

Meriden Parish Council

The Centre of England

13th June 2018

c: Mr J Carpenter
c: Cllr K Allsopp

Mr D Wigfield
Team Leader – Enforcement, Monitoring and Compliance
Managed Growth and Communities Directorate
Development Management
Council House
Manor Square
Solihull B91 3QB

Dear Mr Wigfield

PLANNING APPLICATION PL/2014/00094/CU AND SUBSEQUENTLY PL/2018/01293/PPFL
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Thank you for your email dated 13th June 2018. To clarify I give below the following comments which have been submitted due the complaints I have received from Somers Wood. At the last meeting I mentioned to Mr Wardle, NRS Wastecare Limited, that Mrs Fowler wanted to meet with me regarding the NRS operation. Mr Barlow, Packington Estate, confirmed there had been concerns raised specifically around noise from plant and machinery on the NRS site, and both advised that operations had been closed down, and the beepers had been silenced given the nuisance to Somers Wood guests. Mr Wardle added that he and Mr Ketcher had met with Mr & Mrs Fowler to resolve their concerns, and he and Mr Barlow were happy for me to call Mrs Fowler, but it was unclear what more could be undertaken to improve the situation.

1. The discrepancy in siting, as built, was picked up, by me – hence the eventual submission of the new application to regularise the matter.

Do we know why 4 years have elapsed before a retrospective application was put in?

- There is no proactive monitoring of planning conditions, but no material breach of conditions relating to this facility has ever been alleged or identified. As you know, NRS attend the quarterly meetings of the Quarry Liaison Group and I would expect any such issues to have been raised and dealt with through that forum – none have as far as I can recall.

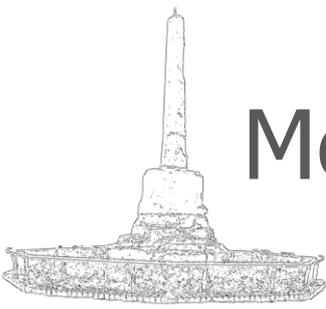
The meeting we had with Dominic Towey, Public Health, and yourself regarding Meriden's Air Quality, Mrs Parker raised concerns about HGV numbers greatly exceeding planning conditions which added to Meriden's air quality being poor and was after the Harworth survey being received. Mrs Parker also raised concerns at the last Quarry meeting about conditions not being complied with.

- I'm not sure what is meant by the phrase 'we challenge the provision for the imposition of an upper limit of a combined maximum of 250 vehicles ... etc' – does this mean the Parish Council considers that there should not be any such provision?

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I refer to Full Planning Decision Notice dated 11th July 2014 Application No.2014/474 Condition No.7b. detailing a combined upper limit of a maximum of 250 vehicle movements to and from Area G of Meriden Quarry, including lorry movements to and from the remainder of Area G of Meiden Quarry for infilling and restoration activities under planning permission 87/2730 and 2014/476. Is there any monitoring of lorry movements to ensure this condition is being adhered to? It is becoming apparent that this maximum upper limit is being regularly exceeded?

- As above – regarding control of hours – I'm not sure what is meant by the term 'we challenge' – are stricter hours being requested ?

I refer to Full Planning Decision Notice dated 11th July 2014 Application No. 2014/474 Condition No.5 which states no operations are permitted outside of the agreed 07.00-18.00 hours Monday to Friday, 07.00-13.00 hours Saturdays, and not at all on Sundays or Bank Holidays. This to protect the amenities of the occupiers of nearby dwellings in accordance with policy P14 of the Solihull Local Plan 2013. We have evidence and resident complaints that NRS are not adhering to the permitted hours of working. Has there been anything otherwise agreed in writing by NRS and the LPA?

- I'm also a bit puzzled about the reference to a change in condition 5 – no variation of this condition has ever been requested or approved, and no queries have ever been raised about working hours.

I refer to any agreed written permit by the LPA to NRS for working outside of the prescribed hours within Condition 5.

2. I presume this is a reference to the Somers Wood Caravan Park to the south-west of the site. Using our digital maps, I have just measured the actual distance from the approximate centre of the caravan park, to the approximate centre of the recycling processing area, at **466m**. As explained in my previous email, the originally approved position of the recycling site would have put it approximately 120m further to the north-east.

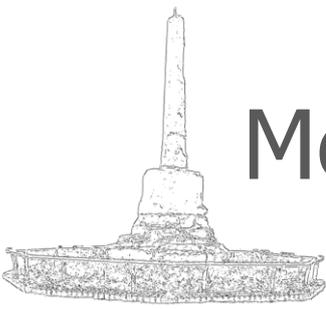
I believe this requires further investigation before a decision is taken. NRS have had an independent noise survey undertaken and equipment was installed a week ago with removal yesterday morning (12th June 2018). In part this survey was based on distance and it is recorded that the actual centre of the recycling plant is sited 200 metres from Somers Wood with instrumentation being installed on pitch 31.

