

Minutes

DEVELOPMENT CONTROL COMMITTEE

MINUTES OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON MONDAY 23 JANUARY 2017, IN LARGE DINING ROOM, JUDGES LODGINGS, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 11.23 AM.

MEMBERS PRESENT

Roger Reed (Chairman), Brian Roberts (Vice-Chairman), Lesley Clarke OBE, Netta Glover, Andy Huxley and David Martin

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Laura-Lee Briggs – Fiona Bull attending in her place.

2 DECLARATIONS OF INTEREST

Item 4 – New Denham Quarry. Mr D Martin declared a non-pecuniary interest as he was a Director of the Colne Valley Park Community Interest Company and the Buckinghamshire County Council representative on the Board of Directors

Item 4 – New Denham Quarry. Mr R Reed declared a non-pecuniary interest as he was the Local Member and also sat on the quarry Liaison Committee

Item 5 – Westcott Venture Park. Mr A Huxley declared a non-pecuniary interest due to previously having a business on the site for 15 years.

Mrs N Glover declared an interest as Deputy Cabinet Member for Planning and Environment.

3 MINUTES

The minutes from the 22 November 2016 were agreed as a correct record and signed by the Chairman.

4 CM/23/16 NEW DENHAM QUARRY NORTHERN EXTENSION, NEW DENHAM

Mr A Sierakowski, Planning Consultant gave an overview of the application which sought agreement for an extension to the north of the existing quarry.

The Committee received a presentation showing the site plans and photographs.

Members of the Committee also attended a site visit to the Quarry on Friday 20 February.

Mr Sierakowski highlighted the following points:

- There would be four main phases of extraction followed by a fifth phase which was part of the existing permission and then a sixth and final phase of restoration of the site
- There was a total reserve of 1.6m tonnes of mineral for extraction, which would extend the life of the quarry by 5-6 years
- The site was currently used for agricultural grazing with an area of woodland sat within the site, part of which would be retained. The brook running through the site would be worked around
- Existing crossing point into the existing quarry access would be retained There would be a new access created as part of the northern extension and a new crossing point
- The gravel would come out via conveyor across the new track and therefore no disruption to the pedestrian users of the footpath
- The nearest building to the extraction area was Brickfield Cottage and there would a buffer zone placed around that
- Comments were included in the report from the Public Rights of Way (RoW) officer regarding investment upgrading the footpath. Mr Sierakowski stated that in the report he had outlined points that disagreed with the RoW officers' comments and that those Members that attended the site visit had seen that the footpath was maintained to a high standard.

Public Speaking

Mr Stephen Bowley, Planning Consultant for the applicant, Summerlease Ltd attended the Committee to speak in favour of the application. Mr Mike Lowe, Company Development Director was also in attendance in the public gallery.

Mr Bowley highlighted the following points for the Committee to consider:

1. The application was for a northern extension to New Denham Quarry. The northern extension was required to maintain the supply of high quality aggregates for the local construction industry, including concrete. Demand for aggregates was now strong following a long period in recession
2. The site had been nominated for inclusion in the forthcoming Minerals Sites Plan, and had scored highly in previous evaluations by the County Council

3. He thanked Members of the Committee for attending the site visit and emphasised the following points:
 - The application was self-contained and completely separate from an application to relocate the Hillingdon Outdoor Activity Centre (HOAC) to New Denham Quarry
 - That Summerleaze Ltd was not prepared to make any financial contribution towards the improvement of the footpath since this request was considered unreasonable and unnecessary
 - The proposal was an extension of an existing quarry and complied with both Local and National planning policies that support extensions in preference to totally new quarrying sites
4. There had been remarkably few objections to this major minerals development – only one local resident. The technical responses concerning ecology, landscaping and restoration had been addressed satisfactorily
5. Summerleaze Ltd would welcome the opportunity to review with the Planning Officers the proposed conditions in detail to discount anything unnecessary and therefore asked the Committee to give Officers flexibility to agree amendments to the conditions proposed
6. The existing quarry had been operating for more than 8 years. It was a well-run operation and had not given rise to any significant complaints. The site was monitored by Buckinghamshire County Council staff and had an effective Local Liaison Committee that met regularly

The Chairman thanked Mr Bowley for his summary and invited questions from the Committee. The following points were raised and discussed:

All Members of the Committee made reference to the site visit that had taken place and commented that the footpath was well used and maintained, supporting the officers comments that there was no need to invest in the upgrade of the footpath. Committee members also commented that the site was well run, clean and tidy.

It was confirmed that the HOAC application would come to the Development Control Committee as a separate item to this application, but the Committee was aware of another application for the site.

Recommendation

The Development Control Committee is invited to **APPROVE** application number CM/23/16 in accordance with the conditions set out in Appendix A to this report.

The Committee agreed that discussions between the applicant and officers could take place to discuss the conditions in detail and delegated authority to make any minor changes subject to sign-off by the Chairman of the Committee, Mr Reed.

