

Agenda Item No.5.1

**DERBYSHIRE COUNTY COUNCIL**  
**REGULATORY - PLANNING COMMITTEE**

**9 July 2018**

Report of the Strategic Director – Economy, Transport and Environment

- 1 APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT TO NOT COMPLY WITH CONDITION 5 OF PLANNING PERMISSION CW4/0414/8 TO INCREASE THROUGHPUT AT THE SITE TO 5,000 TONNES PER ANNUM TO REFLECT ADDITIONAL DEMAND FOR RECYCLING OF GREEN WASTE AT THE BIRCHES, OLD BRAMPTON, CHESTERFIELD, DERBYSHIRE**  
**APPLICANT: HALL PLANT HIRE LIMITED**  
**CODE NO: CW4/0218/96**

**4.2488.2**

**Introduction Summary** The original planning permission (code no. CW4/0414/8) permitted the development of a small scale, on farm composting operation. This application seeks permission not to comply with the limitation of Condition 5 in the current planning permission code no. CW4/0414/8, which restricts the import of green waste for composting at the site to no more than 2,000 tonnes of waste per annum. The applicant proposes to increase the waste imported and composted at the site to 5,000 tonnes per annum. The green waste composting facility is located on an existing farm and is within the setting of a Grade II listed building and the North East Derbyshire's Green Belt. The final compost product is used as a soil improver on the applicant's surrounding agricultural land.

The development complies with local and national policies and would not result in any significantly adverse impacts on residential amenity. Taking into consideration the applicant's stated need to increase to amount of green waste on site per annum, I am satisfied that the proposal is acceptable and it is therefore recommended for approval, subject to recommended conditions.

(1) **Purpose of Report** To enable the Committee to determine the application.

(2) **Information and Analysis** This is an application under Section 73 of the Town and Country Planning Act 1990, as amended, not to comply with Condition 5 (Quantity of Waste Imported and Processed) of the current planning permission CW4/0414/8. The application seeks permission to amend

Condition 5 of the current planning permission CW4/0414/8 to permit an increase the amount of green waste import and composted on site from 2,000 tonnes to 5,000 tonnes per annum.

The application site is located approximately 5.6 kilometres (km) to the west of Chesterfield and 1km to the south-west of the village of Old Brampton. The site is located at the western edge of the existing farm complex (The Birches) from which the applicant operates a number of agricultural and plant related businesses. The existing 0.48 hectares (ha) composting site comprises of a grass-bunded area adjacent to two existing agricultural buildings and a long farm access track.

The site is located within the Green Belt as defined in the adopted North East Derbyshire Local Plan (2005). Waldshelf Conservation Area is located approximately 450 metres (m) to the south-west and Old Brampton Conservation Area is located approximately 900m to the north-east of the site. The main farm complex to the north-east of the site contains The Birches farm house and a range of outbuildings which are Grade II listed buildings. The site is situated between two Local Wildlife Sites (LWSs) Bramma Wood (NE306) 150m to the south of the site and Frithall and Lady Woods (NE065) approximately 350m to the west.

### **Relevant Planning History**

Planning permission code no: CW4/0414/8 – for a small scale on farm composting facility (approved 10 July 2014).

### **Consultations**

#### **Local Member(s)**

Councillor Foster has been notified.

#### **Chesterfield Borough Council (Planning)**

No comment.

#### **Chesterfield Borough Council (Environmental Health Officer)**

No objections.

#### **Highway Authority**

Has been notified.

#### **Brampton Parish Council**

Has been notified.

#### **Cadent Gas Limited**

No comment.

### **Environment Agency**

*"We have **no objections** to the removal of Condition 5 from a planning perspective, however we do have the following comments to make:*

*The current permit for the site allows the operator to receive a maximum of 2000 tonnes per annum. The applicant/operator will therefore need to apply for a permit variation for the proposal to accept 5000 tonnes per annum."*

### **Yorkshire Water Services Limited**

No comment.

### **Severn Trent Water Limited**

No comment.

### **Publicity**

The application has been advertised by press advert (Derbyshire Times) and by site notice with a request for comments by 18 May 2018.

