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Ms N Bonner  
Planning Dept  
Ryedale House  
Malton  
YO17 7HH

28<sup>th</sup> June 2021

Dear Ms Bonner

**20/00088/FUL – Erection of extension to existing feed bins to allow installation of additional 12 out-loading bins for animal feed storage, together with integral weighbridge, at BATA - The Mill, Main Street, Amotherby, Malton, North Yorkshire, YO17 6TT**

KVA Planning Consultancy has been commissioned to submit a representation on behalf of Amotherby Parish Council ('APC') to Ryedale District Council ('RDC') regarding the above application submitted by BATA Ltd. All previous responses submitted by APC remain relevant and this representation is intended to be read alongside those responses rather than supersede them. Therefore, all previous objections made by the APC are maintained.

This representation is not intending to duplicate matters already addressed by APC but add detail from a planning perspective on two very specific matters; the intensification of the site with reference to being a material change of use and the impacts of noise associated with the proposal.

For the sake of clarification, the APC are not wishing to prevent the Mill from operating, but do wish to seek a level of protection in terms of residential amenity and health and well-being for those residents within the village currently experiencing issues arising from increased operations at the Mill.

The remainder of this representation shall deal with each matter in turn, although both are inextricably linked.

***Intensification of Use***

Having considered the documents submitted in support of the planning application it seems clear that the history of the Mill at Amotherby predates the English planning system and therefore has been able to operate without specific controls. There have been a number of applications made to RDC over the years (since 1977 according to the Council's planning access pages), and various additions to the Mill have occurred (for example new out-buildings and storage areas, vehicle maintenance and washing facilities, storage buildings, out-loading bins etc.) without planning conditions restricting hours of operation, noise limits or vehicular movements to and from the site.

With respect to the determination of this application, the proposal is specifically for the extension to existing feed bins to allow installation of additional 12 out-loading bins for animal feed storage, together with integral weighbridge (although minimal information has been provided in relation to the weighbridge). The approval of the bins, however, is required as part of a general production increase which supports the APC and the applicant's view that operating 24/7 has been occurring for 'many months' as opposed to in exceptional circumstances during harvest or other emergency periods. The requirement to store in excess of 120 tonnes of bulk product in the new bins at any one time prior to loading suggests a significant increase in product output over and above the presence of the existing 12 bins and numerous 1tonne tote bags which will be replaced. Further the application proposes an additional weighbridge which may allow for simultaneous loading of vehicles from the bulk bins and increase activities further. As such the application should legitimately include the whole process of operation on site and associated activities which would require HGV and vehicular movements both on-site and off-site to be assessed in both a Transport Assessment and a Noise Impact Assessment, discussed in more detail in the second part of this representation.

The applicant has 'guaranteed' (stated in the Nova Noise Survey) that there will not be an increase in vehicle movements over and above what already exists (in an email to the case officer dated 16<sup>th</sup> November 2000). However, it is considered that the increase in vehicle movements has already occurred over the past 'many months' – potentially 2-3 years as noticed during the enforced period of time at home for residents, in step with the increased activity at the mill 24/7. As such the APC consider that this is in fact an intensification of use of the existing site and thus constitutes a material change of use in planning terms.

In the very least the application should have been validated as a hybrid application - part retrospective detailing the increased hours of operation and activities and part detailed application covering the proposed details subject to the current application. This would have allowed for the planning department to have considered the cumulative impacts of the whole site on the amenity of neighbouring residents (both current and potential future occupiers) in line with both national and local planning policies and would allow pertinent conditions to be attributed to a planning application protecting the nearby community.

The APC feel strongly that the intensification of use should have been subject to a planning application – which, subject to detail and given appropriate controls, may not have been objected to. It is thought that the proposal should be withdrawn and resubmitted as part retrospective and part detailed.

