

## APPENDIX 2

### **SCHEDULE OF COMMENTS AND OBJECTIONS** **RECEIVED IN CONNECTION WITH** **PLANNING APPLICATIONS: S.02.0489 AND S.02.0509**

RESPONDENT	COMMENT/OBJECTION
Mr K A Weymouth	<ul style="list-style-type: none"> <li>• The proposals undermine the safety and environmental protection assurances stipulated within conditions previously agreed;</li> <li>• The application for approval to commence the construction of the internal haul road represents a means of circumventing the earlier consent and thereby securing the development without completing the pre-requisite works within the public highway;</li> <li>• The proposals undermine the whole planning process and are not in the interests of, and are detrimental to, the safety of the Whiteparish population.</li> </ul>
Ms A C Hilton	<ul style="list-style-type: none"> <li>• The proposed variations to the planning permissions should not be granted;</li> <li>• The applicant is at fault for not commencing the works in the public highway and delay is not a valid reason for allowing the grant of more time;</li> <li>• The stipulated sequence of works must not be circumvented by allowing the developer to commence the development before completing the necessary highway improvements;</li> <li>• The applicant has provided no justification for seeking these variations, it is therefore contrary to the public interests to allow such measures;</li> <li>• If the applicant fails to develop the site in line with the requirements of the existing permission, the permission will lapse at the end of October [2002];</li> <li>• If the applicant is incapable of meeting these relatively straightforward requirements, how can they run a waste disposal site effectively and meet the statutory requirements that this entails;</li> <li>• The applicant should either meet the requirements of the planning permission or allow it to lapse and thereby allow the County Council the opportunity to impose the most up to date conditions on any new permission granted;</li> <li>• The existing permission specifies the order in which changes to the public highway and the site are to be made – allowing a variation would lessen these controls and increase damage from lorries depositing mud on the highway;</li> <li>• There is a risk that allowing the proposed variations would allow them to claim that works on the site had started without fully meeting the requirements of the entire permission.</li> </ul>
Ms K Campbell	<ul style="list-style-type: none"> <li>• In view of the current legislative framework controlling waste disposal and the conditions previously imposed by the County Council and Highways Departments the proposal should be refused.</li> </ul>
Dr I M O'Neill	<ul style="list-style-type: none"> <li>• S.00.1519 requires the developer to carry out alterations to the public highway <b>before</b> commencement of works on the site itself, therefore the request to amend this condition is sub-optimal and unjustified;</li> <li>• The applicant is to blame for the delays in completing these necessary precedent works and therefore the request to change timescales is unjustified;</li> <li>• Permission to vary the required sequence of commencement works could lead to the applicant claiming to have secured the development before the 31<sup>st</sup> October 2002. This could occur without completion or commencement of the necessary highway works;</li> <li>• Given the fact that the original permission on this site dates back nearly ten years the applicant should now be required to either meet the stipulations set within S.00.1519 or allow the permission to lapse so that a new application can be reviewed in the light of current, and more stringent legislation;</li> </ul>

RESPONDENT	COMMENT/OBJECTION
Dr I M O'Neill (Cont.)	<ul style="list-style-type: none"> <li>• "I retain the right, in the event of adverse impact on health, property or the local environment, to seek legal redress both against the applicant and, as appropriate, the County Council, its officers and councillors. I suggest you take this opportunity to ensure the most stringent safeguards are applied, by rejecting this unnecessary and unjustified application."</li> </ul>
Mrs E Portnal	<ul style="list-style-type: none"> <li>• These applications must be refused and the developer told to comply in full with the terms of the original permission – therefore build the new entrance off the A36 first and do it before the 31<sup>st</sup> October 2002.</li> </ul>
Mr D P Budden CEng.	<ul style="list-style-type: none"> <li>• The applicant must not be permitted to manipulate the planning system to its own ends;</li> <li>• The sequence of works stipulated within the original planning permission(s) [specified by the Highways Agency and the County Council] must not be changed.</li> </ul>
Mrs D Budden	<ul style="list-style-type: none"> <li>• Condition 6 of S.00.1519 establishes the order in which the site must be developed and these applications simply seek to undermine and circumvent this position;</li> <li>• Developers should not be allowed to modify the terms of permissions to suit their own ends.</li> </ul>
Mr N G Savage	<ul style="list-style-type: none"> <li>• The sequence and order in which the works are to be commenced were specified by Wiltshire County Council and the Highways Agency to ensure the maximum protection of the environment and safety for the public, this must not be permitted to alter;</li> <li>• The permissions should be allowed to lapse to allow for a full review of the site in the light of modern legislation.</li> </ul>
Mr J W Lanham OBE	<ul style="list-style-type: none"> <li>• Permitting the developer to commence the construction of the internal haul road <b>before</b> completing the pre-requisite works in the public highway (ref. Condition 6 – S.00.1519) must not be allowed;</li> <li>• Certain works have already been allowed representing a blatant disregard of legally binding conditions;</li> <li>• If permitted the developer will argue that the right to work the site has been secured without complying with the full terms of the relevant permissions before 31<sup>st</sup> October 2002;</li> <li>• The applications therefore serve only to undermine the planning process through seeking an extension of time via inappropriate means. A full review of the planning permissions at Moor Farm should be undertaken, particularly in the light of the current waste and environmental legislation and the recently published Entec Report into the suitability of the area for waste disposal;</li> <li>• The site has recently been classified in the First Deposit Draft Waste Local Plan – 2011 as a "large non-inert site" which obviously means it will take household waste in due course. This description is wrong as it contravenes the terms of the planning permission.</li> </ul>
Mr R Treseder	<ul style="list-style-type: none"> <li>• The application to commence construction of the haul road through the modification of conditions contradicts the terms of Condition 6 of S.00.1519 and therefore must be refused;</li> <li>• Condition 6 must be upheld in order that the site is developed in accordance with the sequence of events stipulated by the relevant bodies;</li> <li>• The developer should not be given the right to extend the life of the permissions to improve the viability of the site.</li> </ul>
Mrs M Hales Miss M Hales	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If these applications are allowed the developer will seek more and more modifications, which benefit no-one else; if planning conditions, are "up for negotiation" what is the point of stipulating them.</li> </ul>
Mr R G Hocking	<ul style="list-style-type: none"> <li>• These current applications seek permission to circumvent the conditional timescales set within previous conditions;</li> <li>• There can be no justification for allowing a relaxation to the stipulated sequence of works to be carried out before 31<sup>st</sup> October 2002.</li> </ul>

