

Case No: 0803545FUL (FULL PLANNING APPLICATION)

Proposal: CONTINUED USE OF WOODSHAVINGS LINE WITH EXISTING RUNNING HOURS INCORPORATING A SUPPLEMENTAL REPORT FOR THE PROPOSED DISCHARGE OF CONDITION 3 OF PLANNING PERMISSION 0701444FUL AND RELATING TO THE USE OF AN ALTERNATIVE ACCESS IN ASSOCIATION WITH THE WOOD PELLETING PROCESS.

Location: SUNDOWN STRAW PRODUCTS STATION ROAD

Applicant: SUNDOWN PRODUCTS LTD (FAO MR D CUBITT)

Grid Ref: 508565 271110

Date of Registration: 18.12.2008

Parish: TILBROOK

RECOMMENDATION - APPROVE

- 1. DESCRIPTION OF SITE AND APPLICATION**
 - 1.1 This site is located within the open countryside to the south of Catworth. It lies to the west of Station Road (B660) and is adjacent to the former railway station. Access to the site is from the B660 via a shared access with Station House. Adjacent to this access is a row of residential properties fronting the B660.
 - 1.2 The application seeks consent for the continued use of the woodshavings line with the existing hours of operation of 0730 – 1800 Monday to Friday, 0730 to 1300 on Saturday and not on Sundays or Bank Holidays. The dust fired burner used to operate the woodshavings line would continue to operate on the permitted hours of 0630 to 2000 Monday to Friday and 0630 to 1400 on Saturdays, thereby allowing the burner to reach temperature and cool before and after its use in association with the woodshavings line.
- 2. NATIONAL GUIDANCE**
 - 2.1 **PPS1 Delivering Sustainable Development 2005** sets out the plan led system and encourages sustainable development
 - 2.2 **PPG4 - 'Industrial and Commercial Development and Small Firms' (1992)** encourages economic development whilst achieving a high quality environment.
 - 2.3 **PPS7 -Sustainable Development in Rural Areas (2004)**

- 2.4 **PPG13: “Transport” (2001)** provides guidance in relation to transport and particularly the integration of planning and transport.

For full details visit the government website <http://www.communities.gov.uk> and follow the links to planning, Building and Environment, Planning, Planning Policy.

3. **PLANNING POLICIES**

Further information on the role of planning policies in deciding planning applications can also be found at the following website: <http://www.communities.gov.uk> then follow links Planning, Building and Environment, Planning, Planning Information and Guidance, Planning Guidance and Advice and then Creating and Better Place to Live

3.1 **East of England Plan - Revision to the Regional Spatial Strategy (May 2008)**

Policies viewable at <http://www.go-east.gov.uk> then follow links to Planning, Regional Planning then Related Documents

- **T8:** “Local Roads” – local road networks should be managed in accordance with the local transport plan objectives: tackling congestion and its environmental impacts; facilitating the provision of safe and efficient public transport, walking and cycling; providing efficient vehicular access to locations and activities requiring it and improving safety.

3.2 **Cambridgeshire and Peterborough Structure Plan (2003)**

Saved policies from the Cambridgeshire and Peterborough Structure Plan 2003 are relevant and viewable at <http://www.cambridgeshire.gov.uk> follow the links to environment, planning, planning policy and Structure Plan 2003.

None relevant

3.3 **Huntingdonshire Local Plan (1995)**

Saved policies from the Huntingdonshire Local Plan 1995 are relevant and viewable at www.huntingdonshire.gov.uk/localplan95

- **E7** - support will normally be given to the establishment and expansion of small businesses subject to traffic and environmental considerations
- **E11** - supports the expansion of existing firms provided the scale and location does not conflict with other plan policies
- **En17** - indicates that development in the countryside will be restricted to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services
- **En25** - requires new development to respect the scale, form, materials and design of established buildings in the locality.