DECISION: Members of the Committee unanimously AGREED application CM/23/16 subject to minor changes to conditions in accordance with the above instruction.

5 CM/61/16 PROPOSED VARIATION OF CONDITION 2 (APPROVED DETAILS), 4 (HOURS OF OPERATION), 10 (HOURS FOR EXTERNAL LIGHTING) AND 30 (VEHICLE MOVEMENTS) OF PERMISSION 12/20001/AWD TO INCREASE THE THROUGHPUT OF WASTE FROM 48,000 TO 96,000 TONNES, PER YEAR, INCREASE IN DELIVERY AND ASSOCIATED WEIGHBRIDGE OPERATING HOURS AND INCREASE IN VEHICLE MOVEMENTS (INCLUDING THOSE ON SUNDAYS AND BANK HOLIDAYS) AT WESTCOTT VENTURE PARK, WESTCOTT

Mrs A Herriman, Senior Planning Officer gave an overview of the application which sought agreement to increase the throughput of waste from 48,000 to 96,000 tonnes, per year, increase in delivery and associated weighbridge operating hours and increase in vehicle movements (including those on Sundays and Bank Holidays)

The Committee received a presentation showing the site plans and photographs. Mrs Herriman confirmed that contrary to information in the report, there was only one Local Member, Mr P Irwin.

Mrs Herriman highlighted the following points:

- The nearest property to the site was approximately 550m away
- Photographs were shown of the entrance to the site from both directions and the vehicle access

Public Speaking

Councillor P Irwin, Local Member attended the Committee to speak against the application.

Mr Irwin highlighted the following points:

- The photos in the presentation of the main entrance were incorrect and showed an entrance passed the main entrance, which to his knowledge was off the A41
- That with reference to Bucks Recycling there were conditions as part of that application that were not being adhered to and the impact of the Westcott Venture Park was not fully felt by villagers due to the noise and disruption from Bucks recycling. Currently no work takes place on Sundays and Bank Holidays, however by extending the hours and vehicle movements for this application members of the village would have no respite
- That he was the Chairman of the Bucks Recycling Liaison Group which had little assistance from the County Council. In particular the bund that was asked to be put in had yet to be completed
- Concerns regarding the junction where there had already been a number of reported accidents at the junction including one fatality. Discussions had taken place with Westcott Venture Park about putting in a roundabout but without success.

The Committee asked Mr Irwin to confirm the conditions that he believed were not being adhered to and Mr Irwin confirmed that this was in relation to the bund at Bucks Recycling that had been delayed for a number of years.

Mr Irwin urged the Committee to agree that a Liaison Group needed to be set up for the Westcott site as a whole with support from BCC Officers. He also made reference to the responsibility for policing vehicle movements through the village. Mr Reed confirmed that the issues highlighted regarding Bucks Recycling were a separate issue and could be picked outside the meeting.

Mrs E Catcheside, Planning and Enforcement Team Leader responded to the points raised by Mr Irwin. She confirmed the following:

- It was discussed at the previous Committee the need to have liaison groups at many of the mineral and waste sites and this was an action that was being taken forward. Mrs Catcheside would add Westcott Venture Park to the list and confirmed that the groups would have BCC officer support
- Those relating to the Shanks site application being discussed, she was unaware of any breaches on planning control on the site. She confirmed that in relation to the other site mentioned there was an active monitoring process in place and any issues could be discussed outside of this meeting
- There was a Section 106 in place to prevent vehicles travelling through the village and Mrs Catcheside was not aware of any breaches. Any breaches would be picked up via monitoring and enforcement processes and the Section 106 would be transferred to this application should it be granted
- Detailed discussions had taken place with the Highway authority within the last week regarding the junction to the Westcott Venture Park. The officers' advice was that an increase of 10 lorries a day plus the extra at the weekend would not justify any contribution to junction improvements works. The Committee was informed that the Highway Authority was working in conjunction with the Westcott Venture Park on a master plan for the site and was unlikely to support any further developments to the site without Section 106 contributions to improve the junction. Mrs Catcheside informed Members that solicitors had been instructed in relation to this point and the broader development of the site

The Chairman invited questions from the Committee. The following points were raised and discussed:

- Mr Irwin was asked if he had any knowledge of the accidents that had taken place at the junction over the last 5 years. Mr Irwin confirmed that there had been several accidents there including one fatality in the last two years. He suggested to the Committee that a site visit might be prudent for them to assess the junction and the dangers.
- Local Members were encouraged to highlight any breaches taking place to the Development Control Committee and to Enforcement Officers
- The number of vehicle movements and the continued growth of the site, with consequent increase in the issues at the junction. The suggestion of a liaison group for the whole site was supported

- Concerns about the increase in tonnage along with the increase in usage to include Saturday afternoons and Sundays, with the consequent increase in the level of noise for those in the village. Reference was also made to the extension in the use of lighting onsite

In response, Mrs Catchside stated that the composition of the waste was proposed to be changed and there would be a limitation on the number of vehicle movements. She reiterated that the nearest residential property was 550m, larger than the 200m unobstructed buffer distance required for mineral extraction site, by comparison, Mrs Catchside also commented that no objections had been raised from the Environment Health Officer regarding the issues raised.