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Mr L B Nichols	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• Condition 6 [S.00.1519] must be adhered to along with all other stipulations.</li> </ul>
Mr J Harrison Mrs J Harrison	<ul style="list-style-type: none"> <li>• The applicant must not be permitted any more time within which to commence the development.</li> <li>• Regular slowing and turning of 200+ HGVs along the busy A36 is unnecessary and dangerous and should not be allowed (particularly right turn movements out of the site).</li> </ul>
Mr I L Scaife	<ul style="list-style-type: none"> <li>• The applicant is seeking permission to start work on site and thereby avoid the October 2002 deadline. This must not be permitted;</li> <li>• Wiltshire County Council should no longer permit any further modifications to conditions. The developer must comply with the requirements set out in the planning permission he holds and therefore complete the necessary highway works before doing anything else;</li> <li>• The applications represent yet another subterfuge to secure the extension of the life of the development;</li> <li>• Consent to use an alternative access off the A36 will be prejudicial to highway safety and contrary to both conditions 8 [S.01.0939] and 6 [S.00.1519];</li> <li>• The anomaly between conditions 8 and 6 mean that the applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• It is the responsibility of the applicant to ensure he meets the requirements of conditions to which he is tied. Failure to do so is unacceptable and not a reason to permit modifications to those conditions. More than adequate time was given to the applicant to present the schemes required by conditions;</li> <li>• The applicant failed to meet the deadlines set through conditions thereby invalidating the permission. It follows that nothing exists to modify as the permission is time expired. The applicant's only option is to submit a fresh planning application.</li> </ul>
Mr P J O Claydon	<ul style="list-style-type: none"> <li>• The applicant was given sufficient time within which to submit the details specified within condition;</li> <li>• These applications could only have been properly dealt with if they were submitted within the 1 month deadline stipulated within those conditions;</li> <li>• The applicant failed to meet the deadlines set through conditions thereby invalidating the permission.</li> <li>• It is the fault of the applicant that certain works have not been commenced/completed not the County Councils;</li> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• Consent to use an alternative access off the A36 will be prejudicial to highway safety and contrary to both conditions 8 [S.01.0939] and 6 [S.00.1519];</li> </ul>
Mr A J Preston Mrs M E Preston	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• How can the developer be allowed to disregard planning conditions through applications to modify permissions?</li> <li>• The A36 is already a busy road; the proposal to use an alternative access can only make this situation worse.</li> </ul>

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Mr C M Bray	<ul style="list-style-type: none"> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed.</li> </ul>
Mr A James Mrs J James	<ul style="list-style-type: none"> <li>• Why should conditions be changed to suit the developer? These applications should not be permitted as they make a mockery of issuing conditional planning permissions;</li> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed.</li> </ul>
Mr E C H Chase	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If the new applications are passed they will be illegal.</li> </ul>
Mr J Troke	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed.</li> </ul>
Mr P L Davis-Poynter	<ul style="list-style-type: none"> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed.</li> </ul>
Dr J Church	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue in October 2002 that he has commenced the development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others].</li> </ul>
Mr D M O'Callaghan	<ul style="list-style-type: none"> <li>• The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• The only satisfactory way forward is for a full review new planning application for this development in the light of current legislation.</li> </ul>
Mr G F Batstone Mrs C J Batstone	<ul style="list-style-type: none"> <li>• Strongly object to the applications, as they will lead to an increase in HGV use on what already is a dangerous road [the A36].</li> </ul>
R F J Steel	<ul style="list-style-type: none"> <li>• The works in the public highway must be completed before October 2002. No further extensions of time should be granted;</li> <li>• The work on site was only approved by the Council on condition of a specified sequence to ensure maximum protection to local residents, the environment and to protect public safety;</li> <li>• In view of current waste and environmental legislation a full review of the applications should be carried out;</li> <li>• If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>• The current applications represent an attempt to circumvent the original approval, as they are now no longer likely to complete the works on the junction before the October 2002 deadline.</li> </ul>

