriateness or any other harm.
- 2.2 Whilst the application site lies on rising ground, it nevertheless sits towards the bottom of the local valley landform which rises fairly steeply from Mancroft Road across enclosed arable fields to the south-west and the more open ridge line and pasture land to the north-east. The storage area which would benefit from any increase in height would be confined to the extent of the existing storage area within the area covered by the Certificate and the wider landholding and its location towards the bottom of the valley landform would limit the impact of the development on the openness of this part of the Green Belt.
- 2.3 MWLP Saved Policy GE9 requires development proposals to be sympathetic to local landscape character. This consideration gains greater relevance given the proximity of the application site to Public Footpath No. 19 and views from other footpaths within the network. The existing recycling plant site is located immediately to the north of Public Footpath No. 19 with an intervening mature field boundary hedgerow which includes occasional trees. The proposals would not themselves lead to a disruption of the public rights of way network.
- 2.4 The consultation response from the Landscape Officer confirms that whilst the buildings and vehicles associated with the wider Herons Farm are visible on the rising landform to the southwest, the existing recycling plant and associated stockpiles are not visually intrusive from Public Footpath No. 19 which are considered of higher sensitivity to visual change. It is further noted that the residential properties lying beyond the agricultural field to the southeast display very few windows in their elevations which face towards the application site. Limited glimpses of plant associated with the recycling operations are available from a short stretch of Public Footpath No. 20 and indeed from limited longer distance views from Manor Road although these visually are experienced as part



of the wider group of agricultural buildings, dwellings and storage uses associated with Herons Farm. The Landscape Officer does, however, make the point that such observations were made during the summer months with hedgerows and trees in full foliage and the likelihood is that the application site would be visually more exposed during the winter months.

- 2.5 The Landscape Officer highlights a potential issue concerning the potential for any increased height and spread of the stockpiles to compromise the adjacent hedgerow. On this matter the applicant has pointed out that he has planted a double row of hedging plants within his site on an earth bund and consequently the intended pad construction would be built up to this planting which effectively ensures the protection of the established hedgerow adjacent to Public Footpath No. 19. That hedgerow is established to a height sufficient to provide substantial screening of the increased storage height of inert material, particularly if that activity were to be restricted to the summer months to benefit from the vegetation being in full leaf.
- 2.6 The objection raised by the Local Member, amongst other issues, cites concern regarding a negative and overbearing visual impact to the adjacent AONB. MWLP Saved Policy GE7 states that permission will only be granted for waste development in the AONB where it is demonstrated to be in the public interest or where it is minor waste related development that would enhance the vitality of the rural economy and have no detrimental effect on the special character of the AONB. In this case, the application does not relate to development 'in' the AONB.
- 2.7 However, the policy goes on to say that it also applies to proposals for waste development in areas close to the AONB where such development would result in a detrimental impact on its special character. Given the site lies towards the base of the local valley nearly 800m distant from the AONB at its closest point, views of the application site, in particular the proposed increase in stored materials, would not be available from the AONB due to a combination of topography and intervening vegetation. Consequently it is concluded that the proposal would have no detrimental impact on the special character of the AONB and therefore does not conflict with Saved Policy GE7.
- 2.8 It is concluded that the benefit of the development amounts to the very special circumstances necessary to overcome its inappropriateness within the Green Belt in terms of its temporary impact on openness and visual impact and that the impact of the proposals on the local landscape character would be easier to mitigate in the summer months rather than during the winter. The section below considers whether any other harm would outweigh this consideration.

### **3. Neighbouring Amenity**

- 3.1 Saved Policy GE18 of the MWLP states that permission for waste development proposals which are likely to generate disturbance will only be granted where the impact is reduced as far as practicable and is outweighed by other planning benefits of the proposal. Policy BE8 of the South Bedfordshire Local Plan Review states that development likely to generate noise, disturbance and other pollution emissions does not unacceptably disturb or otherwise affect adjoining properties and uses.

