

The Regulation Committee

Minutes of a meeting of the Regulation Committee held on Thursday 2 November 2017 at 14:00 in the Luttrell Room, County Hall.

Present

Cllr J Parham (Chairman)

Cllr John Clarke	Cllr Mark Keating
Cllr Simon Coles (substituting for Cllr T Lock)	Cllr Andy Kendall
Cllr Nigel Hewitt-Cooper	Cllr Mike Pullin
	Cllr Nigel Taylor

Other Members Present: Cllr Jane Lock, Cllr Dave Loveridge, Cllr Tessa Munt, Cllr Leigh Redman and Cllr William Wallace

The Chair welcomed everyone to the meeting, outlined the meeting procedures, made reference to the agendas and papers that were available and highlighted the rules relating to public question time.

1 **Apologies for Absence** – agenda item 1

Cllr Tony Lock and Cllr D Ruddle

2 **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 Simon Coles	Member of Taunton Deane Borough Council Member of Devon and Somerset Fire and Rescue Authority
Cllr Nigel Hewitt-Cooper	Member of Mendip District Council
Cllr Mark Keating	Member of Haselbury Plucknett Parish Council
Cllr Andy Kendall	Member of South Somerset District Council Member of Yeovil Town Council
Cllr John Parham	Member of Mendip District Council Shepton Mallet Town Council
Cllr Mike Pullin	Member of Mendip District Council

Cllr Nigel Taylor

Member of Mendip District Council
Member of Cheddar Parish Council

Cllr Mike Pullin declared a personal interest in respect of agenda item 6 as a company in which he is a shareholder has been in discussions with the applicant regarding a possible contract between them.

3 Accuracy of the Minutes of the meeting held on 5 October 2017 – agenda item 3

The Chairman signed the Minutes of the Regulation Committee held on 5 October 2017 as a correct record.

4 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.

All other questions or statements received about matters on the agenda were taken at the time the relevant item was considered during the meeting.

5 Wood recycling and processing waste management site at Longman Wood Recycling, BA8 0TH - 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 a wood recycling and processing waste management site at Longman Wood Recycling, Camp Road, Henstridge Airfield, Henstridge, Templecombe, BA8 0TN.

The Committee were informed: this was a retrospective application; the site was expected to process 15,000 tonnes of material per year; the site was bounded by screening bunds, but these did not form part of the application site; waste wood was stored in a small area in the north of the site; access to the site was via a private road; and the development included both a boiler house and drying bays.

The Case Officer further highlighted the key issues for consideration, including: the principle of development, noting this was a non-strategic development; the waste hierarchy and reduced landfill; landscape and visual amenity noting that the site was well screened; impact on the highway network; residential amenity; and biodiversity and flood risk impacts noting the other industrial development in the area. Members were further informed of the requirement to reduce the height of the waste wood storage pile; that the applicant has submitted a dust management plan; and that Environment Agency's permission regime includes fire prevention measures.

(2) The Chair read a statement from Mr Geoff Jarvis, speaking on behalf of neighbouring business operators, who requested that a number of additional conditions be added to the application regarding pollution control, fire safety, and dust mitigation.

(3) The Committee heard from Mr Stephen Graeser, that applicant's agent, who informed the Committee that when the applicant purchased the site in 2016 they were advised by South Somerset District Council that planning permission was not needed, however they were subsequently advised in January 2017 that planning permission was required. Mr Graeser further informed the Committee that his applicant: works with the Environment Agency; appreciates that the existing stock pile is too large; is looking to rearrange the site layout to meet the proposed conditions and Environment Agency requirements; has 10,000 litres of water available on site for use in the event of a fire and is looking to increase storage; hopes to install surface water drainage; and would suspend dust creating activities dependant on wind direction.

The Service Manager – Planning Control, Enforcement and Compliance noted that future developments could not be taken into consideration when determining today's application and that in his opinion the existing mitigations were acceptable.

(4) The Committee proceeded to debate during which a number of questions were asked by Members including: the importance of the recent site visit; timescales for reducing the wood stockpile; the importance of dust mitigation measures; and on-site water storage and Fire Authority guidance.

(5) Cllr Nigel Taylor proposed the recommendations detailed in the officer report and this was seconded by Cllr Nigel Hewitt-Cooper.

(6) The Committee resolved in respect of planning application no. 17/02965/CPO 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.

6 Demolition of existing agricultural buildings and erection of a farm anaerobic digester plant, change of use of building, landscaping and new site access at Brains Farm, BA9 9RA – agenda item 6

(1) The Case Officer with reference to the report supporting papers, and the use of maps, plans and photographs outlined the application for the demolition of existing agricultural buildings and the erection of a farm Anaerobic Digester (AD) plant, along with the change of use of a building, landscaping and new site access.