A material change of use can be established not merely by reference to the change in use of the activity but also by reference to its consequences and, in particular, whether off-site harm can be identified. In other words, just because an operation has been in use for some time, does not mean that it should continue to do so unchecked. Case law reveals a judicial willingness to regard off-site harm as a material consideration, for example, *Panayi v. Secretary of state for the Environment*

(1985) 50 P & CR 109;] JPL 278; Forest of Dean District Council v. Secretary of State for the Environment & Howells [1995] JPL 937; Thames Heliport v. Tower Hamlets LBC [1997] JPL 448 and Richmond-upon-Thames LBC v. Secretary of State, March 28th 2000.

The intensification concept was chiefly laid down in Childs v First Secretary of State and Test Valley Borough Council [2005]. The Childs case concerned a site with a lawful use certificate for four residential caravans. The applicant was refused certificates for eight, 15, 30 and 50 caravans. The High Court held that the extent to which intensification constitutes a material change is a matter of fact and degree, to be considered in light of the character of the use. In this case, the judge decided that the degree of change in the nature of the use would be material and planning permission would be required.

Judicial cognisance of harm in the planning context has recently altered significantly. There is an emerging pattern that harm means 'genuinely perceived' rather than 'actual' (or even 'significant') harm, and that the decision-maker has a duty to take into account the perception of harm as a material consideration - although the weight to be attached to that factor is for the decision maker, acting reasonably, to determine. See e.g., on this issue and that of the subjective meaning of harm, R v. Tandridge DC ex p Mohammed Al Fayed [2000] JPL 604.

In the application before RDC, the intensification itself has altered the character of the site rather than the built form. The off-site harm associated with the intensification of the site on the health and well-being and to residential amenity as a result of increased operations (primarily linked to noise and vehicular movements, particularly at night-time) at the Mill constitute harm to such a degree that the intensification has to be considered a material change of use. Residents who live in adjacent and opposite housing have complained repeatedly to RDC and to BATA and have even visited the GP in relation to sleep related stresses.

#### ***Noise Impacts of the proposal***

The application is for an extension to the existing feed bin area to allow an additional 12 out-loading bins for animal feed storage. The application documents and additional information submitted by the applicant in response to questions from the case officer explain that the justification for the proposal is to fill the bins with produced animal feed for storage to reduce the need for additional fork-lift activity within the site and allow the applicant to store bulk product produced overnight in bins rather than using 1 tonne tote bags which require more staff activity on site. The bins also allow vehicles to be loaded more quickly to keep the Mill running. The 12 bins can hold 10 tonnes of bulk food, the same amount as the existing 12 bins on site.

The Nova Noise Survey undertaken on behalf of the applicant sets out that the assumption that the bins will be loaded 3 times per day specifically stating that the loading times take an average of 20 minutes '*and can occur at any time during the day or night*'.

It also sets out that the main sources of noise associated with the proposed development are: loading bulk bins, loading lorry/tractor. It clearly states that *'HGV movements have not been taken into consideration in the subsequent assessment as the client has guaranteed that they will not increase.'* APC are of the opinion that onsite loading of HGVs and associated movements have actually already increased as a result of 24/7 working which has become the norm over what the applicant has described as 'many months' (email response to the case officer dated 23<sup>rd</sup> July 2000), whereas up until circa 2-3 years ago, activities and noise associated with the Mill were usually 06:00-18:00 with less vehicular movements overall and very occasional evening and night-time work which has always been tolerated by residents as exceptional cases understanding the nature of the work and the need to provide feed in busy periods.

With reference to the determination of this application, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that: *'regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* In February 2019, the Government published the revised National Planning Policy Framework ('NPPF'/'The Framework') which set out the Government's planning policies for England. It clarifies the Government's expectations in the delivery of appropriate development by setting a clear presumption in favour of sustainable development and is a clear material consideration to be weighed in the planning balance when determining this application.

Paragraph 213 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of:

- Ryedale Local Plan Strategy (adopted 2012); and
- Ryedale Local Plan Sites Document (adopted 2019).

RDC have recently announced a review of the Local Plan which will update policies for new development and are intending to issue a new 'call for sites' in April/May 2021. Due to this early stage of plan preparation, weight cannot be given to the new Local Plan at this time. Therefore, the APC believe that the proposals should be determined against the provisions of the local plan and material considerations as necessary.

