

# Minutes

## *DEVELOPMENT CONTROL COMMITTEE*

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**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON MONDAY 1 APRIL 2019 IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 10.50 AM**

### **MEMBERS PRESENT**

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

### **OTHERS IN ATTENDANCE**

Ms M Rajaratnam, Mr D Periam, Ms C Kelham, Mr M Pugh and Ms S Taylor

### **Agenda Item**

- 1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP**  
Apologies were received from Ms A Cranmer.
- 2 DECLARATIONS OF INTEREST**  
There were no declarations of interest.
- 3 MINUTES**  
**RESOLVED:** The minutes of the meeting held on 25 February 2019 were **AGREED** as an accurate record and were signed by the Chairman.
- 4 DATE OF NEXT MEETING**  
Monday 20 May 2019 at 10.00 am in Mezzanine rooms 1 and 2, County Hall, Aylesbury.  
Mr D Shakespeare sent his apologies for the next meeting.

**5 CM/0002/19: VARY CONDITION 2 ON CM/0006/18 CHANGE OF OPERATING HOURS FROM 8.00 - 18.00 MONDAY TO FRIDAY TO 7.00 - 17.00 MONDAY TO FRIDAY**

Ms C Kelham, Planning Officer, provided a presentation and highlighted the following points:

- Since publication of the report comments had been received from Buckinghamshire County Council (BCC) Highways.
- BCC Highways had considered the proposed changes and commented that the proposed change in operating hours would not have a material effect on the AM or PM peak hours and the proposed amount of working hours were not changing. BCC Highways were satisfied that the proposed variation of condition would not result in a material impact on the local highway network and that the Highway Authority had no objection to the proposed variation of condition.
- Ms Kelham pointed out a typographical error in the report in paragraph 23. The penultimate sentence, should read “As this location is closer than the houses on Wendover Road she ~~considers~~ it confirms that at both locations the noise level as a result of operations on the application site (excluding the concrete crusher) are acceptable between 7 am to 8 am Monday to Friday.”
- The application site was a permitted waste transfer and processing site.
- Ms Kelham reminded the Committee that, less than a year ago, planning permission was granted for changes to the operation at the site and also the neighbouring piece of land for use of that land for storage of empty skips and skip lorries.
- The patch of land was an area of approx. 1.2 hectares and was shown on the map.
- Although, as part the application last year, permission was sought to extend the hours of operation from 08.00-18.00 Monday-Friday and 08.00-13.00 Saturday to 06.30-18.30 Monday-Saturday, the impact of this was considered unacceptable due to a lack of information on the amenity impact in the early morning. On this basis the planning permission granted did not allow the change of hours and instead included a condition to maintain the hours of operation proposed to change in this application.
- In summary, instead of operating between 08:00 and 18:00, Enterprise Skip Hire wished to operate between 07:00 and 17:00. The running of the screener and crusher were not included in the proposed variation and the applicant intended for these to operate after 08:00 as was currently permitted. The Saturday hours of operation were not proposed to change and would continue to be between 08:00 and 13:00.
- Photographs were shown of the site plan, the shed with the picking station, the bays, the application site, the main yard area and the entrance to the site.
- The distance from the main area of the site to the properties on Wendover Road was approximately 245 metres.
- The distance from the skip storage area to Unit 1, Triangle Business Park was approximately 60 metres.
- A noise assessment had been submitted to accompany the planning application, and following consideration of the document, the District Environmental Health Officer had advised that the proposed operations at the application site (i.e. vehicles leaving and not use of the concrete crusher) would not have an acoustic impact on the amenity at the closest residential dwellings between the hours of 07.00 to 08.00 Monday to Friday.
- There were a number of enforcement issues around the permitted development, including lighting and dust and these matters were being investigated by the County Council.
- As the application did not seek to change the throughput or vehicle movement,

and would retain the dust suppression measures and physical features such as the walls, it was not considered there would be a substantial change to these impacts.

- The change to the operating hours would change what time the lighting was on for site operational reasons. It would be on earlier in the morning during the week and off earlier in the evening during the week. The lighting while the site was not operational was a continuing matter and one the Enforcement Officer was involved in.

The Development Control Committee was invited to approve application CM/0002/19, to vary condition 2 to change of operating hours to 07.00-17.00 Monday to Friday, subject to the conditions set out in the report.

## **Public Speaking**

The Chairman invited Ms L Wright, Operations Manager, Enterprise Skip Hire (ESH) to speak in support of the applicant.

Ms Wright read out a statement and highlighted the following key points:

- ESH was not asking to extend their operating hours, but instead to bring them forward at the start of the working day by an hour from 08.00 to 07.00 Monday to Friday.
- During the weekdays the majority of house owners and families were already up and operating at this time.

