

REGULATION COMMITTEE

Minutes of a Meeting of the Regulation Committee held in the Luttrell Room - County Hall, Taunton, on Thursday, 2 March 2017 at 2.00 pm

Present: Cllr A Bown, Cllr Coles, Cllr D Loveridge, Cllr D Hill, Cllr T Lock, Cllr D Ruddle, Cllr T Venner and Cllr D Yeomans (Chairman)

Other Members present: Cllr W Wallace

Apologies for absence: Cllr N Woollcombe-Adams

225 **Declarations of Interest** - Agenda Item 2

226 **Accuracy of the Minutes of the meeting held on 2 February 2017** - Agenda Item 3

The Chairman signed the Minutes of the Regulation Committee held on 2 February 2017 as a correct record.

227 **Public Question Time** - Agenda Item 4

There were no public questions on matters falling within the remit of the Committee that were not on the agenda. Questions or statements received about matters on the agenda were taken at the time the relevant item was considered during the meeting.

228 **Importation and deposition of construction, demolition and subsoil waste to re-contour land, Maperton, Wincanton, BA9 8EH** - Agenda Item 5

(1) The Case Officer with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the application for the importation and deposition of construction, demolition and subsoil waste to re-contour land to improve the slope gradient of an agricultural field.

The Committee were informed: the application site was 4.5km West of Wincanton, and near to the village of Maperton; access to the site was via the old A303; the deposited material was expected to originate from the Wincanton and Yeovil areas; the application site is 4ha in size, and is part of a larger agricultural field; and that no objection had been received from the Highways Authority.

The Case Officer highlighted the main issues for consideration including: Waste Policy; the Waste Core Strategy; the justification for waste disposal; and demonstrating impact mitigations. The Case Officer further noted that: construction / demolition waste can be recycled; the applicant had not demonstrated that the waste cannot be managed in a more sustainable way; that inert landfill developments must be restoration led; the land has previously been used for agricultural purposes; the landscape at the application site is typical of the area; it was expected that a consolidated access track would be required to prevent mud being spread onto the public highway; and the

ecological impacts of the proposal were unknown due to insufficient information being provided by the applicant. Finally the Case Officer noted that the application was recommended for refusal as the development is contrary to Waste Core Strategy Policies.

(2) The Committee heard from Jenny Chambers, a local resident, who spoke in support of the officer recommendations, and raised a number of points including: she had been a member of Maperton Parish Council for 11 years, and had been resident in the village for 33 years; she was appalled at the application; the Maperton Action Group had considered the implications of the development; the application was contrary to Waste Core Strategy; the application offered no benefit to the local community; the land was planted with crops prior to the applicant's purchase; and there was an overwhelming objection to the application. Finally Mrs Chambers urged the Committee to refuse the application.

(3) The Committee heard from Alison Allen, a local resident, who spoke in support of the officer recommendations, and raised a number of points including: her partner was an employee of the previous land owner; that no agricultural improvement was required as the land had previously been cultivated; the land could be returned to grazing or used for tree planting; that it could not be financially justifiable to carry out the work; and that there was a risk that a nearby stream would become polluted.

(4) The Committee heard from Nigel Chambers, a local resident, who spoke in support of the officer recommendations, and raised a number of points including: he had been a resident of Maperton for over 30 years; that he understands slopes and gradients due to his previous career as a Navy surveyor; that he believed the details of the gradient included in the application were exaggerated; and that there were errors in the officer report regarding gradient classifications.

(5) The Committee heard from James Scott, a local resident, who spoke in support of the officer recommendations, and raised a number of points including: he was a long-standing Maperton resident; the application was contrary to Waste Planning Policy and the County's Waste Core Strategy; that there was no need for the application; and that the application offered no benefit to the local Community. Finally Mr Scott invited the Committee to refuse the application.

(6) The Committee heard from Ian Riddick, a local resident, who spoke in support of the officer recommendations, and raised a number of points including: he noted that Members of the Committee had visited the application site; the site was clearly visible from the road and a footpath; the volume of waste required would necessitate one lorry movement every 15 minutes, 9 hours a day, 6 days a week for 18 months; the application would generate noise; the loss of wildlife; that he believed the application would take 42 years to pay for itself; the applicant had only recently purchased the site; and there was no agricultural need for the development.

(7) The Committee heard from Sylvia Hartnell-Bevis, a local resident, who spoke in support of the officer recommendations, and raised a number of points

including: the roads around the application site are narrow and not suitable; and that she found the highways report hard to accept.

(8) The Committee heard from Cllr William Wallace, Local Member, who spoke in support of the officer recommendations, and raised a number of points including: hundreds of local people would be affected by the proposed development; long standing residents had spoken against the application; the field was suitable for agriculture without any improvement; and that there would be negative highways impacts for local residents.

(9) The Committee proceeded to debate during which a number questions were asked by Members to which the Case Officer replied. This included: the suitability of the site for agriculture; grading the land without the need for landfill; the suitability of the access roads; and the potential for waste to be washed down the valley.

(10) The Case Officer clarified that paragraphs 4.3 and 5.9 of the officer report contained an administrative error as the figures detailed should illustrate the gradient in degrees and not percentages as shown.