3.4 **Huntingdonshire Local Plan Alterations (2002)**

Saved policies from the Huntingdon Local Plan Alterations 2002 are relevant and viewable at www.huntingdonshire.gov.uk/localplan - Then click on "Local Plan Alteration (2002)

None relevant

3.5 **Huntingdonshire Interim Planning Policy Statement 2007**

Policies from the Huntingdonshire Interim Planning Policy Statement 2007 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning, then Planning then Planning+Policy then Informal policy statements where there is a link to Interim Planning Policy Statement 2007.

- E2 Location of Industrial and Warehouse Development- minor industrial or warehousing development will be allowed where an existing firm wishes to expand.
- T1 Transport Impacts- explains transport requirements of new development proposals
- B4 – Amenity - developments should not have an unacceptable impact upon amenity of existing or future occupiers.

3.6 **Huntingdonshire Local Development Framework Submission Core Strategy 2008**

Policies from the Huntingdonshire Local Development Framework Submission Core Strategy 2008 are relevant and viewable at <http://www.huntsdc.gov.uk> click on Environment and Planning then click on Planning and then click on Planning Policy where there is a link to the Local Development Framework Core Strategy.

None relevant

4. **PLANNING HISTORY**

- 4.1 Planning permission was granted in 1974 for a chemical straw plant, which has been extended over the years (74/00217FUL). In 1997 planning permission was granted for an additional straw processing plant (97/101368 FUL). Further permissions include the erection of a building for the storage of straw, 3 storage silos and intake canopy (98/01545FUL) and an extension to a warehouse (0200897FUL).
- 4.2 In October 2005, a temporary, 12 month permission was granted for the installation of a wood shavings line and chimney (0502662FUL).
- 4.3 In January 2006, permission was granted for the erection of a dust fired burner- 0503890FUL.
- 4.4 In March 2006, a temporary 12 month permission was granted for the change of use and extension to warehouse to house baling plant to process straw, hay and dried grass. – 0600428FUL

- 4.5 In November 2006, a further 12 month temporary permission was allowed for the woodshavings line (0603089FUL).
- 4.6 In March 2007, Members approved the erection of a building to be used as additional storage, new road layout to existing access/egress and improvements to access/egress on Station Road (0603797FUL).
- 4.7 In May 2007, a further 12 month temporary permission was allowed for the processing of straw, hay and dried grass – 0700930S73
- 4.8 In September 2007, a further change of use was permitted to allow the use of part of the building for the manufacture of wood pellets and the erection of an ancillary building – 0701444FUL.
- 4.9 In November 2007 a S73 application was refused to allow the continued use of the woodshavings line for the following reason:
- 4.10 The existing access arrangements to the site are inadequate and below the County Council required standards to allow lorries to turn and access the site safely. Whilst a more acceptable access arrangement may be achievable in the long term, the continued intensification in the use of this existing access as a result of the woodshavings line is unacceptable, in that the manoeuvring of vehicles likely to be generated by the proposed use would be detrimental to the safe and free flow of traffic on the adjoining highway contrary to Policy E11 of the Huntingdonshire Local Plan 1995 and Policy T1 of the Huntingdonshire Interim Planning Policy Statement 2007. – 0702972S73
- 4.11 In January 2008 planning permission was granted for a further revised access arrangement to meet the needs of the site. 0704009FUL
- 4.12 Due to the continued use of the woodshavings line and the applicant's failure to upgrade the access to the site, an Enforcement Notice was served on the 1st August 2008, the notice required the applicant to implement one of the two permitted access arrangements. The applicant subsequently implemented the access approved under 0704009FUL and the Enforcement Notice was withdrawn.
- 4.13 In December 2008 planning permission was refused for the revised access improvements. Retention of use of woodshavings line and use of drying plant on a 24hr basis Monday to Friday and until 2pm on Saturdays and not at all on Sundays and Bank Holidays. (0702500FUL)

5. CONSULTATIONS

- 5.1 **Tilbrook Parish Council** – Recommends **REFUSAL**. (Copy attached)
- 5.2 **Catworth Parish Council** – Recommend **APPROVAL**. (Copy attached)
- 5.3 **Covington Parish Council** – **NO OBSERVATIONS**.

