

INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2021/0101
Site address	Yard 5, Rookery Road, Telford, Shropshire, TF2 9BW
Proposal	Removal of conditions 1-5 and variation of condition 6 on planning application TWC/2015/0742 to allow proposed changes to conditions relating to noise mitigation, appearance, ground conditions and site layout ***NOISE IMPACT ASSESSMENT AND MANAGEMENT PLAN & DUST ASSESSMENT AND MANAGEMENT PLAN RECEIVED***
Recommendation	Full Grant

1.0 WARD COUNCILLOR COMMENTS

- 1.1 The committee report unintentionally omitted the reasons given by Cllr Veronica Fletcher for requesting the application be determined by planning committee. These are:
- Noise and disturbance, smells and fumes;
 - Nearby residents being subjected to noise and fumes from the operations on the site.
- 1.2 The main committee report has addressed each of these matters.

2.0 RESPONSES TO RE-CONSULTATION

- 2.1 The second round of re-consultation ended on 15 November. This advised that the Applicant had submitted a Dust Assessment and Management Plan and amended Noise Assessment and Management Plan.
- 2.2 A total of 5no. responses have been received, consisting of 1no. Parish Council, 1no. statutory consultee and 3no. public representations.
- 2.3 St Georges and Priorslee Parish Council: Comment

This site does not lie within the parish, but the St Georges & Priorslee Parish Council has concerns that it will adversely affect residential properties on the Timbers estate and along Gower Street and Stafford Street which are within the parish. Given the proximity to residential areas the Parish Council wants to retain conditions relating to noise and dust abatement. There is also concern that skip lorries will travel to the site along Stafford Street and Gower Street resulting in noise and dust nuisance.

2.4 Ministry Of Defence: No objection

- 2.5 The 3no. public representations are all objecting to the application for the following reasons:
- The proposed extension of the site is not acceptable;
 - Noise from the site and lorries using Rookery Road as road surface is severely broken up due to amount of use;

- Since the initial application was rejected noise levels increased significantly, probably out of spite;
- Contamination of land occupied with oil and brake fluids, etc;
- Since the Crusher started operating there has been a significant increase in the amount of dust in the air particularly when the wind is from an easterly direction, if water spraying is in use when the crusher operates then this needs to be improved.
- Increases in the level of dust would be damaging to health.

3.0 OFFICER COMMENTS

- 3.1 This is a Section 73 application which seeks to vary and/or remove a number of conditions from the previous planning consent, TWC/2015/0742. Therefore this application must be considered within the context of what the 2015 consent has already permitted.
- 3.2 Members are asked to note that the application is not proposing any form of extension to the site.
- 3.3 The Applicant's business is one of 5no. businesses located along the Rookery Road industrial area and noise created by industrial processes or vehicles visiting any of the sites along Rookery Road could be attributable to any of those businesses, not just the application site.
- 3.4 There are no planning restrictions on use of local traffic routes into the site and as no material increase in vehicular movements is proposed it would be unreasonable to impose any such limitations via condition now. This is also relevant in terms of paragraph 3.3 and vehicles using roads within the local area as they may potentially be related to other business along Rookery Road and it would be unreasonable to restrict extant operations on one site but not others.
- 3.5 There has not been an application rejected on this site, or part of this site, since the 1980s.
- 3.6 No further complaints have been made to the Council's Environmental Protection team regarding increases in noise or dust during the previous 16 months.
- 3.7 The Applicant has submitted a Noise Management Plan and Dust Management Plan which set out how pollution within the site will be managed and mitigated, steps for engaging with the public and guidance for how the public can engage with the Applicant in the event of any concerns. Both documents have been assessed by the Council's Environmental Health Specialist and considered acceptable.
- 3.8 Planning conditions are proposed securing compliance with the Noise Management Plan and Dust Management Plan.
- 3.9 Taking all of the above comments into account, Officers consider that no new material considerations have been raised that have not already been considered within the main committee report.
- 3.10 Therefore, the Recommendation to approve subject to conditions and informatives remains unchanged.

4.0 RECOMMENDATION

- 4.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT PLANNING PERMISSION** to the Development

Management Service Delivery Manager, subject to the following:

- A) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Development in Accordance with Plans

Development in Accordance with Dust Management Plan

Development in Accordance with Noise Management Plan

Hours of Operation

Hours of Operation of Crusher Restricted to Maximum 2 days per month

Restriction on raw stock material height