

APPLICATION NO	PA/2015/1586
APPLICANT	Mr Wayne Granger, SPB Plant & Tool Hire Ltd
DEVELOPMENT	Planning permission for change of use of land from storage of aggregate materials to crushing and processing/washing of aggregates
LOCATION	Land north of 35 Hoylake Road, Bottesford, DN17 2AZ
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Margaret Armiger – significant public interest) Objection by Bottesford Town Council

POLICIES

National Planning Policy Framework: Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment, general amenity and the sensitivity of the area or development to adverse effects from pollution should be taken into account.

Paragraph 122 states that local planning authorities should focus on whether the development itself is acceptable use of the land, and the impact of the use, rather than the control of processes or emissions which are subject to approval under pollution control regimes.

Paragraph 123 aims to protect health and quality of life by avoiding or mitigating noise impacts.

Paragraph 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

North Lincolnshire Local Plan: Policies DS1, DS11, T1, T2 and IN3.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3 and CS11.

CONSULTATIONS

Highways: Advise conditions relating to vehicle access, turning and parking.

Drainage Team: Comments/informative regarding sewer along northern boundary.

Environmental Health: Requested further information. Subsequently advised conditions relating to noise, vibration, lighting, hours of operation and dust.

TOWN COUNCIL

Object to the proposal on grounds of the dust/dirt/noise the proposal would create. Have concerns about possible waste water contamination and increase in HGV lorry movements on already busy roads.

PUBLICITY

Neighbouring properties have been notified by letter. Two letters of objection have been received raising the following concerns:

- SBP crushed products occasionally during 2015 which caused dust and vibration
- concerned that dust and vibration would interfere with sensitive machinery and equipment
- dust leading to setting off of alarm which in turn has led to noise complaints
- concerns that vibration has an adverse impact on health and amenity of staff
- concern that vibration could cause damage to main sewer/water pipe.

ASSESSMENT

The application site is an open storage site located on South Park Industrial Estate. This industrial estate has a mix of uses ranging from B1 office use, B8 storage and distribution, B2 general industrial together with leisure uses. The application site was used for the storage of aggregate materials (B8); however this application seeks to retain the change of use of the land to crushing and processing/washing of aggregates (B2). The use commenced a few months prior to the application being submitted, however the processes have not operated since the application was submitted. The applicant states that crushing will take place on average eight times per year, and that there will be no more vehicle movements than the previous use.

The main issue in the determination of this application is whether the proposed use would have an adverse impact on the amenity of the neighbouring land uses.

The principle of a B2 use in this location is considered acceptable due to the siting on an established industrial estate which has a mix of industrial uses. It is accepted that there will be a certain level of disturbance caused by general industrial processes, however policy DS1 offers a level of protection to neighbouring land uses such as offices. The levels of acceptable noise and vibration disturbance are slightly increased in office buildings as compared to residential; however it must be ensured that any loss of amenity to neighbouring commercial uses is not significant.

During the course of the application, the applicant has carried out and submitted various noise, vibration and dust surveys. These have been carried out based on expected noise levels at the site, on a 'normal' working day so that background noises would be a true representation. Environmental Health have reviewed this information and have no objections to the proposal subject to conditions regarding operational noise and vibration levels, hours of operation, lighting and the control of dust. These conditions would ensure that there would be no significant adverse loss of amenity to neighbouring land uses and that the grounds of objection would be overcome.

The town council has raised concerns over HGV movements and dust. The applicant is of the opinion that this objection may in fact be referring to an adjacent business which has numerous vehicle movements to and from the site daily and causes substantial dust. The applicant has confirmed that there is no change in vehicle movements from the previous use and Highways have no objections to the proposal subject to conditions.

With the inclusion of the suggested conditions, and as the site is located within an established industrial estate with a mix of surrounding uses, the use is considered to comply with the local and national planning policies outlined above and is therefore considered acceptable.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: 7380. 01 rev A and 7830. 02 rev B.

Reason

For the avoidance of doubt and in the interests of proper planning.

2.

Crushing, screening and processing of materials, and any other activity involving the operation of plant and machinery, shall only be permitted between the hours of:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No operations shall take place on Sundays or public/bank holidays.

No deliveries or HGV movements shall be permitted outside these hours unless otherwise agreed in writing by the local planning authority.

Reason

For the protection of residential amenity.

3.

The cumulative total rating level from all site activities, plant and machinery shall not exceed 50dB LAeq,1 hour at any residential boundary. The definition, measurement and calculation of rating level shall be as described in British Standard BS4142:2014.

The cumulative total specific level from all site activities, plant and machinery shall not exceed 55dB LAeq,1 hour at any office façade. Definition, measurement and calculation of specific level shall be as described in BS4142:2014.

Reason

For the control of noise pollution and to protect the amenity of the locality, especially people living and/or working nearby, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The total daytime vibration dose value from all site activities, plant and machinery shall not exceed the following:

- 0.2 m.s^{-1.75} at any residential building
- 0.4 m.s^{-1.75} at any office building
- 0.8 m.s^{-1.75} at any workshop.

Definition, measurement and calculation of the vibration dose value shall be as described in British Standard BS6472-1:2008.

