

Minutes

DEVELOPMENT CONTROL COMMITTEE

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON
MONDAY 10 APRIL 2017 IN LARGE DINING ROOM, JUDGES LODGINGS, AYLESBURY,
COMMENCING AT 10.00 AM AND CONCLUDING AT 11.33 AM**

MEMBERS PRESENT

Mr R Reed, Mr B Roberts, Mrs L Clarke OBE, Mr C Ditta, Ms N Glover, Mr A Huxley,
Mr D Martin and Mr D Shakespeare OBE

MEMBERS IN ATTENDANCE

OTHERS IN ATTENDANCE

Mrs O Stapleford, Mrs E Catcheside, Mr M Islam, Ms R Bennett and Hamilton

Agenda Item

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies received from Mrs L Briggs from Harrow Legal Services with Mrs K Hamilton attending in her place.

2 DECLARATIONS OF INTEREST

Item 4 – Cemex Quarry, Richings Park. 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

3 MINUTES

The minutes from the 13 February 2017 were agreed as a correct record and signed by the Chairman.

4 CM/51/16 - TEMPORARY CLOSURE OF PUBLIC FOOTPATH IVE/15/1, FOLLOWED BY THE LAYING OUT OF A SITE ENTRANCE, ERECTION OF NEW PROCESSING AND CONCRETE PLANTS AND RELATED INFRASTRUCTURE, EXTRACTION OF 2 MILLION TONNES OF SAND AND GRAVEL, BACKFILLING WITH INERT WASTE AND PROGRESSIVE RESTORATION OF THE LAND TO AGRICULTURE OVER A PERIOD OF UP TO NINE YEARS AT LAND NORTH OF NORTH PARK ROAD, RICHINGS PARK, LANGLEY

Mr T Islam, Lead Planning Officer gave an overview of the application which sought agreement for temporary closure of public footpath, followed by the laying out of a site entrance, erection of new processing and concrete plants and related infrastructure, extraction of 2 million tonnes of sand and gravel, backfilling with inert waste and progressive restoration of the land to agriculture over a period of up to nine years.

The Committee received a presentation showing the site plans and photographs. Members of the Committee had visited the site prior to the Development Control Committee in April, walked the whole site and were able to see for themselves any impact with particular attention to phase 1 and those areas nearest to residential properties.

Mr Islam highlighted the following points to the Committee:

- The extraction of the sand and gravel needed to take place prior Network Rail (NR) proceeding with a new Western Rail Link to Heathrow (WRLtH) airport which, if permitted, was due to start on site in spring 2019
- Highlighted the distance of the nearest affected properties and discussed the bunding and screening provided
- The main causes for concern following consultation had been in relation to additional traffic, however there had been no objections from Highways. Mr Islam confirmed that there would be restrictions to lorries travelling through Iver and the site would be monitored regularly, with action taken against those not complying with the restrictions

Public Speaking

The Committee received representation from the following:

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| Objectors – Public | Mr Nick Collyer |
| Parish/Town Council | Cllr Wendy Matthews, Iver Parish Council |
| Applicant/Agent | Helen Hudson, Consultant Planner for Cemex |

Summary of Public Speaking:

Mr N Collyer highlighted the following points to the Committee:

- The site of the extraction was less than 30m from end of his garden and in the winter months was visible through the planting which gave no protection
- It was understood that phase one of extraction would be left for 4-5 years before it was restored and that this would be unsightly
- Requested that if the application was granted, there should be a further look at the boundaries
- Mr Collyer updated the Committee regarding the health complaints of residents that it is believed would be exacerbated by the work at the site. Mr Collyer also stated there had been promises made by Cemex to contact those affected and

that this was yet to happen

Mrs W Matthews, on behalf of Iver Parish Council circulated a summary of points to the Committee prior to the meeting (as attached).

Mrs Matthews highlighted the following points:

- The Parish Council accepted the need for the extraction but stated that the proposed mitigations for those properties in close proximity were not acceptable
- Residents' concerns related to noise and dust pollution
- The additional traffic which would be to Iver
- The plant being illuminated and the disruption this would have on nearby residents

The Chairman of the Committee stated that it was their understanding that the plant would only be lit within normal hours of operation and sensor lights outside of this for health and safety reasons. Mrs Catcheside confirmed that there would be a planning condition detailing the use of lighting and ensuring limited impact.