One representation has been received in response to this publicity. The representation raises objections to the application for the following reasons:

*"The main road through Old Brampton is rural, passing through a residential area. Over recent years, the volume of traffic has increased substantially as it is used as an alternative route to Chatsworth Road. A large proportion of this road is totally unsuitable for heavy traffic and is already falling into disrepair, this will be compounded by a further increase in heavy equipment used for deliveries. It should also be noted that local people cycle and horse ride along the same route."*

### **Planning Considerations**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the development plan unless there are any material considerations which indicate otherwise. In respect of this application, the relevant development plan policies are contained in the saved policies of the adopted Derby and Derbyshire Waste Local Plan (DDWLP) (2005) and the North East Derbyshire District Local Plan (NEDLP) (2005). The National Planning Policy Framework (NPPF), the associated Planning Practice Guidance (PPG) and the National Planning Policy for Waste (NPPW) are also material considerations.

The principal planning policies relevant to this planning application are:

### **North East Derbyshire District Adopted Local Plan (2005) Policies**

GS1: Sustainable Development.

GS2: Development in the Green Belt.

GS3: Major Developed Sites in The Green Belt.  
GS6: New Development in the Countryside.  
NE1: Landscape Character.  
NE3: Protecting and Managing Features of Importance to Wild Flora and Fauna.  
BE1: General Design Principle.  
BE9: Development in the Vicinity of a Listed Building.  
T2: Highway Access and the Impact of New Development.

### **Derby and Derbyshire Waste Local Plan (2005) Policies**

W1b: Need for the Development.  
W2: Transport Principles.  
W3c: Other Development in Green Belts.  
W6: Pollution and Related Nuisances.  
W7: Landscape and Other Visual Impacts.  
W8: Impact of the Transport of Waste.  
W10: Cumulative Impact.

### **National Planning Policy Framework (2012)**

Paragraph 14: The presumption in favour of sustainable development.  
Paragraphs 31-37: Promoting sustainable transport.  
Paragraphs 97-92: Protecting green belt land.

This application relates to a previously granted planning permission for the operation of a green waste composting facility at this site. The site is an established facility. The principle of the development, in this location, has previously been assessed against the provisions of the development and Government guidance during the course of the previous application in 2014. It was concluded that there was a need for the development to help cater for the needs of the local area and the development was considered to accord with relevant development plan policies and the NPPF.

The main considerations for this proposal in the context of the current development and Government Guidance are:

- need for the proposed amendment to the development;
- whether the development, as proposed to be amended, would be likely to give rise to any unacceptable environmental or amenity impacts; and
- impact on the Green Belt.

### **Need for the Development**

The purpose of the Section 73 application is set out within the Supporting Planning Statement accompanying this application. The document explains that the proposed increase in tonnage is required due to an increase in demand for green waste recycling within the area, including at the applicant's own green waste recycling facility off Sheepbridge Lane in Chesterfield.

The supporting planning statement describes further that *“The proposal will enable the finished compost product to be spread on the applicant’s own farming land as a fertilizer. The application of the compost has resulted in an increase in agricultural produce yield of approximately 15%. The proposal will therefore support the increasing demand for green waste recycling and support the applicant’s own farming enterprise.”*

The NPPW emphasises the need to divert as much waste as possible away from landfill. To achieve this, the movement of waste up through the waste hierarchy is essential. Appendix A of the NPPW details the waste hierarchy. The reduction and reuse of wastes sit at the top of the waste hierarchy, however, once wastes are actually discarded, recycling and composting are the preferred management routes, where value is recovered in terms of secondary materials that can be substituted for virgin resources. Wastes that still remain should be diverted from landfill through processes that recover energy, with disposal of residual waste as a last resort.

The NPPW further states *‘Positive planning plays a pivotal role in delivering this country’s waste ambitions through: helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment’* NPPW, 2014, p.3.

Policy W1b of the DDWLP states that waste development will be permitted if the development would help cater for the needs of the local area, in terms of quantity, variety and quality, as part of an integrated approach to waste management. The proposal falls within scope of the policies and guidance stated above as the site recycles and reuses the imported green waste on site for agricultural purposes.

I am satisfied that there is a justified need for the proposed amendment to Condition 5 to enable the site to increase its importation and composting of green waste to 5,000 tonnes per annum. This would help towards meeting the local demand for green waste recycling and the development as amended would accord with Policy W1b of the DDWLP and the Government’s waste management objectives.

## **Environmental and Amenity Impacts**

### **Noise**

The proposed increase in green waste would generate additional vehicle movements to and from the site. This would increase from approximately 4-5 deliveries per week to an average of 6 deliveries per week. The rate of import of green waste to the site would be relatively infrequent and could be controlled by a condition limiting the hours of operation at the site and the number of deliveries to the site.