(2) The Committee were informed that: it was proposed that the plant would have a through-put of up to 50,000 tonnes per annum; the late papers included additional representations from the Highways Authority, along with other representations regarding odour, property values and the effect on local businesses; in total 103 representations had been received, 43 in support of the application, 56 objecting to the application and 4 raising concerns; the screening opinion was in accordance with central government guidelines; the application was to the north of Wincanton, and the west of the existing sewage works; the proposed access was off Moor Lane; Environment Agency flood compensation included the requirement for an attenuation pond; the development was in accordance with planning policy; there was sufficient capacity on the local and strategic highway network; the air quality expert had not raised any odour concerns; the application would include the betterment of a stream; the conditions included protection for nesting birds and hedgehogs; and a number of the existing farm buildings would be demolished. The Case Officer further highlighted the unauthorised development of a barn in the immediate vicinity of the site.

(3) The Committee heard from Mr Bob Farrand, who spoke against the officer recommendations and raised a number of points including: he had lived locally for 22 years; he was a lecturer in food and drink; his involvement with ADAS; the traffic impact had not been considered; 3,750 vehicles deliveries were expected per year which was the equivalent of 60 vehicles movements per day; 42,000 tonnes of digestate would need to be taken away from the site each year; many of the extra vehicle movements would be during the harvesting season; there was insufficient room for vehicles to pass on the access road; and the importance of talking to Dorset County Council regarding roads.

(4) The Committee heard from Mr Colin Winder, who made observations regarding the need for an additional slip road off the A303 to help alleviate traffic concerns.

(5) The Service Manager – Planning Control, Enforcement and Compliance noted that an additional slip road was unrelated to this application.

(6) The Committee heard from Mr Roger Gosney, who spoke against the officer recommendations and raised a number of points including: he is a retired highways engineer with over 40 years experience; the Parish Council objected to the application; a specialist consultant believes the application should be deferred or refused; the existing roads around Buckhorn Western are little more than lanes and are unsuitable for large vehicles; the impact on cyclists; and that the application should be deferred until such a time as a full transport assessment has been completed.

(7) The Committee heard from Sir John Grant, who spoke against the officer recommendations and raised a number of points including: he had recently moved to the area; the mistrust and suspicion from local people; and Department for Transport guidance and the requirement for a transport

statement. Sir John Grant further made two proposals for variations to the recommended conditions: firstly that any increase in the plants throughput would trigger the requirement for an EIA; and secondly the requirement for a traffic consultation with the Parish Council's most likely to be impacted upon by increased traffic volumes.

(8) The Committee heard from Mr Andy Smith, who spoke against the officer recommendations and raised a number of points including: that he is a local farmer; support AD plants as they take advantage of waste; the applicant had identified the need for waste disposal, but had not provided any evidence; the throughput of the plant had been reduced from 69,000 to 50,000 tonnes per annum but it was not clear if this was achievable; and that whilst the proposed through-put of the plant had been reduced, the digester tank size had not been reduced accordingly.

(9) The Committee heard from Mr Christopher Maltin, who spoke in support of the officer recommendations and raised a number of points including: he was born in Somerset and lived in the County; he runs an AD business near to the application site; that no complaints had ever been received regarding his plant; the importance of putting organic material back into the soil; that he represented the United Kingdom on the International Energy Agency and was the Chair of the International Bio Gas Congress; that the plant would produce 40 jobs; and that the plant would reduce pollution from farming.

(10) The Committee heard from Mr James Hobbs, who spoke in support of the officer recommendations and raised a number of points including: he was a farm renewable energy specialist; that the proposed site was located within a traditionally dairy area; the plant would process organic matter from other businesses; the importance of adding organic matter to the land; the applicant has green ambitions and has planted nearly 500'000 trees and operates a solar park; and the proposed development would have both farming and environmental benefits.

(11) The Committee heard from Mr Howard Duffy, who spoke in support of the officer recommendations and raised a number of points including: he is a clinical pharmacist and in medicine all decisions are evidence based; many of the comments regarding this proposed development are based on speculation and not what will actually happen; there is a local need for gas given housing developments in the area; there is traffic capacity on local roads; many of the objections are not from local people; the development would create jobs; and the development would use material from local farms.

(12) The Committee heard from Mr Daniel Scheven, who spoke on behalf of the applicant, in support of the recommendations and raised a number of points including: there was support for AD plants; that he could not foresee any traffic movements from the direction of Buckhorn Weston; that he had met with Buckhorn Weston Parish Council and was in agreement that the route through the village was unsuitable due to a low bridge; a Dorset Councillor has visited the site and was positive; and that the applicant planned to run the

plant for a minimum of 20 years.