The change would be beneficial/non-impacting to the area and its residents for the following reasons:

- Firstly, by leaving the site at 08.00 ESH were contributing to the rush hour traffic, congestion and noise levels due to the lorries queuing to exit the site in convoy, onto the main A413 Wendover Road. If lorries needed to turn right out of the site to travel to e.g. Wendover, Chesham or Great Missenden, it was near on impossible due to the amount of traffic. Hence, the vehicles turned left to travel northbound on the A413 to the Weston Turville roundabout, drive all the way around the roundabout and then travel southbound. In doing so, lorries had passed the households twice in as many minutes. This could be avoided if the lorries were allowed to operate from 07:00 when traffic was significantly lighter and would be able to turn right immediately.
- Secondly, there had been objections to noise levels. The noise impact assessment carried out by Peak Acoustics confirmed that there was no impact on current noise levels whether the lorries left the site at 07.00 or 08.00. This information was shared with Aylesbury Vale District Council (AVDC) Environmental Health Officer (EHO), Julia Winfield, who raised no objections to varying condition 2.
- There had been no objections from any other professional parties including AVDC, BCC Highways, the Environmental Agency (EA), Stoke Mandeville Parish Council and local member, Steve Bowles.
- ESH continued to provide a service to BCC and AVDC. This included skip hire to schools and hospitals. There had been incidents when ESH drivers had arrived on school premises at 08.30 and not been allowed to drop off skips due to health and safety reasons with students arriving on site. If ESH could operate from 07.00, incidents like this could be avoided.
- The company was constantly updating its fleet of lorries, plant and machinery to reduce emissions, vibrations and breakdowns. All the lorries were now fitted with

- wear sleeves; this had been proven to reduce the noise impact levels by 40%.
- Thirdly, there had been objections to dust. It had been made clear from the EA, who regulated the site, that ESH was not solely responsible for the dust in the area. This was contributed by the heavy traffic on the main road outside of the site. ESH had recently installed a new dust suppression system which included shower curtains, water guns and mist sprayers, around the waste transfer and perimeter walls. The site also deployed a tractor and water bowser throughout the day to dampen down the ground dust.
- Ms Wright reiterated that the application was not to extend the operating hours so there would be no increase in noise or dust pollution.
- Finally, their aim was to improve their efficiency as a company without impacting on the surrounding environment or the residents. Twenty-one questionnaires had been distributed to their nearest receptors; out of 12 responses, nine raised no objections to the requested change in hours. For those who had objected, Ms Wright stated she hoped she had responded to their concerns by the points noted above.
- ESH continued to work alongside the EA, EHO, BCC and AVDC to maintain high standards and meet all the necessary regulations and requirements.

Members of the Committee raised and discussed the following points:

- In response to a question on whether there was any knowledge on the percentage increase in traffic levels at 8.00 to 7.00, Ms Wright stated that by standing outside the site it was possible to see that at 07.00 the lorries could turn right within a couple of minutes but at 08.00 it became impossible due to the amount of traffic and the lorries had to turn left. Ms Wright had watched the drivers struggling to leave the site at 08.00.
- A Member of the Committee asked how long it could take the fleet of lorries to leave the site at 08.00 am. Ms Wright advised that a driver could be queuing for 20-30 minutes and often had to wait for another driver to 'flash' them to enable them to pull out. However, at 07.00 ten lorries could pull straight out of the site.
- A Member of the Committee then asked whether it would make a difference if the lorries left at 07.30. Ms Wright stated that it would be still be rush hour and there would be the problem of lorries arriving at schools sites at 08.00-08.30.
- In response to a question on the percentage of the fleet which needed to turn right when leaving the site, Ms Wright stated it depended on the day to day scheduling but it would be approximately 60%.
- The Chairman highlighted that the application was for a change of condition. The actual operation of skip hire application had been approved on 12 September 2018. A useful site visit had been carried out at the site.
- Ms Kelham reminded the Committee that the BCC Highways had considered the proposed changes and commented that the proposed change in operating hours would not have a material effect on the AM or PM peak hours and the proposed amount of working hours were not changing. BCC Highways were satisfied that the proposed variation of condition would not result in a material impact on the local highway network and that the Highway Authority had no objection to the proposed variation of condition.
- It was noted that Stoke Mandeville Parish Council had not offered a comment to the consultation. A Member of the Committee asked if there were any other parish councils included; Ms Kelham confirmed that the actual site was in Stoke Mandeville Parish Council area but the houses on the A413 were in the Weston Turville Parish Council area and they had objected to the application (paragraph 32 of the report).

Mrs Blake proposed the approval of the recommendation as listed in the report. Mrs

Gibbs seconded the proposal and the following vote was recorded:

For	6
Against	0
Abstention	0

**RESOLVED:** The Committee unanimously **APPROVED** application CM/0002/19 to vary condition 2 on CM/0006/18 change of operating hours from 8.00 - 18.00 Monday to Friday to 7.00 - 17.00 Monday to Friday subject to the conditons set out in Appendix A of the report.

**6 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.

**7 CONFIDENTIAL MINUTES**

**8 ENFORCEMENT REPORT**

**CHAIRMAN**