RESPONDENT	COMMENT/OBJECTION
Mr A Philips Mrs E Philips	<ul style="list-style-type: none"> <li>Condition 6 of S.00.1519 clearly states that no works other than those in the public highway can commence on site unless and until those works have been completed. This condition was agreed in March 2001. The works should have been completed by now and it is understood that the developer does not wish to invest in the site until it becomes profitable;</li> <li>The applications seek to undermine the County's safeguards and procedures and should be refused in favour of a full review of the project.</li> </ul>
Ms S A Newman	<ul style="list-style-type: none"> <li>The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed;</li> <li>If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>Condition 6 of S.00.1519 clearly states that no works other than those in the public highway can commence on site unless and until those works have been completed. This condition was agreed in March 2001. The works should have been completed by now and it is understood that the developer does not wish to invest in the site until it becomes profitable.</li> </ul>
Mr R Poole Mrs G W Poole	<ul style="list-style-type: none"> <li>If permission is granted to allow the construction of the internal haul road (in two phases) the developer will simply argue come October 2002 that he has secured the commencement of development thereby circumventing the system and thus undermining the purpose of stipulating the sequence of works set within condition 6 [and others];</li> <li>Work on the junction has to be completed by 31<sup>st</sup> October 2002, if permission is granted to commence the haul road the developer could keep the permission alive indefinitely;</li> <li>The applications must be refused as they seek to fundamentally alter the sequence by which the site is to be developed.</li> </ul>
Ms K W Dyson	<ul style="list-style-type: none"> <li>Why are the Robert Long Consultancy allowed to submit applications to modify conditions which were agreed in March 2001?;</li> <li>Permission to build the internal haul road before completing the improvements to Brickworth Junction will be detrimental to highway safety (HGVs turning right out of the site without the benefit of traffic light control);</li> <li>Work on the junction has to be completed by 31<sup>st</sup> October 2002, if permission is granted to commence the haul road the developer could keep the permission alive indefinitely;</li> <li>"Is the Council allowing these modifications in order that they can comply with the waste strategy for the County?"</li> </ul>
Mr C J Frogley	<ul style="list-style-type: none"> <li>The planning permission [S.00.1519] expired on the 1<sup>st</sup> September 2002, as no formal proposal for a time extension was submitted;</li> <li>The applicant was given sufficient time to prepare and submit the requisite schemes;</li> <li>Conditions and time constraints must be observed.</li> </ul>
Ms D Borwick	<ul style="list-style-type: none"> <li>Strongly objects to the application to modify Condition No. 8 of S.01.0939.</li> </ul>
Mr I Ellis	<ul style="list-style-type: none"> <li>Condition 6 of S.00.1519 clearly states that no works, other than those in the public highway can take place until those works have been completed. The applicant is already in breach of this condition as works on the site have commenced;</li> <li>The works undertaken to date contravened Health and Safety legislation in respect of working in proximity to overhead power lines;</li> <li>The applicant must comply with the terms of the permissions he currently holds.</li> </ul>

RESPONDENT	COMMENT/OBJECTION
Mrs N A Skinner	<ul style="list-style-type: none"> <li>• Has the Secretary of State changed his mind over the need to complete the pre-requisite works within the public highway?</li> <li>• Why has this application been submitted some eleven months after the permission was issued, what has changed and why have the public not been given more time to comment?</li> <li>• “Whose side are you on?”</li> </ul>
Mrs S B A Taylor	<ul style="list-style-type: none"> <li>• The proposal to construct the internal haul road makes a mockery of the planning system, as it would appear that the applicant is simply seeking to keep their consent alive after the October 2002 deadline.</li> </ul>
Miss M L Andrews	<ul style="list-style-type: none"> <li>• If passed these proposals will make environmental and health hazards worse as it would mean the site would become available to accept dangerous waste from a wide area.</li> <li>• To allow the construction of the internal haul road before the completion of the works associated with the Brickworth Corner Junction will effectively mean the developer can argue that they need not comply with the deadline of 31<sup>st</sup> October 2002.</li> </ul>
Mr C Iles Mrs V Iles	<ul style="list-style-type: none"> <li>• These proposals have been submitted to by-pass procedures;</li> <li>• All conditions and agreements must be strictly adhered to not simply modified;</li> <li>• The entrance must be built before any other works on site commence and the October 2002.</li> </ul>