The NPPF sets out at paragraph 170 that decisions should contribute to and enhance the natural environment by: (inter alia)



*'E) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. [...]*

Paragraph 180 takes this further setting out that *'decisions should also ensure that new development is appropriate for its location taking into account likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:'* (inter alia)

*A) 'Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.' [...]*

A footnote to paragraph 180a refers the reader to the Noise Policy Statement for England ('NPSE') (Defra, 2010). The NPSE provides qualitative planning guidance and clarity to noise related policies and practices and also seeks to clarify the underlying principles and aims in existing policy documents, legislation and guidance relating to environmental and neighbourhood noise and is a material consideration to the determination of this application.

The long-term vision of Government noise policy is to *'Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.'*

It is argued that quality of life impacts our standard of health. However, the NPSE makes a distinction between *'quality of life'* which is a subjective measure that refers to people's emotional, social and physical wellbeing, and *'health'* which refers to physical and mental well-being. It is recognised that noise exposure can cause annoyance and sleep disturbance both of which impact on *'quality of life'* that can give rise to adverse *'health'* effects.

The three aims of the NPSE are to:

- 1. 'Avoid significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.'*
- 2. Mitigate and minimise adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.'*
- 3. Where possible, contribute to the improvement of health and quality of life through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.'*

The first aim states that significant adverse effects on health and quality life should be avoided, with noise impact being defined as being at or above the Significant Observed Adverse Effect Level (SOAEL).

The second aim states that *'all reasonable steps should be taken to mitigate and reduce to a minimum any adverse impacts'* (where the noise impact lies somewhere between the Least Observed Adverse Effect Level (LOAEL) and SOAEL), however, does not assert that complying with this aim would preclude any adverse effects by way of noise. Fundamentally then, adverse impacts cease to arise only below the LOAEL threshold.

The third aim seeks to improve health and quality of life through pro-active management of noise.

The NPSE also includes the concept of No Observed Effect Level (NOEL) and is the level below which there are no detectable effects on health and quality of life.

As the guidance is qualitative, specific NOEL, LOAEL and SOAEL values are absent *'so as to provide the necessary policy flexibility until further evidence and suitable guidance is available.'*

With respect to health and quality of life, a further material consideration for the determination of this proposal are two documents from the World Health Organisation ('WHO'), discussed below.

Firstly, the WHO document *'Guidelines for Community Noise'* (1999) provides guidance to environmental health authorities and practitioners tasked with protecting people from the harmful effects of noise. WHO define *'health'* as a *'state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'* and clearly state that *'the enjoyment of the highest attainable standard of health as one of the fundamental rights of every human being...'*

The guidance provides a series of recommended internal and external noise exposure levels, to protect people from the harmful effects of noise. The Guidelines apply to external noise *'without a specific character'* (previously termed *'anonymous noise'*) such as that associated with road and rail traffic. Noise has a *'specific character'* if it contains features such as distinguishable discrete and continuous tone(s), is irregular so as to attract attention, or has a strong low-frequency content, in which case lower noise limits might be appropriate. When considering noise impact on dwellings the Guidelines go on to state that *'lower levels may be annoying, depending on the nature of the noise source.'*

WHO Community Noise states that sensitive groups include the elderly and people with physical and mental disorders, and that *'when recommending noise protection and or regulations'* vulnerable groups (including, inter-alia, people with particular diseases, people rehabilitating at home, and the elderly) that are potentially more susceptible to unacceptable noise impact should be considered.

The guidance states sleep disturbance is considered to be a major environmental noise effect, with the primary effects being difficulty in falling asleep and alterations of sleep stages and depth, increased heart rate and an increase in body movements.

