

Item Number: 9
Application No: 20/00088/FUL
Parish: Amotherby Parish Council
Appn. Type: Full Application
Applicant: Mr Simon Richardson
Proposal: Erection of extension to existing feed bins to allow installation of additional 12no. bulk outloading bins for animal feed storage, together with integral weighbridge.
Location: BATA The Mill Main Street Amotherby Malton North Yorkshire YO17 6TT
Registration Date: 3 February 2020
8/13 Wk Expiry Date: 30 March 2020
Overall Expiry Date: 3 September 2020
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Environmental Health	HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.
Highways North Yorkshire	No objections
Amotherby Parish Council	Objection
Environmental Health	Recommend conditions
Representations:	Mrs Rachel Smith, Ms Sally Raines, Mr Richard William Bell, Miss Lucinda Pulling, Margaret Mackinder, Joe Mackinder,

SITE:

The application site, BATA is located on the north-eastern side of Main Street, Amotherby and has had a presence at this site since the late 19th Century. BATA is a local animal feed compound milling business, also selling fuel and animal welfare products. The site is situated within the development limits of Amotherby and within an area designated as 'existing employment land' under the Ryedale Local Plan. Amotherby and Swinton form a 'Service Village' as defined by the Ryedale Plan, Local Plan Strategy.

The site incorporates industrial buildings, including a mill, storage building and a fuel depot, together with associated offices. The site is adjoined by the Queen's Head public house/restaurant to the north, with mature landscaping along the northern boundary, by residential dwellings to the west of Main Street and by land occupied by Zetehnic to the south, beyond which is further residential development along Main Street.

PROPOSAL:

The proposal seeks planning permission for the erection of extension to existing feed bins to allow installation of additional 12no. bulk outloading bins for animal feed storage, together with integral weighbridge.

This new development would be located to the northern side of the existing buildings within the main mill area. This would adjoin the existing installation that provides this facility presently, so effectively would expand and supplement their current storage capacity and loading capabilities.

The footprint of this new structure would span 19.2metres x 3.51metres and it would incorporate an external maximum height of 14.7metres with a pitched roof design. This footprint broadly would match the form and proportions of the existing bulk out loading bin building (which spans 17.36metres in length) and it would adjoin this existing building to the east. When viewed externally, as per the submitted elevational plans the installation would be maintain the same height proportions of the existing structure and would be completed externally with green box profiled sheeting to the roof and walls which would be visually cohesive with the existing installation.

The new development would be located to the east of the existing installation, so further away from the Main Street at a distance of approximately 60 metres from the highway and approximately 10 metres from the shared boundary to the north.

This new building would incorporate the 12no. bulk outloading bins internally, each would hold a capacity of 10 Tonne of feed within. These outloading bins would span a maximum of 11.21 metres in height, with the feed conveyor operational for loading the bins positioned above these. It was confirmed that the existing conveyor would be extended, with the same single auger used for movements.

The new weighbridge would span approximately 18.04 metres x 3 metres in width but given its form would not be readily visible. The existing canopy would be repositioned further to the east.

New lighting is detailed in the application form, with new strip lighting proposed to match the existing.

The initial supporting statement provide indicated that the “businesses existing Mill Storage is now old and constraining its continued operation and the proposed development therefore provides much needed storage to ensure the continued viability and competitiveness of the business is maintained....In conclusion BATA needs this extension to be passed to be able to stay competitive in an challenging market place “

It was noted that bulk feed deliveries, such as those loaded from the outloading bins are generally undertaken between 06:00 to 18:00 Monday to Saturday but it was noted in the supporting statement dated 16th November 2020 that *sometimes “have to run out of these hours when weather conditions are extreme to ensure animals get fed.”* The statement confirmed that the following activities run at the following times:

Mill is running through the night producing animal feed.

Raw material deliveries to Mill arrive from 06:00

BATA/Thompsons Bulk vehicles are loaded and dispatched from 06:00

BATA Curtain sided delivery vehicles are loaded and despatched from 06:00

BATA Fuel wagons are loaded and despatched from 06:00

HGV garage is beginning repairing/maintenance of vehicles from 06:00

Several supporting factors were identified

- Reduction in HGV movements due to increased storage capacity. This was elaborated upon in later correspondence when the Case Officer sought confirmation if perhaps more storage could potentially mean more movement and it was noted “We use fork lift trucks to load all of our curtain sided lorries. The extra finished product new storage bins will allow us to store bulk product produced overnight in bins and then vehicles will be able to be loaded quicker to keep the Mill running. Another reason for the new storage is to reduce the need for us to use 1 tonne tote bins to store finished product within the Mill warehouse. Loading vehicles using the tote bin elevator takes much longer to load vehicles than it does from bins which increases the traffic backing up on the weighbridge. “
- Improved milling efficiency reducing environmental impact
- Less fork lift truck and staff activity onto the weighbridge due to better use of internal bin capacities.
- Slight lighting reduced as lighting internalised in new extension

- Reduction on impact to the environment due to less waste as reduced use of packaging to hold bulk products can take place.
- Replacing existing external conveyers at front of the Mill with new improved quieter versions.

The Noise Impact Assessment (Nova May 2020) notes that presently the trucks and tractors queue up and drive into the housing. The bulk bin can take up to 15/20 minutes to be loaded depending on how much is needed for transport. The feed then drops into the back of the lorry. The truck or tractor then starts the engine and pulls out of the loading housing up to the west of the site, turns around and then head back to the road to leave the site.

POLICIES:

Local Plan Strategy – Policy SP1 Generic Location of Development and Settlement Hierarchy
 Local Plan Strategy – Policy SP6 Delivery and Distribution of Employment/Industrial Land and Premises
 Local Plan Strategy – Policy SP16 Design
 Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
 Local Plan Strategy - Policy SP20 Generic Development Management Issues
 National Planning Policy Framework
 National Planning Practice Guidance

HISTORY:

The planning history for this site is extensive and includes several applications dating back to the 1970s. The following applications are considered most relevant to the present application.

10/00415/MFUL: Erection of storage and dispatch building attached to existing warehouse. Approved.