Therefore, I do not consider that the proposed increase would generate any significant noise impact and I am satisfied that the proposal would accord with the Policy W6 of the DDWLP.

### **Heritage**

The proposed site is located within the setting of The Birches farm house and the outbuilding to the north of The Birches are also Grade II listed buildings. In addition there are two conservation areas near the site, as described above. The grade II listed building, The Birches, is screened from views by existing agricultural and commercial buildings within the site complex and is set back from the delivery route. The listed outbuildings are adjacent to the delivery route and the composting area is visible from the listed building. However, the compost windrow piles are still restricted to 3m in height by a planning condition and would not adversely impact the setting of the listed buildings. Also, I do not consider the minor increase in vehicular movements or the increase in tonnes per annum would cause any harm to the listed buildings or their settings.

With regard to the above, I do not consider the proposed increase in Green Waste would have any detrimental impact on the setting of the heritage assets. I am therefore satisfied that the proposal would comply with Policy BE9 of the adopted NEDLP.

### **Traffic, Highway Safety and Public Rights of Way**

The site, under the current permission, receives 2,000 tonnes of green waste per annum, which generates approximately 3-4 deliveries per week by tractor and trailer. The site is further restricted by Condition 7 of CW4/0414/8 from exporting any green waste or composted products. The proposed increase to 5,000 tonnes on site per annum would result in the increase in traffic movements on site. The site access which is a long farm access track off Main Road to the north of the site is also a public right of way (Brampton NE4/57/1), which connects to a bridleway which runs to the south-east and north-west of the proposed site. The amenity of the footpath users could be affected by the proposed increase in vehicular movements, odours and visual impact.

I note the concerns raised by a local resident about the increase in deliveries to the site and its impact on the local highway network, however, I consider the traffic movements that would be generated by the development, as proposed to be amended, would be low and would not significantly impact upon road and footpath users. I am also of the view that any visual and odour impacts on footpath users would be minor; the proposed increase in tonnes is not significant and the height of the compost windrow piles would be restricted to 3m as required under Condition 7.

The proposal would not result in an overall significant increase in the number of journeys. Therefore, I do not consider that the proposal would cause

significant disturbance to the environment, people or communities. I am satisfied that the proposal accords with policies W2: Transport Principles and W8: Impact of the Transport of Waste of the DDWLP.

### **Green Belt**

The site is located within North East Derbyshire District Council's Green Belt as Identified by the NEDLP (2005). The Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. To this end, the NPPF states that, when considering any planning application, planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

The proposal is to enable an increase in Green Waste imported to the site due to an increase in demand. This proposal relates to an existing and well established site and does not propose the erection of any structures, buildings or change of use of any land to accommodate this increase.

I do not consider that the proposal would cause any detriment to the openness or character of the Green Belt and would not conflict with Policy GS2 of the NEDLP.

### **Conclusion**

The proposal to increase the importation and processing of green waste at the site to 5,000 tonnes per annum would help meet an increasing demand for green waste recycling. The development, at this higher maximum tonnage would not, in my opinion, adversely impact the heritage assets or generate significant amounts of traffic or detract from the character of the Green Belt. Subject to the recommended conditions, I am satisfied that a grant of permission in accordance with this application would accord with the adopted DDWLP and NEDLP, and recommend this for approval.

(3) **Financial Considerations**      The correct fee of £234 has been received.

(4) **Legal Considerations**      This is an application submitted under Part III of the Town and Country Planning Act 1990 which falls to this Authority to determine as the Waste Planning Authority.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations**      As indicated in the report.

## Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property, social value and transport considerations.

### (6) **Background Papers** File No. 4.2488.2

Application documents, Application Form and Planning Statement received 22 February 2018.

Correspondence from GP Planning dated 16 March and 22 May 2018.

Consultation responses from the County Council's Conservation and Design (Design Quality) Team dated 14 March 2018, County Council's Conservation and Design (Landscape) Team dated 20 March 2018, Environmental Agency dated 10 April 2018, and North East Derbyshire District Council – Environmental Health Department dated 3 April 2018.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission be **granted** subject to the following conditions:

### Availability of Plans

- 1) From the date of the commencement of the development until the completion of the development, a copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any condition of this permission, shall be kept available for inspection at the site during the prescribed working hours.