5.4 **CCC Highways Authority** – The application has been carefully considered and whilst the new access is the most preferable means of accessing the site, the additional 4 movements, via the original access with the improved bell mouth facilities is deemed acceptable. The minimal increase to which this application refers would be acceptable if served through the original access and associated junction improvements, however, any further increase in movements would be considered unacceptable using the original access.

5.5 **HDC Environmental Health** – The site in question has been operating under an environmental permit issued under the Environmental Permitting Regulations (England and Wales)2007. Whilst noise complaints have been received, no statutory noise nuisance has been witnessed. Due to the site being operated under an appropriate permit, there is no objection to the application.

6. REPRESENTATIONS

6.1 Station House, Station Road – Objection

- The suggested number of lorry movements per day associated with the woodshavings line is clearly incorrect, there are on average probably 8 lorries delivering product each day.
- Noise from the site has been an ongoing problem, with the noise report being clearly out of date.
- The access to the site should be via the new access road and not via the original, substandard road.
- Fires continue to be a problem on the site.
- The site has been operating for 5yrs and still doesn't have a planning permission to operate.

6.2 4 Station Row – Objection

- The emissions from the chimney are unpleasant at any time of the year, but this becomes unbearable on hot summer days. It also emits dust and debris, which is evident on cars and windows.
- A variety of lorries and trucks arriving and departing is disturbing, as is the constant reversing alarms of the lorries being loaded.
- There is a continual problem with fires both major and minor, on site.
- Considerable inconvenience to residents was caused when the new access road was built and now it is proposed not to use it. This is ridiculous.
- Ample time has been given for these issues to be resolved, to no avail.
- Is a rural setting the more appropriate location for an industrial unit such as this

7. SUMMARY OF ISSUES

7.1 The application seeks the consent to continue using the woodshavings line, which has not benefited from planning permission

since November 2007, in association with the original access road and recently completed junction improvements, comprising a run over area opposite the access point and an increase in the bell mouth at the junction. Whilst the applicant has completed a new access to the site, due to land ownership issues and rights of access, the applicant is not seeking consent to use this access in association with the use.

- 7.2 Within the submitted documentation, the applicant has confirmed that there are 4 lorry movements per day associated with the woodshavings line, previous application submissions confirmed that this would indicate a maximum number of vehicle movements into the site of 25 per day.
- 7.3 The main issues for consideration are whether the nature of this use is acceptable in this location, neighbour amenity and highway safety.

Acceptability of the nature of the use in this location

- 7.4 Permission for the erection of a straw processing plant was granted in 1974. Although the site lies outside the environmental limits of Catworth and Tilbrook and therefore would be described as within open countryside, an industrial process has been carried out on the site since 1974. Local Plan Policy En17 restricts development in the countryside and PPS7 also provides advice on these matters. However Local Plan Policy E7 and Interim Planning Policy Statement E2 give support to the expansion of existing businesses and, in light of the existing, permitted use and associated traffic movements including the number of people already employed by the company, this additional woodshavings line on the site would not impact detrimentally on the Countryside.
- 7.5 Similarly the use of the drier is considered in principle to be acceptable, subject to other criteria, as the facility is existing and the industrial use of this site is established.

Neighbour Amenity

- 7.6 Whilst it is accepted that there are concerns raised by local residents, specifically regarding noise, dust and air pollution, the Council's Environment Health Officer does visit the site regularly and has advised that there is no serious environmental health problem with the site. The applicant continuously works with the Council EHOs to endeavour to resolve any concerns and there is not reason to assume this will change.
- 7.7 It can only be concluded that the existing use of the Woodshavings line does not have a detrimental effect on the amenities of neighbouring properties.

Access Improvements

- 7.8 The applicant provided some information in support of the 2005 application for the installation of the woodshavings line and associated chimney, that indicated that there would be an additional 4 lorry movements per day associated with the woodshavings line in particular, this was further re-iterated as part of this application.