(This related to the approval of a 1200 square metre building.) The officer report noted “*The agent indicates that the site is able to operate 24 hours a day, 7 days a week, but that the proposed building will only operate 6am to 6pm. In view of this and the fact that is already allocated employment site it would appear unreasonable to insist on an hours of use condition.*” The application form noted that there were 75 full time employees operating from the Amotherby site including “*some 18 delivery drivers involved with the products referred to above as well as some 16 staff at the adjacent BATA fuel storage and distribution depot.*”

04-00891-FUL: 2 bulk storage bins & discharge conveyors. Approved. These were located to the principle (west) of the building to the south west of the current application, set approximately 30m back from the road.

03-01237-FUL: Alterations to warehouse to form office accommodation. Amendments to 2001 approval. Approved.

01-00267-FUL: Warehouse to B1. Approved.

97/01078/FUL: Erection of extension to outloading bins. Approved. (Located to the north of the site.)

97/01070/FUL Change of use of land to form a commercial vehicle wash area. Approved. Located to the east of the repair workshop.

96/00289/OLD – 3/5/20GFA: siting of an LPG tank. Approved. No hours conditions on DN. On the application form the description of the present use is “*Bulk and cylinder gas storage depot.*” Proposed use is “*Bulk LPG and cylinder storage facility.*” This site is to the very north of the BATA development, to the north west of the cricket ground.

94/00367/OLD – 3/5/21D/FA: Erection of vehicle repair workshop. Approved. On application form, description of present use is “*pallets and general storage*” and description of proposed use is “*vehicle repair workshop.*”

The decision notice includes Condition 08, limiting hours of this vehicle repair workshop to 07.00 and 19.00 Monday to Friday and 09:00 – 12:00 Saturday. No operation on Sunday. Condition 05 limits vehicles to be repaired to those owned by BATA only.

90/00363/OLD – 3/5/21C/FA: Erection of building to contain new bulk finished animal feed outloading

system at Amotherby Mill. Approved.

- Cond 04 – Noise generated by the operations conducted within the building by virtue of the granting of this permission shall not cause any increase in the pre-existing background noise level of 55d(a) (L90). (The level of noise exceeded for 90 percent of the time) as measured at the boundaries of the site. (Reason: in the interests of amenity.)
- Cond 05 – The proposed building shall be suitably screened to the satisfaction of the Chief Health and Housing Officer whilst the loading of lorries takes place. In addition the final delivery chute to the lorries should be provided with sleeves of similar to ensure direct load to lorries and other vehicles. (Reason: in the interest of amenity and in particular to reduce dust emissions.)

There were no conditions relating to hours of operation on the decision notice. These are located to the north of the site to which the extension is proposed. The application form gave a description of processes/end product/machinery “Bulk storage, out loading of finished animal feed, installation of conveyor, rotary screen, bulk bins, and weighbridge.” This was noted as relating to the “mechanisation-automation of current bulk finished animal feed, handing system.

The Parish Council confirmed an objection to this at the time and reconfirmed in their view following noise monitoring that this was being breached in correspondence dated 30th August 2020.

The application form requested estimated vehicular traffic flow to site during a normal working day (all vehicles except those used by employees coming to work. Confirmed as 15-25 lorries.

87/00341/OLD - 3/5/21B/FA Erection of two grain storage bins at Amotherby Mill. Approved. No hours conditions on DN

86-00343-OLD – 3/5/20E/PA – Change of use of garage to office at Amotherby Fuel Depot. Approved.

86-00342-OLD -3/5/20D-PA Change of use of land from agricultural to bulk liquefied petroleum gas storage depot including the installation of 30 tonne LPG storage tank, cylinder storage facilities and incorporating a new access. Approved.

84-00331-OLD – 3/5/20C/PA – New Oil Storage Tank and Erection of containment bund wall at fuel storage depot. Approved.

83/00338/OLD-3/5/21A/PA - Construction of a unit for bulk storage and outloading of animal feeds. Approved.

80-00357-OLD – 3/5/20B/PA - Fuel storage and repositioning of septic tank. Approved.

79-00371-OLD – 3/5/20A/PA – Installation of a 12000 gallon tank at BATA Oil Depot. Approved.

No hours conditions on DN

77-00325-OLD-3/5/20/PA - removal of 650 gallon tank and replacement with 2000 gallon tank, approved 2nd May 1977. Approved.

No details/decision notice on uniform.

77/00324/OLD – 3/5/21/PA: Construction of a steel and blue asbestos sheeted lean-to to contain blending bins. Approved.

REPRESENTATIONS:

A number of formal representations have been in relation to this proposal. These include formal objections from the occupiers of the following properties, 1 Seven Wells Amotherby (2 responses) Devonshire Cottage Amotherby (2 responses) 1 Ryedale Cottages Amotherby (2 responses) Millfield Lodge Amotherby, 3 Seven Wells Amotherby, 2 Ryedale Cottages Amotherby. These were received between the 23rd February 2020 and the 28th August 2020. Members are advised that these formal representations are available to review in full on the public register.

A summarised overview of the concerns raised received between the 23rd February 2020 and the 29th February 2020 are summarised below:

Design/Character

- This build will have an overbearing presence, with a huge expanse of dark corrugated walling, not the present rural view.
- The increased production which requires these bins to be built has brought increased artificial light, noise and traffic to our village. We are losing the rural feel.
- We have been earmarked as a service village in Ryedale therefore we do not want increased industrial activity and industrial building.