- 3.2 The application is put forward to enable the applicant to maintain the site's existing recycling capacity whilst the concreting of the recycling area is carried out. The proposals would not therefore give rise to any increase in traffic with the exception of those vehicles directly involved with the supply of concrete for the pad and, given the concreting would be undertaken in phases, those vehicle numbers would be low in volume.
- 3.3 The objection received from a Local Member refers to the site having been a consistent issue for the immediate area for some years with specific reference made to non-compliance around site layout, the height of stored material, noise emissions and weekend operations. Reference is also made to a large number of communications received in respect of the site over recent months. However, the matter to be determined is the acceptability or otherwise of temporarily increasing the height of stored material pending the construction of a concrete pad. Any issues concerning compliance are matters to be investigated by Officers with the scope to pursue enforcement action where it is considered expedient to do so.
- 3.4 The objection letter states that the application is promoted to enable compliance with the previous or current non-compliance with the Certificate. Whilst Officers have in recent times raised concerns regarding the storage of material on site which had extended south-westwards beyond the area permitted by the Certificate, this was subsequently resolved without the need for formal action and a recent inspection of the site has confirmed it is operating in compliance with the Certificate.
- 3.5 The objection argues that if there is a need to temporarily reduce the area used for materials recycling, this should be achieved by reducing the volume of material on site, not increasing the mass of material by increasing the storage height. In response, the applicant has indicated that this is not practical or viable for the reasons outlined above and emphasises that the increased storage height would only be for a limited period.
- 3.6 The Parish Council raises concern that the operation generates excessive, continuous noise as concrete is broken up and wishes to see noise levels in the vicinity of the site monitored and action taken if such levels are being breached. However, as the site benefits from a Certificate, the level of planning control over site operations is minimal. Nevertheless, the concerns raised have been referred to Public Protection Officers to investigate whether noise impacts are causing a statutory nuisance. The Parish Council considers that operational hours should be limited to weekdays, if possible between set hours, and exclude noisy operations at weekends so that neighbours within a substantial radius do not continue to suffer loss of quality of life. The Certificate imposes no restriction on operational hours and whilst noise issues lie outside the scope of the current application, the Parish Council's concerns on this issue have been raised with the applicant. In response, the applicant advises that in recent months more modern plant (a screener and crusher) has been employed which is considerably quieter than the original plant on account of utilising more modern and better insulated engines. The applicant also comments that the recycling plant is only engaged as and when sufficient stockpiles are accumulated and, on occasions, noise concerns have been raised directly with him when the plant has apparently not been operating and only farm machinery has been in use. It is noted that the site benefits from no site lighting and therefore operations at certain times of the year are limited by available daylight. The site's Permit imposes controls in respect of

noise impacts and vibration impacts which offers a further avenue to explore should such impacts be causing disturbance.

- 3.7 The Parish Council raises similar issues in respect of dust impacts and mud being trafficked onto the carriageway from vehicles leaving the site. MWLP Saved Policy GE18 deals with disturbance from dust and mud on the highway amongst other matters. As with noise, the Certificate does not subject the site to any dust control measures. However, the Permit does require the operator to maintain and implement an emissions management plan in order to prevent or minimise emissions and it is suggested that any on-going concerns regarding air quality be raised with the Agency which has the ability to require a revised emissions management plan should activities be deemed as giving rise to pollution. Provision of a concrete pad should enable the site to be kept cleaner by more fully utilising a road sweeper within the yard.
- 3.8 At the time of inspecting the site the public carriageway was in an acceptable state of cleanliness and it is noted that the entrance and yard area already benefit from being hard surfaced. It is acknowledged that the same entrance serves activities associated with the wider farm operations including access to the unsurfaced rear part of the landholding. As far as the current application is concerned, the increased temporary storage height is directly linked to the proposed completion of installing a concrete base to the existing recycling area. Consequently the proposals should assist in reducing the potential for mud to be trafficked off the farm from this particular activity in accordance with Policy GE18, although should mud on the highway become problematic, recourse remains available to the Council under Highways legislation.

