

COMMITTEE REPORT

Committee: East Area
Date: 11 April 2007

Ward: Wheldrake
Parish: Elvington Parish Council

Reference: 07/00077/FULM
Application at: Drome Farm Elvington Lane Elvington York YO41 4AR
For: Continued use of land for processing brick rubble and concrete
By: F R Handley
Application Type: Major Full Application (13 weeks)
Target Date: 24 April 2007

1.0 PROPOSAL

This application seeks planning permission to continue the use of A1 Haulage at Drome Farm. The business operates by collecting brick waste and concrete and processing it before selling it on to be re-used. The business has been operating for over ten years but the previous temporary consents have expired. The site area is 1.64 hectares and is located off Elvington Lane in Dunnington.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGB1

Development within the Green Belt

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections. Highway related conditions relating to the previous approval should be re-applied to this application. In re-applying the condition relating to 2.4 m x 150m sight lines it should be noted that shrubs and trees have been allowed to become overgrown and affect visibility splays. This should be trimmed back.

Environmental Protection Unit - This application has been examined in regard to environmental protection unit interests namely air quality, contaminated land and noise and other amenity issues. The operation of crushing of brick rubble and concrete is currently regulated by a permit issued by the EPU. The site is inspected

once every calendar year to monitor compliance with the conditions placed on the permit, there is the capability to take action where the site is not operating in accordance with the permit for example where dust is created which goes off site. The nearest residential property may be adversely affected if the operation were to extend to be operational over the weekend as such it is requested that the applicant be tied to the hours of operation requested in the application by way of condition should permission be granted for this proposal.

City Development - The site is located within the Green Belt and account must be taken of Policy GB1. There are examples of cases in the past where this sort of use has been put in the same use class as a former brick works and coal mine. It has been considered that the processing of brick rubble and concrete comes under the same use class as mineral extraction. Mineral extraction is one of the uses of land which is acceptable within the Green Belt. There are no policy objections.

3.2 External

Elvington Parish Council - No objections but would like to see an appropriate height limit set.

Site Notice (posted 05/03/07) - No correspondence received.

4.0 APPRAISAL

4.1 Key Issue:

- Impact on the Green Belt

4.2 Nature of the current business - Brick, rubble and concrete processing has been carried out at this site for over ten years. Concrete, brick waste, inert material and topsoil is brought onto the site and sorted into its separate components. The brick and concrete is then crushed and sold off to be re-used on temporary roads, car parks, and for landscaping. The topsoil is also stored and sold off. The previous temporary consents for this activity have now expired and the applicant has applied for permanent use of the site for this use.

4.3 The inert material is currently tipped onto a separate parcel of land at present. The tipping of the inert material has planning consent until October 2007 (ref no. 02/03296/FUL). Consent is not requested for this aspect of the business and it is stated within the application that the brick, rubble, concrete and top soil processing activities would continue without the need to tip inert material.

4.4 Approximately 20 staff are currently employed on the site which operates between 08:00 and 17:00 Monday to Friday. The business currently has permission to operate between 08:00 and 18:00 Monday to Saturday. There are approximately 200 heavy goods vehicles which visit the site during a normal working day. Access to the site is off Elvington Lane.

4.5 Policy - The relevant Local Plan Policy is GB1 Development in the Green Belt which states that planning permission will be granted for mineral extraction (provided high environmental standards are attainable) where:

- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
- b) it would not conflict with the purposes of including land within the Green Belt; and
- c) it would not prejudice the setting and special character of the City of York.

The City Development Team have considered examples of previous planning decisions and have concluded that the proposed operation is classed as mineral extraction in this case.

4.6 This site has been operating a brick rubble and concrete processing facility for over ten years. Two temporary consents have been granted in the past which have now expired. Granting planning permission would simply establish the existing use of the site on a permanent basis. It is considered that the continued use of this site would not cause harm to the Green Belt. The site can be controlled through conditions which ensure that its operations remain suitable.

4.7 It is important that the rural open character of the Green Belt is maintained where possible. The processing plant is currently well screened by green landscaping along Elvington Lane. A condition can be imposed to ensure this is maintained. Previously a height restriction of stockpiling of materials was set at 8 metres. This has shown to be suitable over recent years and the processing area has not harmed the openness of the Green Belt with this condition in place. It therefore appears suitable to impose an 8 metre height restriction as a condition with any approval.

4.8 The Environmental Protection Unit monitor the site and issue a permit for its continued use. They will continue to monitor the site and control issues such as noise, air quality and contaminated land. The nearest dwellings to the processing area are over 500 m away and it is considered that the living conditions of residents of these properties would not be unduly harmed by the proposal.

4.9 The highways department have no objections to this application subject to certain conditions. It is not anticipated that there would be any extra vehicle movements than have operated from the premises over recent years. It is not considered that vehicle movements would substantially increase in the future as the restricted site area does not provide scope for a significantly greater level of activity.

5.0 CONCLUSION

No significant harm to the Green Belt.

6.0 RECOMMENDATION: Approve

- 1 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing Numbers 06:22:02 received by The CoYC on 12/01/07

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 2 No outside storage of equipment associated with maintenance operations shall take place without the prior written approval of the Local Planning Authority.

Reason: To reserve the rights of control of the Local Planning Authority in the interests of amenity.

- 3 Stockpiles shall not exceed 8 metres in height unless the prior written approval of the Local Planning Authority has been given.

Reason: In the interests of the visual amenity of the Green Belt.

- 4 No work shall take place on site except between the hours of 0800 and 1800 on Mondays to Saturdays. No work shall take place on site on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents.

- 5 Within 3 months of the date of this permission details of the measures to be employed at all times, to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

- 6 Access to the site shall be via the main access to Drome Farm off Elvington Lane as shown on drawing 06:22:02.

Reason: In the interests of highway safety.

- 7 Within 3 months of this permission, the initial 30m of the vehicular access, measured from the back of the public highway, shall be surfaced, sealed and positively drained within the site and thereafter maintained.

Reason: In the interests highway safety.

- 8 Within three months of this permission, sight lines of 2.4m x 160m in both directions shall be created at the junction of the existing access serving the site with the public highway and thereafter maintained.

Reason: In the interests of road safety.

- 9 Within 3 months of this permission details of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority, with the agreed details carried out and thereafter maintained.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

- 10 Within 1 month of this permission a detailed landscaping plan showing the existing screening of the development from Elvington Lane shall be submitted to the Local Planning Authority. This screening shall not be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the Green Belt.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the Green Belt. As such the proposal complies with Policy GB1 of the City of York Draft Local Plan.

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