- I think the original 2014 noise survey has been re-submitted for information, and because it is clearly still relevant, notwithstanding the shift in position of the processing area which the application seeks to regularise. This is openly and clearly addressed at para 3.5 of the supporting statement which reads as follows :

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3.5 The Traffic Management Plan and Noise Impact Assessment are those originally submitted for the 2014 application; the travel route has not changed as a result of the slight relocation of the compound and the modification to the internal circulatory route does not affect this. The location of the recycling plant has shifted approximately 140 metres to the south-west of its originally intended position; it remains screened by bunds to the north-west, south-west and east and by an embankment to the south. It is not considered that the change is likely to have any additional detrimental impact upon nearby residential or office properties, as it is now further away from properties in Meriden village to the east and from those properties identified as closest in the 2014 survey. It is still over 360 metres away from the nearest pitches in the well-screened Somers Road Caravan Park to the south-west. **However, as extraction activity has recently begun in that part of the site immediately to the east of the caravan park,** a 5-metre high bund has been erected along the Somers Road boundary, running from near the wheel wash facility at the northern end to a point alongside the water body south of the application site, thereby significantly reducing noise transfer from the quarry to the caravan park.

The application is also supported by a revised list of surrounding properties, including photographs and distances to/from the recycling area. Having regard to all of this, I don't there could be said to be any 'dishonesty'.

Thank you for your full and detailed clarification; however the Noise Impact Assessment does not take account of new location, new distance between centre of recycling facility and Somers Wood or the new extraction activity highlighted above.

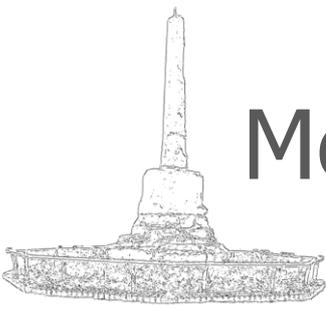
- The recycling operation has always included an element of usage of materials recovered from Area G – this is wholly in line with the principle of the operation being a complementary activity to the approved operations at Area G, which still includes some mineral extraction as well as infilling and restoration works, and is wholly in line with the approved use as a materials recovery facility.
- I understand your concern regarding potential impact on the Somers Caravan Park – the owners of that site have made their own representation which will of course be taken into account in the determination of the application. In the interests of balance however, I feel I should point out that whilst the shift in position of the application site (from the 2014 approval) has reduced the separation distance to the caravan park, it has also taken the operation further away from the nearest residential dwellings along Birmingham Road, Hampton Grange, and Meriden village centre, arguably leading to a net benefit in terms of overall amenity impact.

Your above comments regarding the positive new position of the recycling facility in relation to nearest residential dwellings net gain in terms of overall amenity impact; the fact remains that this new position has placed a residential dwelling, housing a family of four (including 2 young children under 4) in direct conflict with a recycling plant and

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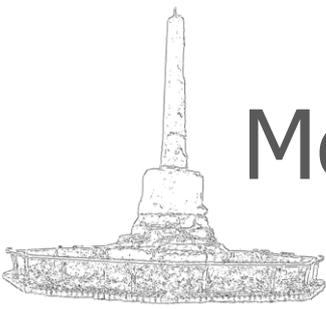
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extraction facility within 200 metres of their home. Additionally this is a family business with a 5 star, Gold Award for its tranquil and peaceful adult only wooded setting that brings much needed tourism and trade to Meriden's economic sustainability.

Mr Wardle met with the Parish Council regarding this retrospective application because we did not understand the content. On paper and with the information given, initially it appeared of no consequence to residents or amenity value. We were lead to believe it was a simple formalisation of a mistake made in original planning permission. I believe our primary concerns are not with the Recycling facility that has been in operation for 4 years, but with the **NEW** Recycling operation that appears to be handling the material being excavated. There has only been a problem since excavation commenced 8 weeks ago. This Recycling Plant does not appear on the drawings of Planning Application PL/2018/01293/PPFL. Can you explain why?

- Are we correct in assuming the distance you have given us is not taken from this new recycling facility, but is the distance from the site that had been operating for 4 years?
- Does this new operation not need to appear on the planning application, as it is not part of the original proposed facility?
- The area that is being excavated had already been infilled by Tarmac. Was this not at a finished level and does this change NRS's right to re-open a previous infilled working to remove topsoil?

The representation recorded from Meriden Parish Council submitted by Cllr Nunn was as a result of Mr Wardle's meeting. Since then we have received several complaints including Somers Wood. This has raised questions that we had not considered on behalf of our community and Mrs Parker and myself have further investigated the concerns and met with Mr & Mrs Fowler. We have independently undertaken a walk of the footpath between Somers Wood and the NRS boundary of newly erected bund screening the recycling facility, which our evidence suggests had not entirely mitigated the noise nuisance to Somers Wood private dwelling and visitor's caravan and motorhome pitches. We have also independently attended the viewing platform that NRS has created on Birmingham Road and witnessed the noise, dust, lorry movements, working plant i.e. dozers/excavators and recycling facility, none of which was working at full capacity. In terms of the net benefit of overall amenity value in moving this facility away from other residential dwellings, the footpath runs alongside Somers Wood, Stonebridge Golf Club, Dog Exercise Paddock and adjacent to North Warwickshire Golf Club all of which enjoy outdoor pursuits in a peaceful and rural setting; currently with a recycling facility and associated plant and machinery in the background.



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Meriden Parish Council no longer support this application given the questions raised and the content of this letter which requires further investigation and clarification. We request a decision be deferred until (i) an up to date noise impact assessment can be undertaken; (ii) NRS noise impact assessment results that concluded 12th June 2018 be made available and included in supporting documentation to this application; (iii) clarification of the processes within the recycling facility and confirmation that **all** processes are covered within this planning application.

Yours sincerely

On behalf of Meriden Parish Council

Barbara Bland
Clerk