

DR/10/22

Report to: DEVELOPMENT & REGULATION (25 February 2022)

Information Item: MINERALS AND WASTE DEVELOPMENT – Enforcement of Planning Control

Ref: ENF/1155

Location: Widdington Pit, Hollow Road, Widdington, CB11 3SL

Report author: Chief Planning Officer (County Planning and Major Development)

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1. SITE

Widdington Pit is accessed via a single lane track which connects to Hollow Road to the west of Widdington village. This road to the west joins to North Hall Road, and the B1383 which connects to Saffron Walden and Bishops Stortford. The nearest residential properties are located to the southwest and northeast along Hollow Road approximately 200m from the site.

The site benefits from time limited planning permissions for the excavation of sand with restoration of the quarry void with inert waste back to an agricultural use (application ref: ESS/35/18/UTT) and for a skip hire, waste recycling, waste transfer and waste composting facility/operation (application ref: ESS/30/19/UTT). Numerous safeguarding conditions are attached to the extant planning permissions including a restriction to permitted hours of operation.

2. BACKGROUND

The Council first started receiving complaints alleging that the site was operating outside the approved hours of operation in summer 2021. Officers subsequently visited the site, unannounced in the early hours, and witnessed that the site or more precisely operations within the site yard (as covered by planning application ref: ESS/30/19/UTT) were taking place before 07:00am.

Condition 4 attached to planning permission ref: ESS/30/19/UTT details:

Operations authorised or required by this permission (including temporary operations) shall only be carried out between the following times:

07:00 to 18:30 hours Mondays to Fridays

07:00 to 13:00 hours Saturday

And at no other time or on Sundays, Bank and Public Holidays

For the avoidance of doubt, all vehicles in excess of 7.5t gross vehicles weight and contractors' vehicles in excess of 3.5t gross vehicle weight associated with the operations shall not be allowed to enter or leave the site outside these times.

The operator was warned by officers, reminded of the permitted hours of operation and informed that should operations continue outside the permitted hours that enforcement action may be taken.

Late January 2022 further complaints were received about early morning activity on site. Officers conducted further unannounced site monitoring and found the site again to be operating prior to the permitted start time of 07:00am. The site manager was informed on the day of the witnessed breach and that a Breach of Condition Notice would be issued.

3. CURRENT POSITION

A Breach of Condition Notice was served by the Council on the site operator (Widdington Recycling Limited) on the 09 February 2022. The Notice took effect immediately.

The Notice requires compliance with condition 4 as attached to planning permission ref: ESS/30/19/UTT and accordingly for the operator to:

1. Cease and not resume or permit to resume any operations on the site prior to 07:00 hours Monday to Friday or after 18:30 hours Monday to Friday.
2. Cease and not resume or permit to resume any operations on the site prior to 07:00 hours Saturday or after 13:00 hours Saturday.
3. Cease and not resume or permit to resume any vehicles in excess of 7.5t gross vehicle weight and contractor's vehicles in excess of 3.5t gross vehicles weight associated with the operations on the site to enter or leave the site outside of the hours 07:00 to 18:30 hours Monday to Friday and 07:00 to 13:00 hours Saturday.

The period for compliance is 28 days after the date the Notice took effect.

Officers will continue to monitor the site, undertaking further unannounced early site monitoring, to ensure compliance with the requirements of the Notice and the permitted hours of operation going forward.

LOCAL MEMBER NOTIFICATION

UTTLESFORD – Stansted