Noise/Amenity Impacts

- Concern over noise from operation of the proposed additional bins
- There is already an unacceptable level of night time noise as the application form notes the intention is to operate the bins 24 hours a day this is worrying. Presently experiencing disturbance from staff and machinery late at night.
- As a young family living directly opposite the mill, we are already significantly impacted by the ongoing noise associated with the mill and its daily working. While on the whole; we accept this is the case this is knowing that the noise on a weekend is minimal. In recent weeks the activity at the mill as increased on a weekend and the press noise has run for much longer than 'normal'
- The constant noise usually stops Friday Evening and doesn't re-commence until Monday morning. These plans specifically refer to a 365 day 24/7 working time. This causes me great concern. As related factory activity i.e lorries coming through the village and stopovers for drivers out of hours doesn't occur on a weekend and the constant noise is switched off.
- BATA's existing mill machinery already often runs 24 hours a day during the week, usually now on Saturdays and sometimes on Sundays. The operation times of the mill have increased considerably in the last few years.
- There has been a significant increase in noise in the past few months and this extension will reflect more noise towards my property.
- Had assumed the increase in noise was a temporary issue as it had been in the past as the noise from the fans precludes us from opening windows in the summer at night and reduces enjoyment of gardens.
- The machinery and traffic noise is already intrusive, not just for residents close to the mill, but others in the village.
- Noise surveys have been done in the past (see below from the Ryedale Plan document) , and it has been acknowledged that BATA is very noisy. I would like a restriction put on this plan that BATA cannot work 24/7 365 days a year...the increased noise has been impacting on our life for many months, just because we have not officially complained does not mean it has not been impacting significantly, it just means we have been tolerant up to this point.
- Case Officer Note: The Ryedale Plan, Local Plan Sites Document - Amotherby and Swinton Background Paper is also referenced by a neighbour in relation to the review of amenity issues and BATA. Significant paragraphs were quoted (including the Amenity paragraph on page 13 and the review of Site 8 (Land to the east of housing fronting Maint Street) on page 14.) This document can be viewed in its entirety at the following link: https://www.ryedaleplan.org.uk/images/Site_plans/Publication/Amotherby_and_Swinton_background_paper.pdf
- If new machinery is needed, seeking information/ assessment of operational noise levels from machinery and people and potential night-time, weekend and bank holiday disturbance.
- Due to the recent increase of working hours, going from a 9-5/ 5 day a week operation to a 24/7 operation, that the extension can only add to the anthropogenic noise pollution issues, along with the light pollution and known particulate matter that we have been seeing in the village. I feel that these issues come under the Environmental Protection Act 1990 as a statutory nuisance as it causes a disturbance to us in our property and is unreasonably affecting our use and enjoyment of our home, and I shall be writing a separate email specifically addressing these issues as they have been continuing before any word that this extension application was occurring.
- Concern over increased noise from traffic and increased volume of traffic, including increased

HGV gross weight. Large HGVs are used to empty the bins, and given that the installation increases the number of bins to facilitate loading, lorry traffic is likely to increase.

- Many large tankers and grain delivery HGVs already visit the mill site and oil/gas depot, plus the traffic of BATA's own fleet. External hauliers on occasions arrive and depart in the early hours of the morning. Vehicles are now so large that they sometimes have difficulty reversing into the site, causing extra disturbance, with headlights shining into houses.
- Sometimes heavy vehicles park outside the mill overnight, their cabs are level with first floor windows of houses opposite and this causes lack of privacy. I would ask for information/assessment of HGVs using and potentially using the site, how and where they are parked overnight and the noise and other disturbance they would make.
- We accept BATA is an integral part of the village and that is not a issue, but how the business is conducted in a residential area has a direct impact on village and families living here. There must to a compromise here.
- I can wholeheartedly say that I am happy to see a local business thriving at this time of economic uncertainty and understand that they would like to expand to meet demand, but BATA also has another site that is not within a village and wonder why this extension cannot work elsewhere. I also am aware that BATA have been operating out of Amotherby for a number of years but they have gone from being a small business to a very large business, and with their growing success which has led to such noise issues maybe they have outgrown this small village.
- The development will block out light for adjacent properties.
- Increase the risk of unplanned escape of animal feed been vented into the air which has happened many time's

Lighting

- The application indicates there will be strip lighting. The site already causes considerable light pollution as its bright lights can be seen from great distances across open countryside. The right white light causes disturbance and sleeping problems.
- Recently installed floodlights near the street have been causing great disturbance to residents opposite. Against this background I would ask for the effect of any new lighting to be assessed to avoid making a bad situation worse.
- Lighting is also a concern, the brightness of the new LED bulbs is frankly intrusive and not required, when they are not using some of these areas during hours of darkness, when the lights are left on.

Traffic

- Increased level of traffic, including increased HGV gross weight. Large HGVs are used to empty the bins, and given that the installation increases the number of bins to facilitate loading, lorry traffic is likely to increase.

Other Matters

- At a parish council meeting on Monday 17 February the operations manager was not able to confirm whether the materials used to build the extension would be brought into the village at what we deemed to be sensible times, i'm not sure if you are aware but Amotherby struggles with congestion during school start and finish times.

Summarising of 3 further responses received between 27th and 28th August 2020 – also available to view in fill on the public access. These were received following a new publicity period, undertaken following the publication of the Noise Assessment documents, additional supporting information from the Applicant.:

Occupier of 1 Ryedale Cottages (27th August 2020):

- The focus on this planning application seems to be around HGV noise and movement. This is

only one part of the continuous noise problem. BATA have intensified use of the site by working 24/7 since May 2019, without any form of planning permission or consultation with the local residents.

- This has not been accepted by the community because of increased noise, this is another ongoing issue that should be taken into overall consideration.
- Initially there may not be an increase in HGV movement, but over time, the way production is being intensified, what is there to protect residents from increased HGV movement in the future? Will there be restrictions within the planning application to protect the residents from more HGV's and intensification of production due to increased storage?
- There is reference to noise maybe caused by The Queens Head Pub. I don't believe there have been any noise complaints regarding the pub in the last 10 years? I live opposite the pub, BATA noise, far outweighs any noise from the pub.
- Reference is made to correct location of the noise monitor, which was incorrectly highlighted by BATA as being on a particular lamppost.
- I have also tested noise levels on a regular basis and i get night time readings of 58 decibels inside my bedroom window when no traffic is nearby.
- The noise survey has taken readings on a Sunday night. On this night of the week, the factory shuts down production, therefore reducing noise. To get an accurate noise reading it needs to be between the hours of midnight and 4am when we should be sleeping, not on a Sunday night when they turn the main noise source off!
- Invited to monitor beside bedroom window. I would also like to know the acceptable level of industrial noise in a rural area. I ...would like to sleep peacefully every night of the year, enjoy my garden without a background noise 24/7. When is 58 decibels acceptable in a rural village? during the hours or 10pm and 6pm?
- There is a much bigger picture that needs to be investigated regarding increased use and intensification of use of the site, when will it stop?...If you allow extra storage, you are allowing increased production and overall continuous inappropriate, unacceptable noise levels

Occupier of Devonshire Cottage and 1 Seven Wells in a joint letter (28th August 2020)

1. Site disturbance and lorry traffic out of hours: The proposed restriction in working hours of the commercial part of the business from 6.00am to 18.00pm would be welcome if it includes all preparation for departure of lorries – i.e. no drivers and other commercial operation staff to be on the site and in car parks before 6 am.