Reason

For the control of vibration and to protect the amenity of the locality, especially people living and/or working nearby, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

No lighting shall be installed until an assessment of the potential for light impact has been undertaken, submitted to and approved in writing by the local planning authority. The assessment shall include:

- identification of sensitive receptors likely to be impacted upon by light nuisance, with a determination of the proposed scheme's compliance with the design guidance in the Institution of Lighting Professionals Document: Guidance Notes for the Reduction of Obtrusive Light (<https://www.theilp.org.uk/documents/obtrusive-light/>);
- a lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Once approved the agreed lighting scheme shall be implemented and permanently retained. Any deviation from the agreed lighting scheme shall require approval in writing by the local planning authority.

Reason

For the protection of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

The operation of the site shall be in accordance with the Dust Management Plan, SPB Group Ltd, Aggregate Services, dated 01 June 2016. No changes to the Dust Management Plan shall be implemented without prior written approval from the local planning authority.

Reason

For the prevention of pollution and the protection of the amenity of the surrounding area.

7.

Prior to any further crushing of aggregate material, the vehicle access and the vehicle parking, turning and servicing areas shall be completed in accordance with details to be submitted to and approved in writing by the local planning authority. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

8.

Prior to any further crushing of aggregate material, the footway shall be provided across the whole of the site frontage in accordance with details to be submitted to and approved in writing by the local planning authority and shall thereafter be retained.

Reason

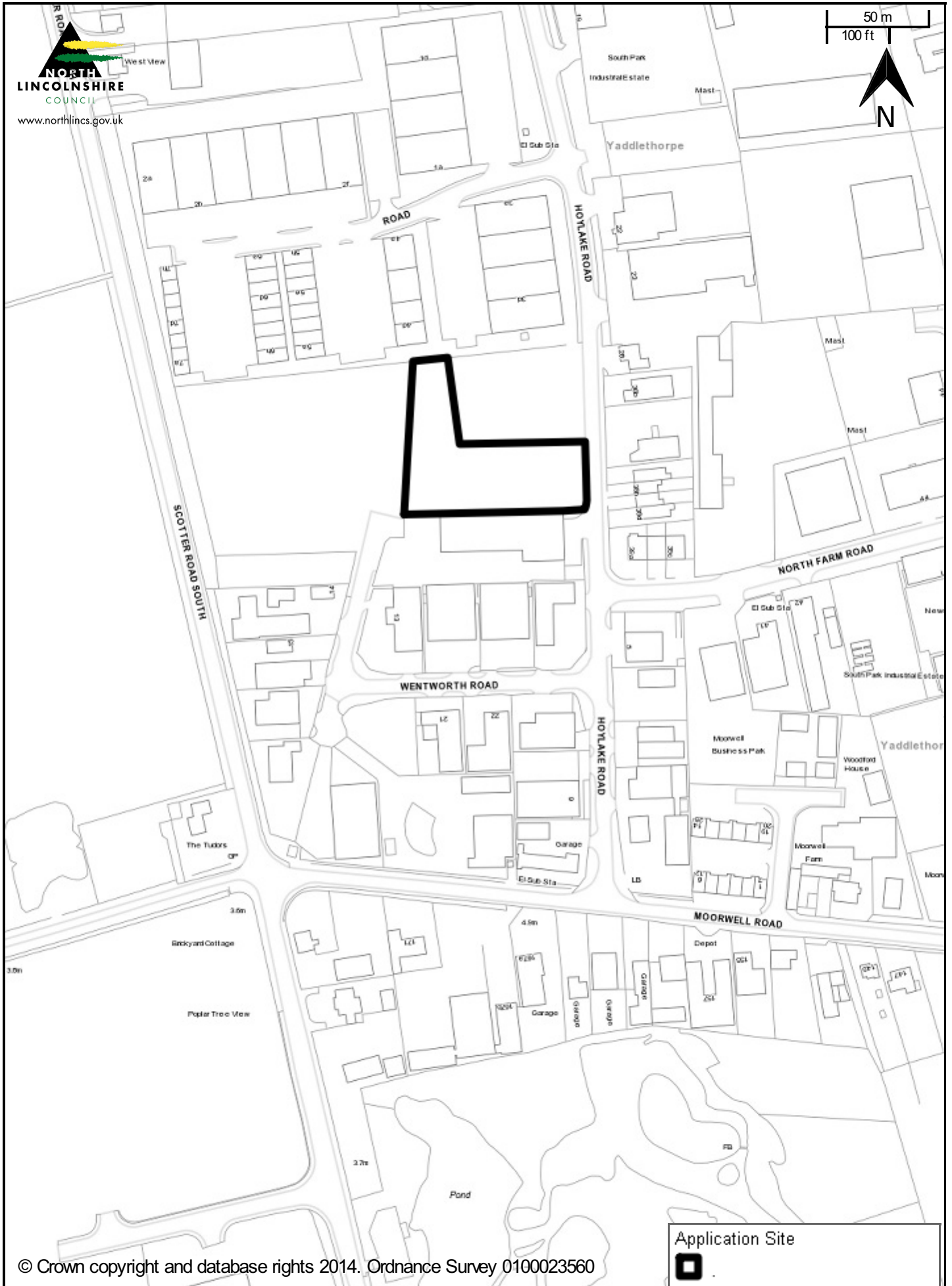
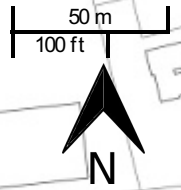
In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

Informative 1

The applicant must ensure that, where necessary, any equipment and activities on site are operated in accordance with the relevant environmental permit under the provisions of the Pollution Prevention and Control Act 1999.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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