

Minutes

DEVELOPMENT CONTROL COMMITTEE

MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON MONDAY 27 NOVEMBER 2017 IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 11.00 AM

MEMBERS PRESENT

Ms J Blake, Mr C Clare, Mr C Ditta, Mrs B Gibbs, Ms N Glover and Mr D Shakespeare OBE

OTHERS IN ATTENDANCE

Mrs O Stapleford, Ms A Herriman, Ms L Briggs, Mrs E Catcheside, Mr M Pugh and Ms R Bennett

Agenda Item

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies were received from Mr Brown and Mr Reed had confirmed he would be late to the meeting.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

RESOLVED: The minutes of the meeting held on 31 July 2017 were agreed as a correct record and signed by the Chairman.

4 CM/17/16 - A REVISED RESTORATION LANDFORM TO ALLOW THE DEVELOPMENT OF A WASTE RECOVERY AND ANAEROBIC DIGESTION FACILITY WITH ASSOCIATED VEHICLE PARKING, FUELLING AND WASHING, BIN STORAGE AND STAFF WELFARE FACILITIES TOGETHER WITH THE RETENTION OF THE EXISTING CONSTRUCTION WASTE RECYCLING FACILITY AND EXISTING OFFICES, PARKING, WEIGHBRIDGE AND SITE ACCESS AT WAPSEYS WOOD LANDFILL SITE, OXFORD ROAD, GERRARDS CROSS

Ms A Herriman, Senior Planning Officer presented the application CM/17/16 which sought agreement for a revised restoration landform to allow the development of a waste recovery and anaerobic digestion facility with associated vehicle parking, fuelling and washing, bin storage and staff welfare facilities together with the retention of the existing construction waste recycling facility and existing offices, parking, weighbridge and site access at Wapseys Wood Landfill Site, Oxford Road, Gerrards Cross. The report outlined the following recommendation to Committee:

Recommendation:

The Planning Development Control Committee is invited to **REFUSE** application no. CM/17/16 for the reasons as set out in Appendix A and to **DELEGATE AUTHORITY** to the Head of Planning & Environment to issue the decision notice following the adoption of a Habitats Regulation Screening Assessment.

Ms Herriman gave an overview of the application and the Committee received a presentation showing the proposed site plans and photographs. Members of the Committee had visited the site prior to the Development Control Committee meeting.

Public Speaking

Mr C Brown, Chairman of Gerrards Cross Town Council attended the meeting and spoke in objection to the application. Mr Brown's main points were circulated to Committee Members and are appended to the minutes.

A Member of the Committee asked Mr Brown to expand on the problems experienced on the A40 to the west of the site. Mr Brown confirmed that the vehicle movements to and from Wapsey Wood had meant that the road had deteriorated badly. There was also mud and debris on the road, which was also unlit, causing further risk to drivers.

Mr C Herbert, Technical Director with SLR Consulting spoke on behalf of the applicant Veolia. Mr Herbert's main points were circulated to Committee Members and are appended to the minutes.

The Committee raised the following points for discussion with Mr Herbert:

- The site would have a total capacity of 100k tonnes and with the need of 70k capacity they questioned where the additional 30k tonnes waste would come from and would this be transferred in from outside of the County. Mr Herbert confirmed that there would be 15-20 mile radius for waste so some of this would sit outside the County boundary
- The Committee asked if the applicant had assessed other potential sites outside of the Green Belt. Mr Herbert confirmed that four other sites had been considered but were identified as being unsuitable as outlined in the report
- The Committee discussed the reasons for a facility in the south of the county when there were already provisions in the north of the county that could potentially expand to take on the extra capacity required in the coming years,

which also meant not having to develop on Green Belt. Mr Herbert confirmed that there was currently no provision in the south of the county and it was thought this application would address proximity issues and reduce waste having to travel. It would also provide a network of facilities across the county rather than everything being located in the north.

The Committee raised and discussed the following points:

- Reference was made to the Greatmoor facility and the need for all the waste within County required there to make the site viable. Mrs Catcheside confirmed that the Waste Needs Assessment, which is a technical document supporting the preparation of the emerging Minerals and Waste Local Plan indicated there would be a need for additional facilities in the longer term (up to 2036).
- A Member raised concern about the importing of waste from outside the county. There was a discussion about the variety of waste streams to be managed by the proposed facility in the application. In summary Mrs Catcheside commented that whilst there might be a need for some of these elements proposed, the issue remained that this particular site was unsuitable due to its Green Belt location;
- The Committee raised the concerns of Gerrards Cross Town Council that if the site was left for restoration it could be vulnerable, in particular to use by travellers. Mrs Catcheside confirmed that the landowner would be responsible for protecting the site against incursion by travellers and that the Council would work with the applicant to ensure the site was restored and was not left in its current condition. Mrs Catcheside also confirmed that the Environment Agency would need to be involved in any discussions regarding landfill and any relevant permits that would be required.
- Mrs Catcheside highlighted to the Committee that a number of meetings had been held with the applicant, who had been consistently advised that the appropriateness of this site to meet the future strategic waste needs of Buckinghamshire should be considered as part of the emerging local plan. The applicant has made representation to that plan and those are yet to be considered.