(See notes on Operating Hours below where many staff have been seen arriving on site from 5. 20am onwards and starting work). This would obviously not apply to the overnight mill operators We appreciate that the non-BATA delivery lorries bringing fuel to the fuel depot might have to be an exception which may be more difficult to control, but we observe that these seem to arrive at the moment mainly after 6 am anyway.

The lorry traffic has intensified considerably over the last three years . My family moved to Amotherby in 2017 and at that time the vehicles serving the plant were about half the size they are now. Many of the traditional properties on Main Street and High Street front like ours directly on to the roadside with no buffering front garden and just a narrow pavement and we do experience the impact of fully loaded large lorries passing early in the day, because they shake the houses.

2. 24 hour working throughout the year: The decision to work every single hour of the year was taken unilaterally without any local consultation. The present intended 24/7 mill operation is intrusive for the reasons outlined in the notes below. The wider effect of the constant sound is not addressed properly by the sound test report, where the need to have some peace in the back gardens in summertime is not taken into account at all. The problem of dust generated by the mill has not been addressed at all. As someone who has commissioned sound reports professionally over the years I do not think the position of the test offered takes into account the full area that is actually affected by the noise which has been complained about. (see notes) In an ideal situation there should be no Sunday operation, but we suggest that a limit on Sunday operating days in summer should be considered, when there should be an agreed number of 24-hour periods without mill noise in the summer season.

3. Night-time lighting from various parts of the site remains a problem and has recently increased with the very recent installation of electric charging points in the office staff car park which are brightly lit at night and shine directly into bedroom window across the road. Why do these have to be on at night when the office is closed? Please take this opportunity to control any lighting you can, that does not comply with current practice for lighting in the open countryside

(Additional sections of notes on Mill Noise, Operating House, Intensification of HGV Activity and lighting were provided to support the above points. These will not be fully summarised again as the summarised concerns have been outlined above, but this is available to view on the public register.)

Parish Council

The Parish Council provided the following consultation response on the **25th February 2020**:

This application was considered at our meeting of 17 February 2020 which was attended by a large number of residents, who were invited to make comments. The Parish Council shares the concerns expressed, which centred on noise, hours of operation and disturbance, and would object to the proposal if the development lead to an intensification of the use of the site resulting in more noise, vehicle movements, lighting, and general activity.

Whilst a staff member from BATA attended the Parish Council meeting and endeavoured to explain the company's position regarding the application and its implications for neighbours there is no statement with the application that explains how the proposal impacts on the operation of the mill and consequently neighbours.

The Parish Council are mindful of the fact that the mill has been in operation for a long time without planning restrictions on the hours of use or noise output. The mill used usually to operate from 6am to 10pm Monday to Friday, with only occasional extensions to 12pm or through the night, and only occasional weekend working. This has been tolerated by residents as necessary at times of high demand.

Residents concerns should be viewed in the context of the intensification of the mill's operation over the past three months. Currently BATA are operating the mill 24/7, stated in the application as permanent, which is resulting in unacceptable disturbance to adjacent neighbours. Surely permission for variation of operating hours should have been sought and agreed. Noise is having a great effect on the amenity of the nearby residents, their ability to sleep with windows open and to enjoy peace and quiet, particularly at weekends. Any increase in activity will result in an increased adverse impact on neighbours.

The Parish Council would ask that the applicants furnish the Planning Authority with details of vehicle movements and general activity associated with the development. Any increase in activity would be met with objections from the Parish Council.

In addition to the above concerns the site as a whole is well illuminated, some of which adversely impacts on neighbours. There is no indication that the proposed development includes any additional illumination and the Parish Council would ask that this situation is confirmed with the applicant.

The Parish Council provided the following consultation response on the 28th February 2020:

A letter was provided confirming details of the application 3/5/21/C/FA highlighting condition 04 (noted in the planning history above.) and providing correspondence from the Parish Council to the Local Planning Authority.

The Parish Council provided the following consultation response on the **30th August 2020**:

I refer to your letter dated 13 August 2020 concerning the above application and revised noise information received. The Parish Council have carefully studied these additional documents and have considered them at our meeting on 27 August 2020.

The Parish Council expressed concerns regarding the application in our letter dated 25 February 2020. The Parish Council were concerned about the lack of detail submitted with the application, particularly regarding vehicle movements and the possible intensification of the use of the site and stated that any increase in activity would be met with objections from the Parish Council.

As you will be aware there is great concern in the village regarding the current use of the site resulting in noise disturbance from the use of the mill, vehicle movements, and general disturbance.

Based on the submitted information there is no guarantee that the proposal will not lead to further noise and disturbance and the intensification of the use of the site, leading to an increase in activity, vehicle movements, and noise associated with the proposal and the site in general.

The Parish Council is of the view that the increased storage capacity is highly likely to lead to intensification of the Mill operation, leading to further increases in the already unacceptable noise levels from the Mill itself. The Parish Council therefore OBJECTS to this application.

Our objections are based on :-

A. Lack of clarity regarding the Planning Application.

No information has been submitted regarding the size of the existing bins. Therefore, no comparison can be made regarding the impact the new bins will have with regard to vehicle movements and the intensification of the site as a whole. The District Council are fully aware of the problems the mill is causing in the village particularly regarding noise and increased working hours. The applicants, without stating, imply the bins will be bigger than those existing.

The applicants dismiss this issue with vague comments such as that in the undated submission from BATA which states "Reduction in HGV movements due to increased storage capacity". Nowhere does it state how this conclusion has been reached. It could be argued, as we do, that the increase in capacity of the bins will lead to a further increase in production, more noise and disturbance, more vehicle movements, all to the detriment of the Community. In addition the vague statements are unenforceable and will allow the applicants to operate the bins as they think fit with no regard to the Community.

The Highway Authority have stated that they do not object to the application. All based on unsubstantiated claims by the applicant that there will be a reduction in HGV and forklift truck movements. However the Highway Authority also state that "No figures have been submitted to support this statement". The Highway Authority should be asked to withdraw this response and await the required figures before a considered response is given. In addition both the Highway Authority and the Planning Authority should consider whether, even in the presence of factual figures conditions could be imposed to limit the activity to that stated by the applicant.