Paragraph 3.1 states that special attention should be given to the following considerations;

- *'Noise sources in an environment with a low background noise level. For example, night traffic in suburban residential areas.*
- *Environments where a combination of noise and vibrations are produced. For example, railway noise, heavy duty vehicles.*
- *Sources with low-frequency components. Disturbances may occur even though the sound pressure level during exposure is below 30 dBA.'*

For internal spaces in dwellings, para. 4.3.1 states that;

*'for a good sleep, it is believed that indoor sound pressure levels should not exceed approximately 45dB  $L_{Amax}$  more than 10-15 times per night,' and;*

*'In dwellings, the critical effects of noise are on sleep, annoyance and speech interference. To avoid sleep disturbance, indoor guideline values for bedrooms are 30 dB  $L_{Aeq}$  for continuous noise and 45 dB  $L_{Amax}$  for single sound events.'*

Paragraph 4.3.1 states that to avoid sleep disturbance, sound pressure levels at the outside facades of living spaces should not exceed 45 dB  $L_{Aeq}$  (taken as a façade level, and equating to a free-field external level of 42 dB  $L_{Aeq}$ ) and 60 dB  $L_{AFmax}$  so that people may sleep with bedroom windows open.

The Guidelines state that external amenity areas should not be subjected to daytime averaged noise levels greater than 55dB  $L_{Aeq,16hr}$ , and preferably below 50 dB  $L_{Aeq,16hr}$ .

The guideline values are derived from observations on the health effects of noise on 'normal' or 'average' populations and vulnerable groups may therefore be at greater risk from unacceptable impact amenity.

Secondly, the WHO 'Night Noise Guidelines for Europe' ('NNG', 2009) presents more recent guidelines for night-time noise exposure and is an extension of the WHO Guidelines for Community Noise. Vulnerable groups are identified in the NNG as being children, the elderly, and those with poor health. The given Threshold values are based on research into transportation noise (road, rail, aircraft).

NNG summarises the effects and threshold levels where there is sufficient evidence, and includes;

- Sleep quality:  $\geq 42$  dB  $L_{night, outside}$  – increased average motility when sleeping

- Well-being:  $\geq 42$  dB  $L_{\text{night, outside}}$  – self reported sleep disturbance  
 $\geq 40$  dB  $L_{\text{night, outside}}$  – use of sleep somnifacient drugs and sedatives

NNG summarises the effects and threshold levels where there is limited evidence, and includes;

- Well-being:  $\geq 35$  dB  $L_{\text{night, outside}}$  – complaints

Health effects from noise exposure are summarised as follows with the indicator used being

$L_{\text{night, outside}}$ ;

- Up to 30 dB  $L_{\text{night, outside}}$  - no substantial biological effects are observed, and is equivalent to the NOEL for night-noise.
- 30-40 dB  $L_{\text{night, outside}}$  - a number of effects are observed, with the '*intensity of the effect*' dependant on the character of noise, with 40 dB  $L_{\text{night, outside}}$  being equivalent to the LOAEL threshold for night noise including the elderly, and chronically ill (vulnerable groups).
- 40-55 dB  $L_{\text{night, outside}}$  – observed adverse health effects on those exposed, with vulnerable groups being more severely affected.
- $>55$  dB  $L_{\text{night, outside}}$  – considered dangerous for public health.

In relation to the specific information presented in these documents, the APC are aware that there are 'vulnerable' groups (in accordance with the WHO definition set out above) living in very close proximity to the site as such adverse health effects could be expected from noise exposure associated with the 24/7 operations of the Mill and it is this element which is particularly concerning.

These material considerations informed the technical aspects of both the NPPF's requirements to '*minimise and reduce to a minimum*' adverse effects from noise in new developments and also the technical guidance to the NPPF – the Planning Practise Guidance – Noise ('PPGN'). Paragraph 3 sets out that '*decision making need to take account of the acoustic environment and in doing so consider:*

- *whether or not a significant adverse effect is occurring or likely to occur;* • *whether or not an adverse effect is occurring or likely to occur; and*
- *whether or not a good standard of amenity can be achieved.*

*In line with the Explanatory note of the noise policy statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.'* (ID 30-00320190722).

