

## REGULATION COMMITTEE

Minutes of a Meeting of the Regulation Committee held in the Luttrell Room - County Hall, Taunton, on Thursday 6 April 2017 at 2.00 pm

**Present:** Cllr S Coles, Cllr D Loveridge, Cllr D Hill, Cllr T Lock, Cllr D Ruddle, Cllr T Venner, Cllr N Woolcombe-Adams (Vice-Chairman) and Cllr D Yeomans (Chairman)

**Other Members present:** None

**Apologies for absence:** Cllr A Bown

### 233 **Declarations of Interest** - Agenda Item 2

Reference was made to the following personal interests of the Members of the Regulation Committee which were published in the register of members' interests which were available for public inspection in the meeting room:

Cllr S Coles	Member of Taunton Deane Borough Council
Cllr T Lock	Member of South Somerset District Council Member of Yeovil Town Council
Cllr D Loveridge	Member of Sedgemoor District Council Member of Bridgwater Town Council
Cllr D Ruddle	Member of South Somerset District Council Member of Somerton Town Council
Cllr T Venner	Member of West Somerset District Council
Cllr D Yeomans	Member of South Somerset District Council Member of Curry Rivel Parish Council

### 234 **Accuracy of the Minutes of the meeting held on 2 March 2017** - Agenda Item 3

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

### 235 **Public Question Time** - Agenda Item 4

(1) 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.

(2) Cllr Dean Ruddle, Cllr Simon Coles and Cllr Dave Loveridge thanked Cllr Yeomans for his work and professionalism as the Committee Chairman.

(3) Cllr Derek Yeomans thanked Committee Members for their work.

236 **Section 73 Applications - variation of condition for continued importation of rubble and excavated materials and variation of condition for storage of topsoil and subsoil - Agenda Item 5**

(1) The Case Officer with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the Section 73 application for variation of condition for continued importation of rubble and excavated materials and variation of condition for storage of topsoil and subsoil.

The Committee were informed: the application sites are primarily within the Cannington Parish, but the site access is within the Durleigh Parish; the current landfill operation is the latest of three within the the application sites; the nearest residential property is 280m to the east of the application sites; and that if granted the application would extend operations at the site until the end of 2017.

The Case Officer further highlighted that: a member of the public had questioned if there was sufficient depth available for continued rubble importation and deposition; and that Durleigh Parish Council had commented on the use of Skimmerton Lane to access the site, mud on the highway and site operations outside of permitted hours. In response to these points the Committee were informed that the use of a wheel wash included as a condition to a current site permission, and that restricting the types of vehicles allowed to use Skimmerton Lane had been considered previously.

(2) The Committee heard from Mr Sidaway, speaking on behalf of Durleigh Parish Council, who made a number of observations regarding the application, including: Skimmerton Lane is not suitable for heavy goods vehicles and is used as a shortcut by delivery drivers; there was documented evidence of an accident which could be attributed to one of the applicants vehicles; the site operating hours should be restricted to ensure that they do not coincide with commuter or 'school-run' times; and the importance of fully mitigating all safety concerns.

(3) Cllr Tony Lock noted that he would not take part in the debate or vote on the applications as he was not present at the start of the Case Officers presentation.

(4) The Committee proceeded to debate during which a number questions were asked by Members to which the Case Officer replied. This included: the potential to impose restrictions on the types of vehicles allowed to use Skimmerton Lane; mud on the outside of the wheelwash; consolidating the wheel wash exit track; and restrictions on imported materials.

(5) In response to the points raised in debate the Service Manager – Planning Control, Enforcement and Compliance highlighted to the Committee that the deposition of materials at the site was nearing completion and so it was important to consider the reasonableness of imposing a condition requiring an improved wheel wash, and that there was a field gate near to the wheel wash

which may also result in mud being deposited on the highway. Additionally the Case Officer highlighted Enforcement Officer involvement regarding the wheel wash.

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

(7) The Committee resolved in respect of planning application no's. 1/13/16/049 and 1/13/16/050 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.

**237 Section 73 Application - variation of condition for the storage, crushing and recycling of hardcore - Agenda Item 6**

(1) The Case Officer with reference to the report, supporting papers, and the use of maps, plans and photographs outlined the section 73 application for the variation of condition for the storage, crushing and recycling of hardcore.

The Committee were informed: permission for storage, crushing and recycling of hardcore was first granted in 1998 and had since been renewed several times; crushing could only take place for 28 days per year; the current permission included a condition that the site should be fenced, but this did not appear to have been implemented; the crushing site should be acoustically screened, but again this did not appear to have been done at the northern end of the site despite no previous complaints having been received in this regard; the material stock pile should not exceed 6m in height; and the landowner had objected to the application.

The Case Officer further highlighted the main issues for consideration, including: loss of visual amenity; noise; and dust, and highlighted that the application site was not well connected to the strategic highway network, and so did not comply with basic location principles. Members were also informed that the applicant had stated that they required an extension of the crushing permission for restoration purposes, but that landfill operations had now ceased.

Finally the Case Officer reiterated that the proposal was now contrary to Waste Core Strategy and so was recommended for refusal.

(2) The Committee proceeded to debate during which a number of questions were asked by Members to which the Case Officer replied. This included: the requirement for crushing; and impacts on the highway.

(5) Cllr Dean Ruddle proposed the recommendations detailed in the officer report and this was seconded by Cllr Nigel Woolcombe-Adams.

(6) In response to the points raised in debate the Case Officer informed the Committee that whilst traffic movements to and from the site would be limited, there may be some impact on other road users.

(6) The Committee resolved in respect of planning application no. 1/13/16/051 that planning permission be **REFUSED** for the reasons set out in section 8 of the report.

**238 Any Other Business of Urgency - Agenda Item 7**

(1) The Committee agreed that the next meeting of the Regulation Committee be rescheduled from 2.00pm on 1<sup>st</sup> June 2017 to 2.00pm on 8<sup>th</sup> June 2017.

(2) Cllr Derek Yeomans thanked Bob Mills for his work ahead of his retirement.

(3) The Service Manager – Planning Control, Enforcement and Compliance thanked Members of the Committee for their work.

**(The meeting ended at 2.39 pm)**

**CHAIRMAN**