The Chairman referred to the recommendation as set out in the report.

RESOLVED: The Committee unanimously AGREED the Officer recommendation to REFUSE the application and to DELEGATE AUTHORITY to the Head of Planning & Environment to issue the decision notice following the adoption of a Habitats Regulation Screening Assessment.

5 **CM/65/17 - PROPOSED VARIATION OF CONDITIONS 2 (APPROVED DETAILS), 4 (HOURS OF OPERATIONS), 10 (EXTERNAL LIGHTING) AND 30 (VEHICLE MOVEMENTS) 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) ATTACHED TO PLANNING CONSENT 12/20001/AWD FOR IN-VESSEL COMPOSTING AND ANAEROBIC DIGESTION FACILITY AND ANCILLARY DEVELOPMENT TO REVISE THE SITE LAYOUT AND ELEVATIONS AT AREAS 10, 11 AND 12 AT WESTCOTT VENTURE PARK, WESTCOTT**

Ms A Herriman, Senior Planning Officer presented the application CM/65/17 Proposed variation of conditions as set out in the officer report at Westcott Venture Park, Westcott. The report outlined the following recommendation to Committee:

Recommendation:

The Development Control Committee is invited to **APPROVE** application no. CM/65/17 subject to the conditions set out in Appendix A.

The Chairman confirmed her recent visit to the site and stated that the site was situated off the main road, and was very well maintained.

Ms Herriman gave an overview of the application and the Committee received a presentation showing site plans and photographs. Ms Herriman confirmed that there had been a change of name only of Shanks Waste Management Ltd to Renewi UK Services Ltd. There had been no change in the legal entity it was purely a change of name.

Public Speaking

Mr M Robinson of Renewi UK Services Limited attended the Committee on behalf of the applicant and confirmed that the applicants had been working closely with BCC officers.

Ms Herriman stated that the previous planning application reference CM/61/16 was for the variation of the same conditions 2, 4, 10 and 30 of consent 12/20001/AWD and that Table 1 within the report showed what is currently permitted, what was proposed under CM/61/16 and what is now proposed under application CM/65/17.

The Committee raised and discussed the following points:

- A desire for the applicant to consider the extra HGV movements and the impact on the road and the cost of any repairs. Mr Robinson stated that the facility was part of the Westcott Venture Park and therefore would be considered as part of that and not just for their site.
- The Committee sought confirmation on the additional HGV vehicle movements and Mr Robinson confirmed that this would be ten extra Monday-Saturday and there would be the addition of some movements on Sundays and Bank Holidays. In total this equated to 15% more over the week.

The Chairman referred to the recommendation as set out in the report.

RESOLVED: The Committee unanimously AGREED the Officer recommendation to AGREE the application.

6 DATE OF NEXT MEETING

22 January 2018, 10.00am, Mezzanine 1&2, County Hall.

**7 EXCLUSION OF THE PRESS AND PUBLIC
RESOLVED**

That the press and public be excluded for items 8, 9 and 10 which are exempt by virtue of the following paragraphs of Part 1 of Schedule 12a of the Local Government Act 1972. Items may contain information which relates to:

Paragraph 1: Information relating to any individual

Paragraph 5: Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

Paragraph 6: Information which reveals that the authority proposes –

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person : or
- (b) to make an order or direction under any enactment.

8 CONFIDENTIAL MINUTES

RESOLVED: The confidential minutes of the meeting held on 31 July 2017 were agreed as a correct record and signed by the Chairman.

9 ENFORCEMENT REPORT

10 PLANNING PERFORMANCE UPDATE

CHAIRMAN

Wapeys Wood planning application CM/17/16

My name is Chris Brown, Chairman of Gerrards Cross Town Council. The Wapeys Wood site is located in Gerrards Cross.

For the last 10 years, I have been attending the Wapeys Wood Liaison Committee meetings that was chaired by our previous local member, Cllr Peter Hardy.

The residents of Gerrards Cross would like to see this site returned to agriculture and woodland, opened up for public access as soon as possible. They have already had two recent extensions to the site closure to 2012 and then to 2017.

The original contouring plan included the excavation and landfill of the central area. As it was decided in 2015 not to excavate the central area, a revised contouring plan was due to be submitted in January/February 2016. This contouring plan has now been extended to include the new proposal for a waste recovery and anaerobic digestion facility, pending the acceptance of the emerging Local Minerals and Waste plan. This has resulted in a delay in the submission of the restoration plan that may well delay the restoration beyond the agreed end date of December 31st 2017. The Town Council contents that the re-contouring plan and waste recovery plan constitute two separate planning applications and should have been submitted as such.

The site is due for closure by the end of 2017; there are a number of comparisons in the proposal that compare the proposed traffic with existing traffic and site opening hours. These comparisons are not valid, in that there will be zero traffic and zero opening hours; nor will this be a co-located facility after 2017.