The PPGN goes on to state at paragraph 5 that '*At the highest extreme, noise exposure would cause extensive and sustained adverse changes in behaviour and / or health without an ability to mitigate*



*the effect of the noise. The impacts on health and quality of life are such that regardless of the benefits of the activity causing the noise, this situation should be avoided.'* (ID 30-005-20190722)

Residents who live opposite and adjacent to the site have reported to the APC having to keep windows closed during the night to try and minimise sleep disturbance and difficulties getting to sleep on a daily basis. This disturbance or premature waking is usually associated with vehicles arriving/departing at the site, leaving idling engines, staff shouting to each other, and music being played loudly from vehicles - but also specific noise events (potential breakdowns, clanging of equipment, flashing lights and alarms etc). Having been forced to spend more time at home recently due to the pandemic and children having to be home-schooled, this increased level of noise and sleep disturbance has become an annoyance as it has coincided with when the increased activity to regular 24/7 operations has been recognised. Residents have been forced to complain to both BATA and RDC regarding increasing noise implications, and some have also visited the GP for sleep related stresses.

The PPGN goes on to state at paragraph 10 that in general where there is likely to be a noise impact arising from a development there are 4 potential types of mitigation. One of which is the *'use of conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night'* (ID 30-010-20190722). Whilst PPGN does not go as far as setting specific times and controls for permissible noise levels, PPG Minerals ('PPGM') does and is referred to specifically for more information in the PPGN.

Paragraph 27 helpfully sets out what the Government classes as daytime, evening and night time noise and what noise restrictions should be in place as an absolute maximum for those periods.

*[Mineral] 'planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). For operations during the evening (1900-2200) the noise limits should not exceed the background noise level (LA90,1h) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For any operations during the period 22.00 – 07.00 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the noise limit should not exceed 42dB(A) LAeq,1h (free field) at a noise sensitive property.'* (ID 27-021-20140306).

The PPGM also helpfully sets out that during the night time period 42dB (A) LAeq, 1hr (free field) should be an absolute cap in the event that the applicant has reduced to a minimum prior to experiencing onerous burden.

It is suggested that this would be a helpful guide for this application which involved night time working even though it is not for minerals operations. The applicants have stated that the usual working day when HGVs and other vehicles arrive at the site to be loaded is between 06:00-18:00 (although this can and does regularly happen during the night too). 06:00 is within the night time period as defined by PPGM as set out above.

At the local level, adopted Local Plan Strategy Policy SP20 sets out that *'new development will not have a material adverse impact on the amenity or present or future occupiers [...] Impacts on amenity can include, for example, noise, dust, odour...'* (amongst others). It goes on to state that *'Developers will be expected to apply the highest standards outlined in the World health Organisation, British Standards and wider international and national standards relating to noise.'*

The PPGM, PPGN, WHO documents and the NPSE are material considerations as far as planning is concerned and helped form the technical requirements to the NPPF's instruction to mitigate and reduce to a minimum. No information has been presented by the applicant to show that they have attempted to reduce new sources of noise to an absolute minimum.

Furthermore, the applicant has stated that there are a number of operations starting at 06:00hr alongside vehicular movements. The table below highlights the information provided by the applicant to the case officer (email dated 16<sup>th</sup> November 2000) as best as possible.

*Table 1- activities on site*

Time	Day	Activity	Vehicle movement	Additional info
06:00 – 18:00	Mon-Fri	Office Staff (transport dept)	40 (2 way)	Some make return visits during the day increasing no of movements
08:00 – 18:00		Office Work		
24hrs	Mon-Sun	Milling compound animal feed	Ave 7 HGVs / Tractor deliveries Mon-Fri (occasional Saturdays)	
06:00 – 18:00 06:00 – 12:00	Mon-Fri Sat	HGV garage – maintenance of BATA lorries	Parts deliveries 23 vans per day	

06:00 – 17:00  09:00 – 16:00	Mon-Fri	Warehouse (commercial stock deliveries) (3 <sup>rd</sup> parties booked in at this time)	Ave 30 (2 way) 3 <sup>rd</sup> party hauliers	3 <sup>rd</sup> party vehicles Loaded and unloaded by BATA forklifts to allow BATA vehicles to be loaded first
06:00 – 18:00	Mon – Sat	Agri- Transport	20-25 HGVs (2 way) 1-2 HGVs at weekend	Occasionally outwith these times in extreme weather conditions to deliver food for animals

