

Re. 23/02887/S73: Application for Removal of Condition 9 For the Removal of Excess Imported Material With Supplementary Application To Amend Wording of Condition 9

Reed Parish Council strongly objects to the proposed amendment to the wording of Condition 9. We have consistently supported retention of the condition as originally imposed and continue to do so, for the reasons set out when planning permission was granted in October 2022. Therefore, this response should be taken in conjunction with Reed Parish Council's recent objection to the application for the complete removal of condition 9. That earlier response to 23/02887/S73 was submitted to the Planning Authority in January 2024.

The proposed amended wording would have the effect of removing the obligation on the applicant to submit, within 12 months of the decision notice, a plan for the disposal of excess material and a timetable for completion of such works. Instead of requiring a plan to be submitted in the expectation of such removal being carried out, the proposed revised wording would give discretion to the developer to decide whether or not to submit such a plan, and prohibit him from removing the material without such a plan. The effect would be to ensure, in all likelihood, that the excess material is never removed.

Condition 9 was imposed by Members in view of clear evidence that considerably more material had been imported to the site than the 11900m³ proposed for use in construction of a reduced-size reservoir. The purpose of the condition was to ensure that excess material was treated appropriately and removed from the site. The stipulation in Condition 9 that a plan for such disposal be submitted within a year was designed to make a reality of the requirement that excess material would not be left on site when (and if) the reservoir was built.

The fact that he applied to remove Condition 9 altogether demonstrates that the applicant wishes to avoid the requirement to remove the excess material. The proposal for amended wording is a transparent attempt to achieve the same end. It is therefore unacceptable.

We invite the Local Planning Authority to refuse this application and to take the action necessary to oblige the applicant to proceed immediately with the action required by Condition 9, action which is now overdue.