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Sent: 08 September 2020 17:06

To: Env - Planning Development Control

Subject: Comments for Planning Application 20/0003/GLMAJW

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:06 PM on 08 Sep 2020 from Mr Robert Pidgeon.

Application Summary

Address: Allstone Myers Road Gloucester Gloucestershire GL1 3QD

Proposal: Variation of condition 2, 3, 6 (Operating Conditions), 7 (Doors), 18 (Noise) and 23 (Loading) of planning permission reference 07/0081/GLMAJW, dated 30/07/2008 for waste transfer station

Case Officer: Linda Townsend

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Customer Details

Name: Mr Robert Pidgeon

Comments Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments: Having read the Committee Report drafted for Planning Committee on 10th September 2020 regarding planning application 20/0003/GLMAJW I have the following additional comments. Please ensure that Planning Committee is aware of these comments and that answers are provided before coming to a decision.

2.1 if it is the case that a planning permission granted to vary conditions should "restate the conditions of the earlier permissions that continue to have effect" then why did permission 05/1126/FUL not repeat those conditions (i.e. 1 and 3-11 inclusive of the earlier appeal decision) other than condition 2 that the applicant had applied to vary?

2.2 the operations carried out in the building are significantly different from those envisaged when permission was granted on appeal on 9 October 1998. Firstly, the building is now used as a materials recycling facility rather than for waste transfer. Secondly, many of the operations involved in the uses carried out (whether for materials recycling or waste transfer) take place outside of the building - something that was not envisaged in the application determined by the Inspector in 1998 and I am certain would have resulted in the appeal being dismissed. Is it not the case that rather than regulate development on this site that the WPA has simply assisted the site operator to achieve something very different than the original development through constant tweaking of conditions that are either unnecessary, unenforceable or just won't be enforced other than through protracted negotiations rather than any penalty being imposed?

2.2 why has it taken more than 12 years for the applicant to submit, or for the Waste Planning Authority to require the applicant to submit, details required by condition 19, 21 and 22 of permission 07/0081/GLMAJW? On the assumption that those conditions were supposed to achieve something useful and prevent harm, and that in the absence of their approval harm has been caused, how does the WPA intend to compensate me for its negligence and why should the WPA be trusted as a competent authority to deal with any planning application on this site or probably throughout Gloucestershire?

2.4 please explain why the amendment of the blue line (land in the applicant's control) is at all relevant and warrants variation of the condition? Given that the applicant routinely carries out activities on land beyond the application site 'red line', why is that allowed to occur in the absence of any 'full' application to regularize the situation?

2.5 why do staff park in the rugby club car park on land owned by Gloucester City Council when the applicant has plentiful land to provide parking facilities and why has planning permission not been needed for that use as it is obviously significantly different to the infrequent use by the rugby club and the occasional dog-walker and brings the applicant's activities closer to users of the Public Open Space?

2.7 when were these unauthorised developments carried out, why are the majority of developments on this site carried out without planning permission, why does it take so long for the WPA to do anything about it, and why is no penalty ever imposed?

2.7 "the regulations do not permit the site area of a Section 73 planning application to be enlarged" and yet the permissions you have granted since 1998 have allowed exactly that by allowing openings in the building that the use of must result in use of land outside the application site to the north and east of the main building. Why have you allowed this to happen, and those areas outside the application site to be used for the bulking up and storage of waste?

2.11 ditto.

2.12 - the permission granted on appeal in 1998 and thus the 'root' permission as no other full permission has been granted stated "the premises shall be used for a waste transfer station and for no other purpose". How is an MRF not another purpose?

2.14 there is simply no need for conditions to include "Unless otherwise agreed in writing by the County Planning Authority" in the wording. This creates ambiguity and, moreover, results in a

situation where it is impossible for anyone outside the WPA to know what informal agreement has been given. The public are entitled to have clarity in knowing what has been applied for, what has been approved, and what can be expected afterwards, and the planning system and democracy should not be bypassed by a secondary, undemocratic process that puts all the power in the hand of officers that in my opinion have an appalling track record in terms of regulating this site.

2.14 notwithstanding that the use of the eastern door for any purpose must result in use of land beyond the application site, can someone explain the meaning of 'operational purposes' and why that term would not include 'bulking out'?

2.15 given that 22 years have elapsed since the original planning permission was granted and several applications have been made to vary/remove conditions since then, why has it taken so long for anyone to decide that the noise condition ought to be varied? Furthermore, as the WPA does not have the specialist expertise to monitor the noise, and the City Council can't be bothered to monitor noise, or both have selective hearing, what in fact does anyone actually intend to do about the pollution caused by operations on this site and adjoining land?

2.18 historically, noise and dust from the waste operations has been blamed on the sand and gravel use, or vice versa, or has been blamed on the concrete batching plant. How does the WPA intend to identify whether unacceptable noise at the receptor is coming from the noisy waste operations as opposed to the noisy sand and gravel business or indeed any of the sundry activities that the applicant company might choose to carry out on a whim - with or without the prior approval of the WPA?

2.20 what does the WPA intend to do to ensure that reversing beepers do not cause a nuisance and why do they have to be so loud that the whole area knows that a vehicle is reversing rather than someone potentially in danger from being run over?

7.3 various sources of information give strong reason to suggest that the annual tonnage limit is being exceeded and in my opinion the audit of the annual tonnage by figures provided by the applicant company provides an obvious conflict of interest and is a far from robust basis for ascertaining whether or not that condition is being breached.

7.4 the information about noise is to me nothing but technical jargon. Unless it deals with those short-length noises such as skips being dropped and dragged, material being dropped from height into lorries and skips, and loading buckets being shaken, and all sorts of other banging, clanging and scraping, then it is pointless other than to create a mirage where the applicant company, the WPA, the City Council, and the EA can claim that there isn't a problem. I would ask that Members, or anyone that's interested, walk around the local neighbourhood on several occasions and ask themselves whether they regard the noise as a nuisance regardless of whether it does or does not exceed the decibel level specified by someone that probably lives somewhere much quieter.