06:00 – 19:00  06:00 – 12:00	Mon – Fri Sat	Fuel Transport	Usually 4 HGVs (2 way) Mon-Fri  2-3 LPG (2 way) Sat  Oil deliveries out – 20 loads (each day) Mon-Fri 2 loads Sat LPG – delivery to BATA – 1 HGV Mon-Fri Oil Delivery to BATA – 5 HGVs Mon-Fri	In harvest/ extreme weather outside of these times/weekends
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The applicant has also confirmed that all mill/warehouse/agri-transport/fuel transportation/HGV garage staff also travel by private car to and from the site – totalling an additional 53 two-way movements associated with the site over and above that set out in table 1 many of which will arrive on site prior to 06:00 in order to commence their employed activity.

This highlights a significant number of daily movements associated with the wider site. It is considered that the new weighbridge could allow for simultaneous loading into delivery vehicles and could therefore increase onsite traffic activity which will impact nearby residents. As such, the APC believe a Transport Assessment should have undertaken with an associated Travel Plan which would

allow the company to enforce Driver Behaviour and routes to avoid sleep disturbances where possible linked to idling engines and noise from vehicles, shouting and reversing sounds amongst other matters.

Whilst the Mill is operating 24/7, the APC note that the majority of work is detailed as being 06:00 – 18:00 Mon-Fri with some Saturday working and occasional work outwith these times in accordance with harvest periods/extreme weather situations. If the Council are so minded as to approve this application, it is considered that this information could form the basis of a condition. However, it should also be noted that 06:00 – 07:00 is still night-time in accordance with the PPGM. As such, a strict control over noise limits (a reduction to a minimum as close to background noise levels as possible with an absolute cap of 42db as set out above) should be imposed on all activities between 22:00-07:00. In line with PPGM the applicant should be asked to demonstrate the lowest level achieved – before incurring an onerous burden, in order to truly minimise noise. Such a condition should also be imposed on all night-time activities associated with the operation of the Mill including the filling of out-loading bins, which is the subject of this proposal.

Furthermore, it is questioned why all of these activities need to start at 06:00hrs. For example, could the garage and maintenance facility not begin at 07:00 Mon-Fri and 08:00 on a Saturday.

#### **Concluding remarks**

The APC has instructed KVA Planning Consultancy to prepare a representation to be submitted to RDC on their behalf to be read alongside their previous responses to an application for the erection of extension to existing feed bins to allow installation of additional 12 out-loading bins for animal feed storage, together with integral weighbridge, at BATA - The Mill, Main Street, Amotherby. All previous comments and objections remain relevant and outstanding.

The APC do not wish to prevent the Mill from operating, however, do hope to ensure a level of protection for residents within the Parish with particular regard to noise levels, associated vehicular movements and operational hours.

It is considered that the proposal for the extension to the existing feed bin area for the installation of an additional 12x 10tonne bins and weighbridge are such, that the cumulative impact of the intensified operation of 24/7 mill activities which have been occurring for ‘many months’ represents a material change of use and ergo, should be the subject of a planning application and appropriate controls if approved.

Information presented within this representation shows how, from a planning perspective the applicant should be required to provide evidence that he has proposed to mitigate the impacts of noise ‘to a minimum’ in conformity with both national and local planning policies and the various documents which constitute material considerations include the WHO guidelines and the NPSE.





Further a transport assessment and travel plan should be submitted in support of the application prior to determination, which would assist the local planning authority to determine the acceptability of vehicular movements both on site and those travelling to and from the site.

Finally, should the local planning authority be so minded as to approve the application, appropriate conditions should be attached to protect both current and future occupiers of nearby dwellings and those along the Main Street, along which route the lorries usually take, from detrimental harm to sleep and associated health and well-being alongside their residential amenity.

Should the applicant submit any further information in support of the planning application, the APC reserves the right to comment further.

Yours sincerely

**Katie Atkinson, MRTPI**