**Reason:** To ensure that the site operators are fully aware of the requirements of these conditions throughout the period of development.

### Form of Development

- 2) The development shall be carried out in accordance with the details set out in the application for planning permission CW4/0414/8 dated 10 July 2014 and accompanying documents and drawings, as amended by the application for planning permission CW4/0218/96 dated 22 February 201, and accompanying documents, unless otherwise modified or amended by conditions of this planning permission. For the avoidance of doubt the approved plans and documents are:

- Drawing No. GPP/HPH/OB/13/01 entitled Site Location Plan.
- Drawing No. GPP/HPH/OB/13/02 entitled Site Plan.
- Drawing No. GPP/HPH/OB/13/03 entitled Site Layout Plan.
- Drawing No. GPP/HPH/OB/13/04 entitled Receptor Location Plan.
- Drawing No. GPP/HPH/OB/13/05 entitled Compost Application Plan.
- Planning Statement dated 22 February 2018.



**Reason:** To ensure conformity with the details of the application that is approved and to clarify its scope.

- 3) No more than 5,000 tonnes of waste shall be imported to the site per annum. The operator shall keep accurate records of the amount of waste arriving at and leaving the site, and this record shall be submitted to the Waste Planning Authority every four months from the date of the this permission.

**Reason:** The use of the site at a higher rate of input could raise environmental and amenity issues not considered in the determination of this proposal and could be detrimental to the amenity of the area.

- 4) Nothing other than green waste material, as specified in the application documents, shall be brought to and composted at the site.

**Reason:** Other types of waste material could raise environmental and amenity issues not considered in the determination of this proposal and could be detrimental to the amenity of the area.

- 5) There shall be no export of green waste or compost products from the site.

**Reason:** To protect the surrounding environment and safeguard the amenity of the area.

- 6) The compost from the windrow piles shall not be spread on ground other than land farmed and managed by the applicant, as indicated on Drawing No. GPP/HPH/OB/13/05 – Composting Application Plan.

**Reason:** To protect the surrounding environment and safeguard the amenity of the area.

- 7) The compost windrow piles shall not exceed 3m in height.

**Reason:** To safeguard the amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

- 8) The concrete receptor pad, underground water tank and surface water drainage system, lighting fixtures, plant, machinery and site operative accommodation shall be in accordance with the precise details submitted on 11 July 2016 (submitted by GP Planning Ltd) and approved by the Waste Planning Authority on 8 September 2016 under scheme number SD2888. The scheme shall be implemented in full and as approved throughout the duration of the development.

**Reason:** To control the appearance of the development and safeguard the amenity of the area.

### **Access, Traffic and Protection of Public Highway**

- 9) The sole vehicular access to the site shall be the access from Main Road as indicated in the application documents.

**Reason:** To restrict the routes for accessing the site in the interests of the highway safety and in accordance with Policy W8 of the Derby and Derbyshire Waste Local Plan.

- 10) There shall be no more than six deliveries of green waste to the site per week.

**Reason:** In the interest of highway safety and in accordance with Policy W8 of the Derby and Derbyshire Waste Local Plan.

- 11) No mud or dirt shall be carried out from the site to the public highway.

**Reason:** In the interest of highway safety and in accordance with Policy W8 of the Derby and Derbyshire Waste Local Plan.

### **Hours of Operation**

- 12) Whilst the composting process is a continuous one, the hours of operation for all other activities, including the transport of material to the site and the construction period shall be:

0800 hours to 1700 hours Mondays to Fridays; and  
0800 hours to 1300 hours Saturdays.

There shall be no operations undertaken on Sundays, Bank or other national holidays.

**Reason:** To control the development in the interests of the amenity of the area.

### **Noise**

- 13) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with and use effective silencers.

**Reason:** To ensure minimum disturbance from operations and avoidance of noise nuisance in the interest of the amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

- 14) All reversing warning systems used on vehicles on the site, and visiting the site, shall be either non-audible, ambient related or low tone devices.

**Reason:** To ensure minimum disturbance from operations and avoidance of noise nuisance in the interest of the amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

#### **Dust, Odours and Bio-aerosols**

- 15) The control of the dust at the site shall be carried out in accordance with the Dust Management Scheme submitted on 11 July 2016 (submitted by GP Planning Ltd) and approved by the Waste Planning Authority on 8 September 2016 under scheme number SD2890. The scheme shall be implemented in full as approved throughout the duration of the development.

