

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
18th August 2015

Agenda item 4

Application ref. 15/00521/FUL

Land at Doddlespool, Main Road, Betley

Since the preparation of the main agenda report consultation responses have been received from the **County Council Planning Regulation Team** and **National Grid**.

The **County Council** observe that whilst the proposal is asserted to be to simply “finish off” the previously approved development, much of this material was imported to the site and so was not a required part of the approved development. . The rate of working proposed within the submission equates to 1.5 vehicle loads per day which is exceedingly slow and does not tie in with the aim of bringing the site into productive use within a reasonable timescale. The timescale applied for, 4 years, is extremely excessive, unjustified and a considerably shorter timescale is recommended. Similar conditions to the previous permission should be imposed. The Borough Council should be mindful of the effect of an approval on the extant enforcement and stop notices, to ensure that appropriate control is maintained,

National Grid has provided a holding objection. This relates to the activities potentially affecting their pipeline.

A letter has also been received from the **applicant’s agent**. They state that a 9 month period would not be achievable but that an extension until December 2016 would be an appropriate compromise which would give 13 months. A 9 month period would mean that HGV movements – which have led to complaints when at their maximum - would be operating at full capacity i.e. 10 movements per day and 5 days a week. They ask that the LPA consider whether requiring the work to be completed within 9 months is sustainable and deliverable and in accordance with the local plan and NPPF. it is recognised in both planning and agricultural circles that soils should only be handled when dry and friable and due to the weather the restrictive 9 month period actually means that as little as 4 months would be available, which is simply not achievable. An extension to December 2016 would allow 9 workable months, would provide improved residential amenity (because it would not require the site to be worked “flat out”), deliverability so as to avoid an unfinished landform and avoid putting the applicant in a “challenging” if not impossible position.

A representation from **Councillor Frankish** was not reported in the main agenda report. Councillor Frankish raises similar objections to those reported in the main agenda report. In addition, the Councillor asks for a speed limit to be imposed on Main Road.

Officer comments

The applicant’s further comments are acknowledged but as addressed within the main agenda report the applicant has had 6 months previously to remove soils and no progress was made. It is understood that residents were content with the conditions imposed on the previous permission regarding movement numbers, hours and days of operation. If the 9 month period results in HGV’s running at capacity to remove the soil (within this period) then this is accepted as the most sustainable solution.

In terms of the comments raised by Councillor Frankish conditions were imposed on the previous permission and would still apply if permission is granted. The LPA cannot impose a speed limit. The Councillor would need to pursue this with the Highway Authority.

The representation from National Grid, which concerns the protection and safeguarding of their pipeline across the site, is not material to the application but if will be brought to the attention of the applicant.

Natural England has not provided any further comments despite your officers request that they do so. Any comments received prior to the meeting will be reported, and if none are received officers will advise the Committee further on that aspect.

The RECOMMENDATION remains as that set out in the in the main agenda report.