#### **4. Other Considerations**

##### **4.1 Human Rights and Equality Act issues:**

Based on the information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

#### **5. Conclusions**

- 5.1 The proposal would allow for existing stockpiles of inert materials to be stored at an increased maximum height of 5m for a temporary period pending the construction of a concrete pad to the existing recycling area in four phases. The applicant has indicated that the phasing would be driven by market conditions with a quieter spell potentially enabling more than one phase to be completed at one time. Provision of a pad would enable the operation to fully comply with the Permit and deliver significant benefit in enabling the authorised operation to safeguard groundwater resources. The significant benefit of the operation is assessed as constituting the required very special circumstances when set against the impact on the Green Belt for a temporary period.
- 5.2 The suggestion that the operation should instead reduce the volume of material held on the site pending the pad construction would restrict the ability of the operation to meet demand and pose some level of adverse impact to the business given its nature needs to respond promptly to demand, particularly given that the ideal periods for laying concrete would coincide with those times of year when building materials and soil material are likely to be more readily available for

recycling. The NPPF encourages planning decisions to support a prosperous rural economy, not least for the diversification of agricultural businesses such as this.

- 5.3 The temporary period sought is two years, a timescale which the Parish Council refers to as seeming excessive and, if permission is to be granted, the Parish Council would prefer this being limited to one year. Given the relatively small extent of the area subject to the proposed pad, a two year timescale does indeed appear excessive, particularly since laying concrete is an operation which needs to be undertaken at a time of year when low temperatures can be avoided. As noted above, there is a business need to maintain continuity of service in order to safeguard business viability and also retain customers and to that extent accepting a phased provision for the construction of the pad whilst allowing an increased storage height appears justifiable, particularly given that the increased stockpiles would not be overly prominent in the landscape such as to cause unacceptable harm to the openness of the Green Belt or character and appearance of the area for a temporary period due to a combination of topography and screening vegetation.
- 5.4 However, it is recommended that any increase in the maximum storage height be limited to the six month summer periods of two consecutive years with stockpiles being required to revert to the currently authorised 3m maximum height over the winter periods. Such an arrangement would thereby restrict the increased height to maximum of one year, as preferred by the Parish Council, whilst allowing for some flexibility to the applicant's operation. This would also have the benefit of allowing for an increased storage height at those times of the year when demand and throughput would typically be higher and coinciding with those times of the year when screening offered by hedgerows and trees would be in full leaf thereby minimising impact. This approach would also accord with the Landscape Officer's advice utilising the summer months to limit the period of any visual disturbance.
- 5.5 It is considered reasonable to allow the increased storage height over the next two summer periods rather than provide for the standard three years for commencement in order to deliver the environmental benefit at an earlier point in time.

## **RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted relates to the temporary increase in the storage height of inert building materials, soils and subsoils on the area edged brown on the Ordnance Survey Plan (Scale 1:1250) submitted with the application to a maximum height of 5m above adjacent ground level.

*Reason: For the avoidance of doubt.*

- 2 The increased 5m maximum height of stockpiles of building materials, soils and subsoils shall only be permitted between the months of April to September (inclusive) in the calendar years of 2019 and 2020 and outside those times the stockpile shall not exceed a maximum height of 3m compared to adjacent ground levels. In the event that works to install the concrete pad are completed prior to the expiry of permitted periods for the increased maximum storage height, the stockpiles heights shall, within one

month of that completion, be returned to a maximum of height of 3m compared to adjacent ground levels .

*Reason: To restrict the duration of the increased stockpile in line with the application and to minimise its impact on the Green Belt in line with Saved Policy GE5 of the Minerals and Waste Local Plan.*

**INFORMATIVE NOTES TO APPLICANT**

**DECISION**

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