For Green Belt purposes, there is no dependency of this particular location. None of the materials are sourced on site. The application by Tarmac for a Mortar Plant in August 2014, which previously depended on sand and gravel from Wapeys Wood was refused on appeal by the Secretary of State because this dependency was no longer the case and all materials would need to be transported onto the site.

The application makes reference to the emerging Minerals and Waste Local Plan (2016 – 2036) to justify the proposed Waste Site; this plan has not been adopted by BCC, is still in consultation and has no relevance to this application.

We understood that the Greatmoor incinerator was designed to process all non-inert waste arising in Buckinghamshire. This new development is therefore not required by BCC, nor is it included in the current Minerals & Waste local plan.

The A40 is frequently heavily used when either the M40 or M25 is closed. The Wapeys Wood site was opened prior to the construction the M40 motorway and we contend that, should the application be granted, it should have a dedicate entrance/exit route directly onto the M40.

As a result of the existing vehicle movement to and from Wapseys Wood, the A40 to the west of the site has deteriorated badly. There is also a considerable amount of mud and debris dropped on this unlit section of the A40, making it very dangerous at night. If this proposal goes ahead, this will be continuing hazard.

We are surprised to see that the rights of way officer has no objection in view of the fact that walkways have been diverted to poor locations (eg alongside the M40 motorway) and there is no safe cycleway between Gerrards Cross and Hedgerley.

The proposal has not considered all alternative sites. One of these is Springfield Farm in Beaconsfield. Whilst Gerrards Cross does not support using this site as an alternative, its omission from consideration invalidates the Green Belt special needs requirement.

In Section 122 of the officer's report, it states that noise from vehicle movement would be no more than existing and that SBCD Environmental Health Officer has no objection. This is incorrect, as existing movement will be zero by the end of 2017.

Our residents at Moat Farm in Gerrards Cross adjacent to Wapseys Wood have expressed their concern that the return of Wapseys Wood to agriculture and woodland may result in incursion by Travellers and seek reassurance from BCC that this will not be the case.

Gerrards Cross Town Council would request that this application be refused.

DEVELOPMENT CONTROL COMMITTEE – 27 NOVEMBER 2017

APPLICATION CM/17/16

Good morning, my name is Chris Herbert and I am a Technical Director with SLR Consulting who prepared the planning application and ES on behalf of Veolia.

I would like to draw members attention to the following aspects of the committee report

Firstly on consultations, the following responses: Highways - no objection; Environment Agency - no objection; Natural England - no objection; Landscape - no objection; Environmental Health - no objection; District Council - no objection.

Page 23 of the report lists only 1 objection from the public in respect of this application.

What the above tells you is that this a good site for waste management development – it does not impact on the environment or local communities.

Secondly at page 26 of the report (para 96) your officers tell you there is a need for this type of development.

The only issue is therefore one of Green Belt policy and the need to demonstrate very special circumstances (VSC). To demonstrate VSC you have to show two things:

- One that there is a need for your development and as shown above your officers accept there is a need; and
- Two, that there are no suitable sites available outside of the Green Belt.

And it is on this second point that we believe your officers report is flawed.

This facility is proposed to serve the south of the county – this is where most people in Buckinghamshire live and where most of the waste is generated.

- North (Aylesbury) – 60% of area but only one third of the population
South (Wycombe, Chiltern and South Bucks) – 40% of the area but two thirds of the population
- Municipal waste generation: North 62,000 tonnes; south 111,000 tonnes
- New housing proposed (because your officers refer to this): North 27,400; South 24,900

The suggestion at page 30 para 113 that the applicant has identified suitable sites in the north of the county and that we could co-locate with existing anaerobic digestion (AD) and recycling developments in the north of the county ignores where these facilities are needed.

It is the south of the county where most people live and where most waste is generated and, to accord with the proximity principle, it is the south of the county which needs new waste management facilities. As pointed out above the north of the county already has recycling and AD facilities – the south of the county has none and this is where the need is. We have demonstrated clearly that there are no suitable sites outside of the Green Belt in the south of the county which is something I am sure councillors are aware of given that their own HWRC site for Gerrards Cross is located in the Green Belt – on land acquired from Veolia at this very site.

The reference to London waste is disappointing and not an issue that has been raised with us in the discussions we have had to date with your officers. If it had been raised the matter could have been dealt with by way of a catchment restriction agreement – it is not a reason for refusal.

To summarise this is a site which will not adversely impact on local residents or the environment and for which there is an identified need. This site has met the mineral and waste management needs of south Buckinghamshire since the 1940s and the application seeks to provide a facility which will continue to do this whilst delivering the movement of waste away from landfill as required by national and local policy. If it is refused the site and existing recycling facilities will close and in the region of 50 people will lose their jobs.

I would therefore ask members to support this application or at the very least defer a decision on this application and to ask their officers why they are not seeking to make provision for new waste management facilities in the south of the county. We believe they are avoiding taking difficult decisions about development in the Green Belt, but those members who know South Buckinghamshire must know that difficult decisions about development in the Green Belt have to be taken in order to deliver not just the waste management infrastructure but also the homes and jobs that are needed for local people.