- 7.9 Even with such a minimal increase in the number of movements, the Highway's Authority raised concerns regarding the excessively sub-standard original access to this site and stated that any additional movements into the existing access would be unacceptable without improvements to the access. Accordingly the provision of a new access arrangement has been conditioned on a number of occasions for both the woodshavings line and the woodpelleting proposals.
- 7.10 The applicant has subsequently constructed a new access and junction arrangement, which the Highway's Authority have carefully assessed, whilst the preference is that the applicant utilises the new access in association with the use of the site, the junction improvements are significant enough to ensure that the additional movements associated with the woodshavings line are not detrimental to highway safety and could not be resisted on the original access line.
- 7.11 Additional movements on the original access road would need to be assessed on their individual merits, as such, and as was done for application 0701444FUL for the proposed woodpelleting, it is proposed to impose a suitably worded planning condition restricting the number of HGV and tractor movements into this site to 25 per day.
- 7.12 In conclusion, subject to appropriate conditions, it is not considered that the additional vehicle movements associated with the woodshavings line would be unacceptable on the original access, with the associated junction improvements.

Visual Amenity

- 7.13 At the time of previous applications, the impact on the character and appearance of the locality was considered to be acceptable. This situation remains unchanged from the earlier applications and would not justify the refusal of this application.
- 7.14 In light of the above assessment, it is considered that the woodshavings line, operating on the hours stipulated above, is considered to be an acceptable use in this location, subject to the imposition of suitably worded conditions. As such it is recommended that planning permission be granted.
8. **RECOMMENDATION - APPROVE**, subject to conditions to include the following:

02003	Time Limit (3yrs)
Nonstand	HGV routing
Nonstand	No. of lorry movements
Nonstand	Hours of operation
Nonstand	Hours of operation - dust fired burner.
Nonstand	Restricted use category.

- Nonstand** Noise level.
- Nonstand** HGV routing.
- Nonstand** PD Rights removal

9. SUPPLEMENTAL REPORT

- 9.1 Members will recall the consideration of application 07004009FUL, at the Development Control Panel meeting held in January 2008. The application sought consent for a revised access arrangement into the site from that approved in 2007.
- 9.2 As a result of the change in the proposed arrangement some Members had concerns regarding the suitability of the proposed access for an increased vehicle capacity at this site.
- 9.3 The applicant has sought the discharge of condition 3 of planning permission 0701444FUL (copy attached) which granted planning permission for the 'Change of Use to Production of Wood Pellets. Erection of Shed to Store Sawdust and Machinery.' Condition 3 required no development to take place until improvements to the access have been completed in accordance with the scheme approved under 0603797FUL or any subsequent alternative scheme approved by the Local Planning Authority.
- 9.4 As advised in subsequent planning applications, the applicant has been unable to construct the originally approved access road(0603797FUL), and sought and obtained planning permission for the revised scheme in January 2008(0704009FUL). As such the applicant is now seeking to discharge condition 3 based on the prior completion of the revised scheme approved by the Local Planning Authority under reference 0704009FUL.
- 9.5 The applicant has advised and planning permission 0701444FUL has been suitably condition to restrict movements into the application site to a maximum of 25 within any 24hour period. As this is the same restriction proposed to be conditioned to the woodshavings line, following discussions with the Highway's Authority, it is not considered that the number of permitted movements into the site could be increased and as such the amended access arrangements approved under reference 0704009FULwould meet the needs of this use.
- 9.6 Upon advice, it is therefore recommended that the revised access scheme approved under ref: 0704009FUL is acceptable and meets the requirements of this condition.
- 9.7 Members consent is therefore sought to discharge this condition accordingly.

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BACKGROUND PAPERS:

Planning Application File Reference: 0803545FUL

East of England Plan - Revision to the Regional Spatial Strategy (May 2008)

Cambridgeshire and Peterborough Structure Plan, 2003

Huntingdonshire Local Plan, 1995

Huntingdonshire Local Plan Alterations (2002)

Huntingdonshire Interim Planning Policy Statement 2007

Huntingdonshire Local Development Framework Submission Core Strategy
2008

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