B. Concerns regarding the contents of the Nova Noise Impact Assessment and other documents.

The Nova Report and other documents have has been considered in full by the Parish Council and found to be wanting in many aspects. Appendix 1 states our concerns and questions that need answering . Whilst Appendix 1 gives a full view of the Parish Council's concerns re. the NOVA report there are some issues that need highlighting.

- The dates and times of the survey are of serious concern, leading to doubts over the validity of the report. The weekend chosen was immediately prior to lockdown and included Sunday night when, on occasions the mill does shut down (as appears from the data to have been the case), and the Monday morning when fewer workers than normal will have been arriving.
- In addition no explanation as to why Friday afternoon to Sunday 8.00am are considered to be anomalies. This discounts two-thirds of the available data and the one third used is probably more of an anomaly for the reasons given above.
- The NOVA report is potentially biased, having been carried out for BATA, although we find that some parts do back up the Parish Council view of excessive noise from the site.
- Because of the concerns of the Parish Council regarding the Noise Investigation and the impact the Mill is having on the Community in general we have undertaken our own Noise Survey which is attached at Appendix 2. This gives an indication of how the noise varies with distance from the mill.

The Parish Council would ask that the District Council commission an independent noise assessment at times that BATA are unaware of to establish an informed and balanced appreciation of the impact the development will have on the Community, with particular regard to the intensification of the use of the site as a whole. It is worth noting that the Nova report dismisses additional vehicle movements by stating “The site contact has said there will not be an increase in HGV Traffic”. However again no figures have been submitted to substantiate this claim and there is no indication of how this position, if justified, will be maintained in the future.

A baseline reading of the level of background noise when the site and mill are not operational (as used to happen on most Sundays) is required. The background noise levels given in the NOVA report are while the site is operating and therefore a “red-herring” with regards to potential additional noise from the proposed extra bins.

During the Ryedale Plan SSM of potential development sites in Amotherby a noise survey was carried out when the Mill was not usually working 24hrs a day and was closing down at night. It should therefore give a better indication of real background noise levels at night. The results of this survey are not available to the Parish Council (but should be to RDC Officers) and indicated that noise from the Mill was unacceptable for the development of housing in the vicinity. See “The Ryedale Plan: Local Plan Sites Document, Amotherby & Swinton Background Paper, - Settlement-wide Considerations for both Amotherby and Swinton, Amenity; and Site-Specific Considerations Amotherby, Site 8.

Why should existing dwellings in the village be expected to live with these noise levels, now night and day due to the current 24hr working. The proposal has the potential to add to this situation by allowing increased production, more uncontrolled activity, noise and disturbance.

In conclusion any development at the Mill should not add to an already unacceptable situation. The applicants have not demonstrated that this will be the case. The lack of information, from the outset, is an indication of the lack of a professional approach to the proposed development. Information is still lacking, as clearly demonstrated by the Highway Authority response. The proposed development has the potential, due to larger, undefined capacity, to increase noise and disturbance associated with not only the operation of the bins but the site as a whole due to potential increased levels of production.

It is difficult to see how the Planning Authority can control one area of the site especially when the whole site is creating problems for residents. Left to their own devices the applicants may choose to operate the proposal as they think fit, ignoring the concerns of the village and not being the “good neighbours” a responsible company should be trying to be.

(Annex 1 to this document were provided on a critique of BATA noise documents submitted and more review of the NOVA Noise Impact Assessment. Appendix 2 contained the results of the Amotherby PC Parish Noise Survey, undertaken on 19th August 2020, at 25 locations in the village – illustrating levels of between 15.6dB and 65.7dB through the village at 3.30am-4.30am.) These are available to view in full on the planning file.

The Parish Council provided the following request on the **20th September 2020**:

In view of the increased activity and increased hours of use of the BATA Mill to 24/7 since the installation of new equipment in autumn 2019 Amotherby Parish Council formally request that the District Council investigate whether these changes constitute a change of use.

The changes in how the Mill operates result in a different character to its operation leading to an intensification of the use of the site.

The Parish Council asks whether this constitutes a material change of use.

This has relevance to planning application 20/00088/FUL currently being considered.

The Parish Council provided the following information on the **22nd September 2020**.

Some extra information which may or may not be of assistance to you:-

- New machinery was installed in the mill last autumn (as far as people remember during Sept) since when the perception is that noise has increased.
- Mr S Richardson stated at the PC meeting in February this year that the mill has worked 24 hrs a day since May 2019 but not at weekends until "the last 3 months" ie. since Nov/Dec 2019. The PC has no way of confirming this.
- Residents did not complain about noise over the winter months as they have been used to the mill working longer hours before & after Christmas to cope with demand when animals are housed indoors and grass is not growing. The weather was awful too, with rain almost every day, so windows were closed more and gardens obviously not in use. Only when the planning application stated that mill operations were 24/7 and 365 days/year were residents alerted that this would be a permanent arrangement and opposition began.
- Following a night of exceptional noise on 14th Sept the mill was off during the evening of 15th Sept (presumably for repairs) but fans were still operating. A reading of 44dBs was taken opposite the mill. This is the same on each rare occasion the mill is shut down.
- If these fans are associated with the storage bins there is a direct impact/connection to the planning application -- more storage bins would involve more fans and therefore more noise.
- The PC have been told that the acceptable level of noise in a rural area at night (10pm to 7am) is 35dBs. This is exceeded at night over much of the village (see PC letter of 30 August, appx 2).
- The 1990 planning application (3/5/21C/FA) for the original storage bins put a restriction of 55dBs (condition 4) on the level of noise at the edge of the site. This was at a time when production was only during the day. This level is now being exceeded at night on the pavement opposite the mill (see PC letter of 30 August, appx 2) and the planning condition is therefore being broken, even without additional storage bins. Daytime noise levels will be even higher due to other activities on site.

CLARIFICATIONS

Material change of use:

As noted, the Local Planning Authority were asked by the Parish Council and residents to investigate whether the use of the BATA Mill to 24/7 since the installation of new equipment in autumn 2019. Anotherby Parish Council formally request that the District Council investigate whether these changes constitute a change of use.

It was considered by the Parish Council that *"The changes in how the Mill operates result in a different character to its operation leading to an intensification of the use of the site."* This section of this report will provide a full response to that request.

In light of the issues raised, the Case Officer wrote to BATA on the 20th October 2020, to seek additional details. The response to this from BATA is available to view on the planning file.