A Member asked if there was any enforcement that needed to be applied in terms of light pollution. Mrs Catchside responded that further details of lighting could be sought by condition which would be reviewed in discussion with the Environmental Health Officer.

The Committee discussed the issue of whether it was possible to deal with the increased tonnage as part of the working week rather than extend the days of operation. Cllr Roger Reed advised that the application before members had to be considered as submitted.

Reference was made to **Policy 28** of the Bucks Mineral and Waste Local Plan (MWLP) which stated that *'the County Council will protect the amenity of those who may be affected by mineral and waste development proposals and will not grant planning permission for proposals which are likely to generate significant adverse levels of disturbance, both near the site and on routes to and from the site, from noise, vibration, dust, fumes, gases, odour, illumination, litter, birds or pests'*. It was suggested that the application be refused on this basis due to the increase in waste tonnage and the increase of working hours to include Saturdays, Sundays and Bank Holidays.

Mrs Catchside advised the Committee that as Officers had recommended that the application be approved, if the Committee were minded to refuse the application, the applicant would be within their rights to appeal.

The Committee was asked to vote for or against the application.

Recommendation

The Development Control Committee is invited to APPROVE application number CM/61/16 in accordance with the conditions set out in Appendix A to this report and subject to the completion of a Deed of Variation to the S. 106 Agreement dated 17th October 2014 in order to link the obligations contained in the S. 106 to the varied consent.

DECISION

For the application: 2

Against the application: 3

Abstentions: 1

RESOLVED: The application was refused on the basis that the proposed operational and delivery hours on Sundays and Bank Holidays was contrary to Policy 28 of the MWLP.

The Chairman encouraged the applicant to seek advice and enter into dialogue with Buckinghamshire County Council Officers.

6 CM 24/16 RETENTION OF EXISTING COMPOSTING BUILDING BY VARIATION OF CONDITIONS 4, 5, 9 AND 10 ATTACHED TO CONSENT W/98/6313 AT LITTLE MARLOW SEWAGE TREATMENT WORKS, LITTLE MARLOW

Mrs G Crossley, Development Management Officer gave an overview of the application which sought agreement for proposed retention of existing composting building at Little Marlow Sewage Treatment Works, subject to amended and additional conditions as set out in the report.

The Committee received a presentation showing the site plans and photographs.

Mrs Crossley highlighted the following points:

- The composting building lay on the southern boundary of the site
- The building was originally used for the composting of sewage sludge but was currently being used for storing the sewage composting before being taken offsite, to Oxford treatment works.
- Condition 5 set out that the cessation of the composting in the building would result in the demolition of the building and this application related to permission to retain the building for a different use
- The application highlighted that if the application was denied and the building demolished it would mean the sewage would be stored outside the building onsite which could enhance odour emissions
- There were no rejections from statutory consultees, but rejections had been received from local residents, a number of which related to the odour impact. Planning Officers had therefore sought further odour improvements from the applicant, in particular loading of the vehicles in the building
- The applicant had since carried out an assessment of the improvements required to the building to allow loading within the building. These improvements would take 6-8 months to implement

Mrs Crossley advised the Committee that since the reports had been submitted there had been some further amendments to draft conditions. **Please see attached supplement report highlighting these changes.**

The Chairman invited questions from the Committee. The following points were raised and discussed:

- Why it was a retrospective application. Mrs Crossley confirmed that it was submitted in June, not long after the submission deadline, and there was a 12 month window before the condition started
- Whether the odour problem could be reviewed over the summer months to make sure the issue was being reduced by the loading of the lorries inside the building. Mrs Crossley confirmed that this could be included in the monitoring review plan
- Mrs Crossley also confirmed that the number of objections had dropped considerably so the measures already put in place had improved the situation

Recommendation

The Development Control Committee is invited to **APPROVE** application number CM/24/16 for the proposed retention of existing composting building by variation of conditions 4, 5, 9 and 10 attached to consent W/98/6313 at Little Marlow Sewage Treatment Works, subject to amended and additional conditions as set out in the report and the supplementary report

DECISION: Members of the Committee unanimously AGREED application CM/24/16

7 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to an individual

8 CONFIDENTIAL MINUTES

The confidential minutes from the 22 November 2016 were agreed as a correct record and signed by the Chairman.

9 ENFORCEMENT REPORT

10 DATE OF NEXT MEETING

The date of the next meeting will be 13 February held in the Large Dining, Judges Lodgings, Aylesbury

Meeting closed at 11.23

CHAIRMAN