**Reason:** To control the appearance of the development and safeguard the amenity of the area.

- 16) At all times during the carrying out of operations authorised or required by this permission, water bowers, sprayers, whether mobile or fixed, or similar equipment shall be used to minimise the emissions of dust from the site. No vehicles used for the movement of materials on the site shall be equipped with downward pointed exhaust pipes. At such times as the prevention of dust nuisance by these means is not possible, movements of material shall cease until such time as conditions improve.

**Reason:** To provide for the control of dust impact in the interest of local amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

- 17) Measures to control odour and bio-aerosols shall be carried out in accordance with the details in the planning supporting statement at Paragraph 5.4.4 and in Appendix 3: Odour Management Plan, unless otherwise amended by conditions of this planning permission.

**Reason:** To maintain the amenity of the residents of the area and for the protection of the surrounding environment.

- 18) The control of the odours shall be in accordance with the Odour Monitoring Scheme submitted on 11 July 2016 (submitted by GP Planning Ltd) and approved by the Waste Planning Authority on 8 September 2016 under scheme number SD2891. The scheme shall be

implemented in full and as approved throughout the duration of the development.

**Reason:** To control the appearance of the development and safeguard the amenity of the area.

### **Environmental Protection**

- 19) All rubbish, debris, scrap and other waste material generated on the site shall be regularly collected and stored in a suitable container until disposed of off-site in a suitable facility.

**Reason:** To safeguard the amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

- 20) There shall be no burning of waste of the site.

**Reason:** To safeguard the amenity of the area in accordance with Policy W6 of the Derby and Derbyshire Waste Local Plan.

### **Drainage and Pollution**

- 21) The site operators shall ensure that all surface water drainage operates in an efficient manner.

**Reason:** To prevent pollution of the waster environment and to protect groundwater quality in the area.

- 22) All green waste material brought to the site shall be deposited and composted on the concrete pad served by the sump/underground storage tank.

**Reason:** To prevent pollution to the water environment and to protect ground water quality in the area.

- 23) Any facilities for the storage of oil, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bun walls. The volume of the bunded compound shall be equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel, or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses shall be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

**Reason:** To prevent pollution to the water environment and to protect ground quality in the area.

### **Cessation**

- 24) Within 12 months of the cessation of use of the site as an open windrow composting facility, all related plant and structures shall be removed and the site shall be restored in accordance with a scheme that has been submitted to and approved in writing by the Waste Planning Authority. The site shall be restored in accordance with details as approved.

**Reason:** In the interest of the amenity of the area and the environment.

### **Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015**

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the Authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

### **Footnotes**

- 1) The current Permit for the site allows the applicant/operator to receive a maximum of 2,000 tonnes per annum. The applicant/operator will therefore need to apply for a Permit variation to accept 5,000 tonnes per annum.
- 2) If any controlled waste is to be removed off-site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility. The applicant is advised to contact the Environment Management Team at Templeborough Office on 01709 312870 or refer to guidance on the website <http://www.environment-agency.gov.uk/subjects/waste>
- 3) The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer, as waste producer, therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.
- 4) The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts

and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should, wherever possible, be avoided. In exceptional circumstances where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

- 5) Brampton (NE4) Footpath No.57 runs down through the site boundary from Main Road, at the northern part, and all the way down into the farm yard. Brampton Footpath No.57 then connects to Brampton Footpath

No.55 in the farm yard and crosses the boundary again at the south-west end as does Brampton Bridleway No.43 which connects to Footpath No. 55 at the same point of the site outlined in red on the site location plan.

- The route must remain open, unobstructed and on its legal alignment at all times.
- There should be no disturbance to the surface of the path without prior authorisation from the Rights of Way Inspector for the area (01629 533190).
- Consideration should be given to members of the public using the paths at all times.
- A temporary closure of the footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information may be obtained by contacting the Rights of Way Section (01629 533190).
- If a structure is to be erected adjacent to the public footpath, it should be installed within the site boundary so that the width of the right of way is not encroached upon.
- Where the proposed access route crosses the existing public bridleway, provision should be made for a safe crossing point to provide good visibility for approaching horse riders and cyclists, and also provide appropriate warning signage on both sides of the bridleway and access route.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**



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Scale = 1 : 5000

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