Additionally a full review of all past applications from BATA to the council dating from the 1970s was undertaken by the Case Officer.

The BATA Officer confirmed in an email dated 16th November 2020 that *"The new equipment installed in autumn 2019 was a replacement press/cooler/conditioner for an existing press which needed to be replaced. The equipment is all installed internally and not visible externally."* This was not related to the proposed new development. This email confirms other clarification on points such as current staff levels, estimated present average daily traffic flows and hours of operation.

The comparison of data from the previous decades cannot always be directly undertaken, due to the various uses on the site and different types of information sought for and provided as part of some historic planning applications. However, following detailed review of the available information, the LPA have been able to conclude it is not considered that a material change of use has occurred.

In terms of staffing levels, a clear comparison can be undertaken between the 2010 application which

confirmed 75 staff on site and the updated information provided by the Applicant in their supporting information which confirmed that there are approximately 97 staff when at full capacity. This does not suggest that there has been a significant level of new staff at the site.

Incoming info from BATA as detailed on the supporting information dated 16th November illustrates that the mill is the only aspect running 24/7, which following detailed review of the planning history has been established as having the ability to run unrestricted in planning terms. No conditions have been applied to any permission that would restrict the general site operations, excepting small elements outlined above in the planning history, ie. vehicle repair workshop. Therefore it would not be possible to retrospectively apply planning conditions relating to the hours of operation at BATA, particularly not as part of an application for a limited number of additional feed bins and associated development. This would not meet the tests of soundness for a planning condition and it would be unreasonable to do so.

Therefore the LPA have formally concluded that there has been no material changes that constitute a change of use. It remains a mixed use premises which continues to incorporate the historic mill building, albeit operating in a modern 21st context. It undoubtedly has grown and developed but in planning terms this has not resulted in a discordance with any planning permissions. It would in our view not be reasonable nor correct to seek reapplication for what is considered to be a lawful use.

Separate noise nuisance investigation:

As noted, BATA would in planning terms have no restriction in relation to hours of operation. However it is particularly important to note that just because there may be a lawful planning right for 24/7 operation, it is not the case that this could be undertaken without any intervention from the Ryedale District Council if this was causing a potential statutory nuisance. The Environmental Health Team and Community Teams can and will investigate alleged noise nuisance complaints under the Environmental Protection Act 1990.

This has been demonstrated by the conclusion of a recent noise nuisance investigation at BATA, where a Noise Abatement Notice was served on the company in December 2020 in relation to a statutory nuisance coming from another section of the site unrelated to this application (The Grinder House).

To deal with this, BATA employed the services of both noise consultants and machinery engineers whilst consulting with the Council's Environmental Health Team regarding the works being undertaken. A new silencer was constructed and fitted to the fan and new insulation material and doors were installed within the Grinder house itself. Following completion of the works Environmental Health Officers visited the area and assessed the noise on the footpath outside the nearest residential receptors and at other points. It was concluded that BATA undertook the best practicable means to attenuate the noise levels and the EHOs were of the opinion that the extensive works BATA undertaken in February 2021 had achieved a satisfactory level of noise attenuation. The EHO Officers concluded that the statutory nuisance no longer exists, allowing the case to be closed in March 2021.

The Council's EHO Team are able to become involved where necessary if there are any further complaints arising from operations at the wider site, in addition to aiding Planning Officers in any necessary review of the Noise Management Plan and Noise Control Measures agreed as part of this smaller, more limited application.

APPRAISAL:

The main considerations in assessing the impact of this application are:

- i) Principle of the Development
- ii) Character and Form.
- iii) Neighbouring Amenity
- iv) Highway Impact
- v) Other matters, including consultation responses

- i) Principle of the Development

Policy SP1 (General Location of Development and Settlement Hierarchy) identifies the Settlement Hierarchy of the District and confirmed that Amotherby and Swinton form a Service Village, a tertiary focus for growth.

Policy SP6 Delivery and Distribution of Employment Land and Premises notes that in Service Villages and other villages *“new land and buildings for employment will be considered from the following sources “Small-scale sites in and adjacent to Development Limits (coming forward as ‘windfall’ development); conversion of buildings within and outside of Development Limits for employment used and rural diversification; expansion land/sites for major employers/established businesses.”*

Policy SP6 also notes the Council will aim to: “Offer opportunities for specialist sectors including precision engineering and advanced manufacturing and existing key businesses. This will include: expansion space for existing businesses, new sites and premises for move on accommodation to support business growth and growing these key clusters.”

The highlighted consultation responses in objection to the scheme are noted. As previously highlighted, this is a relatively small extension to provide additional facilities for a long established local employer.

It is therefore considered that the principle of this new storage building and associated operational development is acceptable within this allocated employment site, as designated within the Ryedale Local Plan.

The impact upon the highways network, noise/the amenity of neighbouring occupants and character and form will all be assessed below, however it is considered that should they be satisfied, this proposal would accord with Policies SP1 and SP6 of the Ryedale Plan, Local Plan Strategy.

ii) Character and Form

The proposed form of the new development has been outlined above in the proposal section.

The location of the proposed building, directly adjoining and mirroring the design, height proportions and materials of the existing bulk storage facility is noted and this additional structure would appear very strongly grouped with the other development on site, which is appropriate in this designated employment site.

Should this be approved, a condition to ensure matching materials is noted to ensure visual continuity.

It is not considered that this operational development would result in any harm to the character of the locality which is designated employment land and more inset within the site than much of the other development.

It is not considered that this design would result in associated harm by virtue of overshadowing or overbearing development. It is located in close proximity to the northern boundary but existing mature landscaping is present here.

Lighting has been raised as a concern locally. It is considered that a condition seeking details of lighting prior to its installation should be attached as a priority. Elsewhere within the site work has already been completed to remove static lighting from electric vehicle charging points installed to the south, which have been changed to motion sensed.

iii) Neighbouring Amenity

The range of objections received had highlighted concerns over existing noise and disturbance, the present impact of night time working which has increased beyond that which was normally experienced in months leading up to the application. Concerns were also raised over increased and intensified works on site as a result of this proposed development, including additional traffic volumes.

As noted, in planning terms, BATA have a right to operate in an unrestricted fashion. However, importantly, should this arise to a level that is concerning in any respect, the EHO Team will investigate this under the separate Environmental Protection Act 1990, as has occurred recently. The operational issue of enhanced noise that had been occurring at the Grinder House, which was deemed to form a statutory nuisance has now been addressed successfully.

