

The Regulation Committee

Minutes of a meeting of the Regulation Committee held on Thursday 6 September 2018 at 14.00 in the Luttrell Room, County Hall.

Present

Cllr J Parham (Chairman)

Cllr N Hewitt-Cooper
Cllr M Caswell
Cllr J Clarke
Cllr S Coles

Cllr M Keating
Cllr A Kendall
Cllr N Taylor

Other Members Present: None

The Chairman welcomed everyone to the meeting, outlined the meeting procedures, referred 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 M Pullin

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 S Coles	Member of Taunton Deane Brough Council Member of the Devon and Somerset Fire and Rescue Authority
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Cllr N Hewitt-Cooper	Member of Mendip District Council
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Cllr A Kendall	Member of South Somerset District Council Member of Yeovil Town Council
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Cllr J Parham	Member of Mendip District Council Member of Shepton Mallet Town Council
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Cllr N Taylor	Member of Mendip District Council
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3 **Accuracy of the Minutes of the meeting held on 14 June 2018** – agenda item 3

The Chairman signed the Minutes of the Regulation Committee held on 14 June 2018 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.

(2) 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 Construction of a Waste Transfer Station, RNAS Yeovilton, Yeovil, BA22 8HL - agenda item 5

(1) The Case Officer with the use of maps, plans and photographs outlined the application for the construction of a Waste Transfer Station at RNAS Yeovilton. The Committee were informed: the applicant is the MOD's Waste Infrastructure Organisation; the application was originally submitted in 2015, but was refused; the application site is to the North of the B3151; the proposed development would replace the existing waste sorting facility; the development included an 'L' shaped building, with steel and block construction on raft pad foundations; that no piling would be required; and the facility would only sort waste from the Airbase.

The Case Officer highlighted the flood risk and ground contamination concerns, informing members that the proposed flood compensation scheme over compensated for any loss but was only conceptual at this point, and that further work was required to better understand any ground contamination.

Members were informed of the number of additional pre-commencement conditions, and reference was made to: Condition no 1. regarding ground contamination; the requirement for a remediation scheme; and compliance with the National Planning Policy Framework and Development Plans.

The Case Officer noted the objections to the application, including: that Yeovilton Parish Council had objected citing: visual and noise impact, flooding issues, and the potential for a more suitable location within the airbase; that two residents had objected citing ground contamination, flooding, noise, odour, vermin and fly control and electricity demand. In response to the concerns raised the Case Officer informed members that: the nearest residential property was 60m from the development; the building was inward facing; the previous application was not refused on residential amenity grounds; there was not considered to be significant visual impact; that security fencing would be erected, but no hedgerow removed; conditioning the hours of operation to help mitigate any noise concerns; that no significant air quality deterioration was expected; and that no food or wet waste would be processed at the facility.

In conclusion the committee was informed that it was recommended permission for the application be granted.

(2) The Committee heard from Mr Philip Horsington, speaking on behalf of Yeovilton Parish Council who made a number of observations regarding the application including: the hours of operation; the materials being processed at the facility; that flooding concerns had been addressed; landscaping concerns and the retention of the existing boundary hedge; and the potential for a 30mph speed limit in the vicinity of the proposed development.

(3) The Committee heard from Cllr Mike Lewis, the divisional member who spoke in support of the application and raised a number of points including: the hours of operation; existing noise from the A303 and airbase; reversing vehicles; flood mitigation and alleviation; groundwater contamination; and existing ground pollution.

(4) At the Chairman's invitation the Case Officer responded to the points raised, noting: Condition no. 4 restricted the hours of operation; development could not commence until the flood mitigation scheme was in place; the Environment Agency had not objected to the application; and that MOD land was subject to Crown Rights, but that the existing boundary hedge would be retained.

(5) The Committee proceeded to debate during which a number of questions were asked by Members including: potential light pollution, the height of the light pillars and preventing light spillage; the potential for leachates; materials to be stored on the site; and clarification that the flood compensation scheme condition ensured that the scheme would be in place prior to the commencement of operations at the proposed waste transfer station.

(6) The Case Officer responded to the points raised in debate, noting: the application was previously rejected due to potential flooding and ground contamination; that the flood alleviation scheme had to be in place before the development comes into use; and that only dry waste would be stored at the facility.

(7) At the Chairman's invitation the agent's applicant addressed the Committee and confirmed that they would be happy to consider lowering the lighting pillars or including cowling to prevent light spillage.

(8) The Service Manager, Planning Control, Enforcement and Compliance informed the Committee that the submission and implementation of the lighting scheme could be conditioned to ensure the scheme was in place before the development is brought into use, and that the final condition wording could be delegated to officers.

(9) Nigel Hewitt-Cooper proposed the recommendations as detailed in the officer report and as amended regarding a lighting scheme, and this was seconded by Cllr Nigel Taylor.

(10) The Committee resolved in respect of planning application no.

17/01166/CPO that planning permission be GRANTED subject to the conditions set out in section 9 of the officer's report, together with an additional condition regarding the submission and approval of a Lighting Scheme.

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.

6 RoW Statement of Priorities – agenda item 6

(1) The Service Manager – Rights of Way informed the Committee: there was currently a backlog of 325 applications; the relationship with non-determination appeals; the inclusion of out of turn requests; the number of Secretary of State directions received by the Council; the proposal to revert to chronological order of application determination once all existing scored applications had been considered; and the removal of the provision to de-prioritise applications. The Service Manager proceeded to invite comment from the Regulation Committee.

(2) Member comments included: the potential for application full cost recovery; the potential impact of de-regulation; and express dedications.

(3) The Committee Chairman noted that the Regulation Committee was a statutory consultee and the Cabinet Member for Economic Development, Planning and Community Infrastructure would take a decision to adopt the amended priorities.

(4) The Service Manager – Rights of Way responded to the points raised, noting: there was no provision for the Council to be able to charge for Rights of Way work; and the Council was not averse to express dedications where statutory requirements could be satisfied, but that gaps in evidence meant this was not always possible.

(5) The Committee noted its support for the proposed amendments.

7 Any other business of urgency – agenda item 7

The Committee thanked Philip Higginbotton – Service Manager, Planning Control, Enforcement and Compliance for his work.

(The meeting closed at 15.04)

(The Regulation Committee – 6 September 2018)

Chair, Regulation Committee