Mrs Hudson, Cemex Consult Planner circulated a summary of points to the Committee prior to the meeting (as attached).

Mrs Hudson highlighted the following points:

- The need for the extraction to take place prior to the Western Rail Link to Heathrow starting as it would spur off the Great Western Railway line to the north of the CEMEX site and go into tunnel in the middle of the site
- If the application was agreed this would enable CEMEX to recover the sand and gravel and avoid sterilisation of the mineral that would either be in the path of the rail tunnel or would be impossible to reach once the tunnel is in place
- CEMEX had worked with Network Rail and discussed the timing, design and phasing of the minerals working
- CEMEX was also willing to sign a S106 routing agreement to ensure that HGV traffic went west along North Park and then south along Sutton Lane to the A4
- CEMEX understood that residents had concerns about mineral working. This application was supported by an environmental impact assessment, including assessments on noise, dust, landscape, hydrology, air quality and traffic.
- CEMEX considered that this proposal was sustainable development, which avoided safeguarded mineral from being sterilised unnecessarily and met the aggregate landbank needs of Buckinghamshire during the current plan period

Following the public speakers the Committee discussed the following points:

- The length of phase 1 and when restoration was likely to take place. Mrs Hudson confirmed that it would be 1 year in total to work the phase 1 site, with the extraction taking 2 months
- The process of the extraction with it starting near to the closest properties and working away from them, east to west with bunding in place
- The lorry routing arrangements in place and the power to enforce and fine those that did not comply. Mr Hudson confirmed that the vast majority of the HGV drivers were under the control of Cemex and therefore action would be taken against those not complying with restrictions. Mrs Catcheside also confirmed that the site would be regularly monitored
- The Committee discussed the need to restore phase 1 of the site as soon as possible and whether this could be a condition of the application. Mrs Catcheside confirmed that restrictions would be placed on vehicle movement and that they would work closely with Cemex to ensure restoration was carried out as expediently as possible. Mrs Catcheside explained that this could include a

condition restricting the start of other phases until the restoration of phase 1 was complete

- The closure of the footpath for 9 years to ensure the safety of residents and general public
- The Committee suggested the need for a liaison group for the site which was agreed by all Members to be held at regular intervals

The Committee was asked to agree the following Recommendation:

Subject to the completion of legal agreement between the applicant and Network Rail to ensure the development would not prevent the delivery of proposed Western Rail Link to Heathrow (WRLtH), the Development Control Committee is invited to DELEGATE the GRANT of planning permission to the Head of Planning & Environment subject to:

- **The conditions set out in Appendix A to this report;**
- **The applicant first entering into a S106 legal agreement to cover routeing arrangements, financial contribution towards transport infrastructure improvements and air quality management, and the implementation of a 10 year long term Biodiversity Management Plan.**

In addition to the report the Committee were also asked to agree a small change to the operational hours to a 08.00 start on a Saturday rather than 07.00.

Members also asked officers to review the timetable for the completion of the part of the site closest to residential properties to ensure its expedient restoration. Members agreed to delegate the wording of any new or revised conditions to secure this to Officers in consultation with the Chairman and Vice Chairman of the Committee.

RESOLVED

All Members of the Committee agreed to the change in operational hours.

All Members of the Committee agreed the Recommendation as set out in the report (as amended) with the Chairman and Vice Chairman in consultation to approve any changes to wording of conditions.

The Chairman of the Committee thanked Officers and Members of the Committee for their attendance and stated that it was the last meeting before the elections took place in May.

5 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

6 CONFIDENTIAL MINUTES

7 ENFORCEMENT REPORT

Ms O Stapleford, Enforcement Officer presented an update to the Committee on current enforcement action in progress.

8 CABINET MEMBER KEY DECISION PAPER - PRE-APPLICATION CHARGING

9 DATE OF NEXT MEETING

The next meeting will be held on Monday 19 June, Mezz 1 & 2

The Chairman reiterated his personal thanks to the Committee for their dedication and commitment to their role on Development Control Committee and thanked Officers for their excellent work, in particular the excellent quality of reports and verbal updates given. He also noted the benefit of the site visits that had been carried out.

CHAIRMAN