In an initial consultation response dated 3rd March 2020, the Environmental Health Officer requested the submission of a Noise Impact Assessment to be carried out to identify the potential impact of the work activity on the nearest noise sensitive residential properties. Details on the proposed level of extra vehicle movements was also sought if these would be moving through the village 24/7.

In response to this, a supporting statement was provided from BATA that was scanned onto the planning file on the 26th May 2020. A Noise Impact Assessment from Nova Acoustics was also provided (dated 13th May 2020.) This incorporated the requested confirmation on vehicle movements, confirming that there would not be any increase in HGV vehicle movements through the village “the client has guaranteed that these will not be increased” pg.12 of the Nova document).

This also included noise monitoring information undertaken between the 20th and 23rd March 2020 to establish background noise. Point 3.4.1 of this report noted that there was some corruption of data between the 20th at 12:00 to the 22nd at 08:30 but that the Sunday data does not present any anomaly. This was considered to be representative as the sound profile of *“such a location is typically lowest during a Sunday, therefore it is understood to represent a worst-case scenario, providing robustness to the assessment.”* Concerns had been raised in relation to this by the Parish Council and objectors about the anomaly and the Sunday monitoring. The EHO confirmed that anomalies can occur with sensitive noise monitoring equipment and 24 hour monitoring would always have been considered sufficient. The assertion that this background monitoring was undertaken on what was perceived to be a ‘quieter’ day would not be to the benefit of BATA when considering the impact of the proposed additional use. The identified doubt over the professionalism of the submitted noise assessment is noted and is disagreed with by the LPA. Nova Acoustics are members of the Institute of Acoustics, the Institute of Engineering and Technology, the Institute of Environmental Management & Assessment, are registered a registered Local Authority Building Control Partner, hold ISO 9001 quality management system accreditation. They are governed by professional requirements and are required to produce accurate and unbiased reports. The Council’s Environmental Health Team have no qualms over the methodology of noise assessment undertaken. The Noise Assessment undertaken by the Parish Council throughout the village is noted but it cannot be considered to be of the same reliability as that undertaken by a professional accredited organisation with professionally calibrated scientific equipment. It also relates to the wider impact of the site operations, rather than modelling the proposed development against background levels which is most relevant for this application.

It is also noted for clarification that the query of the 35dB decibel limit raised by the Parish Council in rural areas relates to the World Health Organisation Standards which are the highest standards that the Council has adopted. These are however based on internally measured noise, with windows partially open with associated noise attenuation from the windows, rather than externally from within gardens.

Within the Nova noise assessment, a narrative on the loading of bulk bins and the loading of lorries/tractors was then provided and measurements taken on these activities. A sound map was produced with computer modelling relating to the noise these additional activities would generate and the specific sound levels at the nearest noise sensitive receptors was calculated. The computer modelling as detailed on the report was based on the worst case scenario of constant bulk outloading. It was concluded that the daytime noise impact of these loading operations (the only ones which are related to this specific planning application) concluded that there was *“No observed effect level”* at the nearest Noise Sensitive Receptions” during the daytime and a +2db noise level increase against the identified background levels at night time as a result of this activity.

The Noise Impact Assessment also confirms that the proposed housing would be completed with the same panelling material as that of the existing housing that would ensure a minimum 40db reduction. This will be conditioned as part of the above identified materials condition.

Various discussion back and forth between the Environmental Health Officer and BATA was undertaken, with clarifications sought on various points (available on the public register.) The issues raised within third party representations about the methodology and results from the Noise Impact Assessment are also acknowledged and have been reviewed by the EHO.

It was ultimately concluded by the EHO on the 11th August 2020 that “*With regard to the above application I have concluded that due to there being no additional noise source and vehicles to the site I can accept the findings of the noise assessment carried out on 13th May 2020 and have no further observations. I do however recommend a condition, as mitigation that the implementation of a documented noise management plan in line with 4.4 of the noise assessment, and this should be submitted to the planning department prior to commencement of works.*” The EHO confirmed that this view was not altered following receipt and review of representations raising certain concerns about the submitted Noise Assessment from third parties and the Parish Council.

The Noise Management Plan and compliance with the Noise Control Measures would be the responsibility of the site manager and regular meetings will be instigated to discuss current and planning site operations that have the potential to generate elevated noise emissions.

Section 4.5.2 identifies specific management control methods, including the regular maintenance of all plant and machinery, traffic movements from HGVs will take place during operational hours, speed will be limited to 10mph within the site, site staff will be made aware they are working in the vicinity of noise sensitive receptions and will receive appropriate training.

It noted that if at any time it is necessary to carry out temporary actions that are likely to cause elevated noise levels, the site manager will contact all interested parties before such actions are taken to inform them of the operations being undertaken and that the elevated levels will be of a temporary measure. A noise complaint investigation procedure was identified, to be implemented and completed by the site manager, as detailed within section 4.5.4.

BATA confirmed that the following transport movements are undertaken at the site in an email dated 16th November 2020 which the EHO was made aware of. These were the following:

Office – 40 staff coming via car in and out in the morning and some leave at lunch. Also some staff go out on business during the day. Monday to Friday.

Mill – Raw material deliveries average 7 HGVs or Tractor deliveries each day Monday to Friday. Occasional Saturdays.

Warehouse – Commercial stock deliveries into the building are on average 30 3rd Party Hauliers.

Agri Transport – 20 – 25 HGV loads going out on deliveries and returning. 1-2 HGV loads on weekends.

Fuel Transport – LPG deliveries out - 4 HGVs in and out each day Monday to Friday. 2-3 LPG on Saturdays in busy time periods. (Fuel depot external to Mill site)

Oil deliveries out - 20 Loads in and out each day Monday to Friday. 2 Oil loads Saturday on average.

LPG Deliveries in – 1 HGV tanker each day Monday to Friday

Oil Deliveries in – 5 HGV tanker each day Monday to Friday

HGV Garage – Parts deliveries vans 2-3 a day.

Also all Mill/Warehouse/Agri Transport/Fuel Transport/HGV garage staff will also come to work in the morning and go home in the evening with majority coming in by car.