(13) The Committee heard from Cllr William Wallace, a County Councillor for an adjoining division, who noted that the rural community support this development and that there was already rural traffic present in the area.

(14) At the Chair's invitation and in response to the points raised the Committee heard from Ben Sunderland representing the Highways Authority who informed Members: vehicle routing and signage had been considered; that sufficient information had been included in the Transport Statement; that the conditions would help ensure there was no severe impact on the highway; and that the current farm usage would generate similar vehicle movements.

(15) The Committee proceeded to debate during which a number of questions were asked by Members including: the difference between a Transport Statement and a Transport Assessment; keeping the road clean of mud and debris; enforcement of the digestors throughput volume; the requirement for an Environmental Impact Assessment if the plants throughput were to be increased; the potential to enforce the number of vehicle movements; the enforcement of all conditions; the potential to add an additional condition regarding odour; waste transfer note requirements; the duration of the condition regarding landscape planting; and consultation with Dorset County Council.

(15) Cllr Mike Pullin proposed the determination of the application be deferred until such a time as officers can provide additional information and reassurance regarding vehicle movements, and this was seconded by Cllr John Clarke.

(16) The Service Manager, Planning Control, Enforcement and Compliance informed Members that any deferral would have to be accompanied by clear reasons, and that in his opinion the existing Condition No. 13 regarding the Vehicle Routing and Signage Strategy would address Members concerns.

(17) At the Chair's invitation, Helen Vittery, representing the Highway Authority informed the Committee that a full Transport Assessment would only detail peak hour impacts, where as a Transport Statement details all movement throughout the day.

(16) The Service Manager, Planning Control, Enforcement and Compliance informed Members that Condition No. 13 could be amended to include consultation with Dorset County Council.

(17) Cllr Mike Pullin withdrew his proposal that the application be deferred subject to the amendment to Condition No. 13.

(18) The Committee proceeded to vote and agreed unanimously that Condition No. 13 Vehicle Routing and Signage Strategy should be amended to include consultation with Dorset County Council.

(19) Cllr Mark Keating proposed the recommendations detailed in the officer report, and as amended verbally at the meeting, and this was seconded by Cllr Nigel Hewitt-Cooper.

(20) The Committee resolved in respect of planning application no. 17/03257/CPO that planning permission be GRANTED subject to the conditions set out in section 8 of the officer's report, together with an amendment to condition No. 13 to include the requirement to consult with Dorset County Council.

The Committee further resolved 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

7 Construction of a footway and cycleway between Cranleigh Gardens and Liberty Place, through Eastover Park, Bridgwater, Somerset – 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 construction of a cycleway between Cranleigh Gardens and Liberty Place, through Eastover Park, Bridgwater. The Case Officer further highlighted the late papers.

The Committee were informed: the route would be a shared footway and cycle path including appropriate signage and surfacing; there would be 14 extra lighting columns placed at 23 meter intervals; and there was an existing permission in place but this was for a wider segregated route.

The key issues for consideration were highlighted to Members, including: accordance with the development plan and NPPF; accordance with the Transport Plan; improving sustainable transport networks; residential amenity; development within a playing field; development in a flood zone; and the protection of existing trees. Finally the case officer highlighted that the application was recommended for approval.

(2) The Committee heard from Mr Alan Stathers, who spoke on behalf of a number of local residents, against the officer recommendations, and raised a number of points including: a secondary objection had been submitted; there was already an existing path which was well lit; concern at the additional lighting; and that the path would not provide a direct route from the town to the railway station.

(3) The Committee heard from Mr Samuel Harper speaking on behalf of the applicant, who spoke in support of the officer recommendations and raised a number of points including: the HPC Mitigation Fund and the Town Council

would be making a financial contribution; there were various letters of support from Schools and other Councillors; the development included a drop kerb to allow access to the bowling club parking area; and the Parks and Open Spaces Officer supports the development.

(4) The Committee heard from Cllr Dave Loveridge, the Local County Councillor who highlighted to the committee that the removal of the access gate may mean that motorcycles and mopeds use the route and park. Cllr Loveridge further noted that he had no objection to the development in principle, but questioned why the path could not follow the existing route around the park.

(5) The Committee proceeded to debate during which a number of questions were asked by Members including: details of the previously approved permission; and why the new proposal was for a narrower route. Members further noted concern at a shared pedestrian and cycle space; and questioned of there was demand for the route.

(6) Cllr Nigel Hewitt-Cooper proposed the recommendations detailed in the officer report, and this was seconded by Cllr Mike Pullin.

(7) The Committee resolved in respect of planning application no. 1/08/17/00062 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.

8 Any other business of urgency – agenda item 8

There was no other business.

(The meeting closed at 16:44)

Chair, Regulation Committee