(11) Cllr Simon Coles proposed the recommendations detailed in the officer report, and this was seconded by Cllr Dave Loveridge.

(12) The Committee resolved in respect of planning application no. 16/05249/CPO that planning permission be **REFUSED** for the reasons set out in section 8 of the report.

229 **Development of a Waste Management Facility at Green Ore Farm, Green Ore, Wells, BA5 3EP - Agenda Item 6**

(1) The Service Manager – Planning Control, Enforcement and Compliance with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the application for the development of a Waste Management Facility at Green Ore Farm, Green Ore, Wells.

The Committee were informed: it was proposed the site would process up to 75k tonnes of inert material and 10k tonnes of non-inert material; and of the proximity of the site to the Mendip Hills AONB.

The Service Manager highlighted visual issues and potential simultaneous working as the main issues for consideration. The Committee were further informed how the existing bunds and screening would minimise any visual impact, and that it was unclear if both the existing composing operations permission and the waste transfer station could operate simultaneously even if both in part, but that this had been addressed through the amended recommendation included in the late paper, which would prevent the operation of both permissions at the same time.

(2) The Committee heard from Mr Nick Dunn, the applicants agent, who spoke in support of the recommendation, and raised a number of points including: that he was speaking on behalf of the applicant; that the Parish Council's objection was based on perceived impacts and not supported by the statutory

consultees; that the application referenced a new landscape scheme, but should reference the existing scheme; and that following a change of landownership the applicant was committed to implementing the existing landscaping scheme.

(3) The Chairman questioned the applicant regarding the potential for both the composting and waste transfer stations to operate simultaneously. At the Chairman's invitation, Mr Dunn responded that the applicant had committed to operating the composting operation for a further 18 months, but that it was his intention that it would then end.

(4) The Committee proceeded to debate during which a number questions were asked by Members to which the Case Officer replied. This included: pollution or dust posing a danger to animal health; amending the sites operating hours to end at 18.00; and vehicle movements.

(5) Cllr Dave Loveridge proposed the recommendations detailed in the officer report as amended in the late paper, and this was seconded by Cllr Dawn Hill.

(6) The Committee resolved in respect of planning application no. 2016/3103/CNT that planning permission be **GRANTED** subject to the prior completion of a deed pursuant to Section 106 of the Town and County Planning Act 1990 in a form acceptable to the County Council relating to the cessation of operations permitted pursuant to planning permissions relating to the green waste composting activity at Green Ore Farm prior to the commencement of the development of and for the duration of the waste management facility at Green Ore Farm, and the imposition of the conditions set out in section 8 of the officer's report, and that authority to undertake a minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager, Planning Control, Enforcement & Compliance.

230 **Erection of a Single Storey Modular Building at Neroche Primary School, Broadway, Ilminster, TA19 9RG - Agenda Item 7**

(1) The Case Officer with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the application for the erection of a single storey modular building at Neroche Primary School.

The Committee were informed that: the application was for a 30 place nursery on the school site; the application site is NW of Ilminster; part of the school grounds are classified as flood zone; and the application included a new pedestrian access for the nursery.

The Case Officer highlighted that: few other providers in the area were able to accommodate an extension to their provision; the development would be a modular construction; that all existing trees would be retained; and that piled foundations would be used to minimise the risk of disturbance to the trees on the site.

The Case Officer further noted that there had been an objection from a local resident, who had raised concerns regarding parking and road safety, but that there had been no objection from the Highways Authority. It was further noted

that the school operates both breakfast and after school clubs, which staggers drop off and pick up times, and that the nursery would have different start and end times than the school.

The Committee were further informed that the school currently has 11 parking spaces, which is one more than required under parking standards, and that one further space would be added as a part of the development.

(2) Cllr Simon Coles proposed the recommendations detailed in the officer report and this was seconded by Cllr Dave Loveridge.

(3) The Committee resolved in respect of planning application no. 16/05326/R3C that planning permission be **GRANTED** subject to the conditions set out in section 8 of the officer's report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager, Planning Control Enforcement & Compliance.

231 Erection of a vent stack, Love Lane, Burnham on Sea - Agenda Item 8

(1) The Case Officer with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the application for the erection of a vent stack in Love Lane, Burnham on Sea.

The Committee were informed that: the application site was at the edge of Burnham on Sea; was to release pressure to allow the sewers to function correctly; and that permission for the main sewer scheme had already been granted.

The Case Officer highlighted: that the main issue for consideration was odour; the nearest house was approximately 30m from the vent stack; and that the development had been reviewed by Wessex Water's Odour Management Consultant, who had concluded that there would be no odour nuisance.

(2) The Committee proceeded to debate during which a number questions were asked by Members to which the Case Officer replied. This included: resolving any potential odour nuisance.

(3) Cllr Dean Ruddle proposed the recommendations detailed in the officer report, and this was seconded by Cllr Dawn Hill.

(4) The Committee resolved in respect of planning application no. 1/12/16/026 that planning permission be **GRANTED** subject to the conditions set out in section 8 of the officer's report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager, Planning Control Enforcement & Compliance

232 Any Other Business of Urgency - Agenda Item 9

None.

(Regulation Committee - 2 March 2017)

(The meeting ended at 3.28 pm)

CHAIRMAN