IT was noted that bulk feed deliveries, such as those loaded from the outloading bins are generally undertaken between 06:00 to 18:00 Monday to Saturday but it was noted in the supporting statement dated 16th November 2020 that sometimes “*have to run out of these hours when weather conditions are extreme to ensure animals get fed.*”

As also outlined in this supporting statement, the new proposed structures would require no new fans which was a concern of third parties and would only include an extension of the existing conveyor system and are intended to reduce vehicle movements within the site, as outlined in the proposal section above through increased storage capacity and reduction in reliance of 1Tonne Bags. This knowledge,

combined with a categorical confirmation on the average number of daily trips at present will also allow for future review of site intensity should traffic volumes increase.

Clarification was provided by the EHO that although there was a Noise Management Plan contained within the Nova Acoustics Report, this request for a standalone submission was at that point requested as this was a recommendation from Nova and not a commitment from BATA to adhere to this. Mr Abel from BATA confirmed in an email dated 21st May 2021 that they intend to use the recommended Noise Management Plan for this project. The EHO confirmed *“Following BATA commitment to implementing the recommended noise management plan exactly as stated in section 4.4 of the noise assessment undertaken by Nova Acoustics (email 21st May 2021) I am satisfied that they have fulfilled the condition I recommended to provide a noise management plan prior to approval.”* Mr Richardson from BATA confirmed that Section 4.5 could also be conditioned for compliance in a telephone call with the Case Officer on the 27th May 2021. The use of this Noise Management Plan and Noise Control Measures will consequently be conditioned for compliance and any changes to this will require the prior written approval of the Local Planning Authority, in consultation with the Council’s Environmental Health Team.

The EHO was asked to confirm that they were ultimately comfortable with the position of the noise monitoring equipment following receipt of concerns on this point in incoming representations and they noted *“It is normal practice for ambient noise levels to be recorded at the boundary of nearest noise sensitive receptors, I am satisfied with the position of monitoring undertaken by Nova acoustics.”*

The EHO was also asked about whether the reapplication of Condition 4 of the 1990 approval would or should be necessary. They noted *“Due to recent work undertaken by BATA to reduce ambient noise levels, implementation of the recommended noise management plan will be effective in controlling noise outbreak at source. I should therefore recommend removal of condition 04.”* Members will appreciate that Condition 4 cannot be removed from the original 1990 approval as part of this application, but this does confirm this shouldn’t be reapplied.

Additionally, as highlighted above, separately to the planning process, the Council’s Environmental Health Officers have been investigating the presence of statutory nuisances at the site, in a different area to this planning application. This has resulted in the serving of Noise Abatement Notices and demonstrates the Council’s commitment to investigating possible instances of statutory nuisances.

The Council’s Environmental Health Team also confirmed in their view there was no statutory nuisance due to vehicle movements.

It is therefore considered that whilst there have been a number of responses received raising concerns in relation to amenity, following review of the incoming supporting information, including the Noise Assessment and the Noise Management Plan to which a clear commitment has been made, it is not considered that this proposed operational development to support the long established business would result in additional material harm to residential amenity.

iv) Highway Impact

North Yorkshire County Council Highways were consulted on the proposal and in a consultation response dated 1st April 2020 sought additional information.

They confirmed the following in a responses dated 26th August 2020 that *“I note that there is an un-dated supporting statement to view on the planning website which seems to post date my initial consultation response. I am also aware of the suggested noise management plan. It is noted that the proposed development is stated as thereby resulting in a reduction of HGV and fork-lift truck movements around the site and, although no figures have been submitted to support this statement, on balance, it is considered that there are no local highway authority objections to the proposed development.”*

Additional information received from the Agent on the 16th November highlighted the current level of

vehicle movements from the site on a daily basis. As noted before, this confirmation of precise vehicle movements can be considered in the future as a basis of the present status quo of the operation.

It is therefore not considered that this would adversely impact upon access and highway safety.

- v) Other matters, including consultation responses.

The Health and Safety Executive do not advise against this proposal.

Subject to the recommended conditions, the proposed additional development to support the existing works at this premises have been found to be acceptable in principle and in terms of design and landscape impact, residential amenity and access and highway safety.

This proposal relates to a relatively low level addition to a long established industrial site and this would not be considered likely to materially increase the intensity of operations.

It is therefore considered that this proposal conforms with Policies SP1 General Location of Development and Settlement Hierarchy, SP6 Delivery/Distribution of Employment Land and Premises, SP16 Design, SP17 Managing Air Quality, Land and Water Resources, SP19 Presumption in Favour of Sustainable Development and SP20 Generic Development Management Issues, Presumption in Favour of Sustainable Development of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

Site Location Plan
Site Layout Plan - indicative satellite image
General arrangement of 12 x 10 Ton capacity Bulk Outloading ins (Drawing no. BATA 1B 07.01.2019.)
Detail of Bulk Outloading Bins (Drawing no. BATA BOB 4A)
Proposed Additional Bulk Outloading Bins. (Drawing no. BATA BOB 2B)
Bulk Out Loading Bin Hopper Detail (Drawing no. BOB 3)

Reason: For the avoidance of doubt and in the interests of proper planning

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be operated in strict accordance with the approved Noise Management Plan and Noise Control Measures produced by Nova Acoustics 13/05/2020 (within Sections 4.4 and 4.5 of the Noise Impact Assessment) and agreed for use by BATA on the 21st May 2020.

Any variation to the Noise Management Plan and Noise Control Measures shall require the written approval of the Local Planning Authority in conjunction with the Council's Environmental Health Team. This Noise Management Plan shall be reviewed after a year from the date of the commencement of development (or earlier at the request of the Local Planning Authority.)

Reason: In the interests of neighbouring amenity in accordance with Policy SP20 Generic

Development Management Issues of the Ryedale Plan, Local Plan Strategy.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, prior to its installation details of all new lighting associated with the development hereby approved shall be submitted for the written prior approval of the Local Planning Authority.

Reason: Lighting is sensitive within this village location and so further details are necessary to prevent harm to neighbouring amenity, in accordance with the aims of Policy 16 Design and Policy SP20 Generic Development

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be completed with box profile sheeting in green, to match that of the adjoining building holding bulk bins to the west.
As detailed within the Noise Impact Assessment this construction of this box profile sheeting shall result in 40dB noise attenuation.

Reason: In the interests of neighbouring amenity and visual amenity in accordance with Policy SP20 Generic Development Management Issues of the Ryedale Plan, Local Plan Strategy.