

## STRATEGIC PLANNING COMMITTEE

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MINUTES of a MEETING of the STRATEGIC PLANNING COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 4 NOVEMBER 2009.

### PRESENT:

Cllr Andrew Davis (Chairman), Cllr Philip Brown, Cllr Christine Crisp, Cllr Mr Peter Fuller, Cllr Russell Hawker, Cllr Chris Humphries, Cllr Julian Johnson, Cllr Jeff Ody, Cllr Tony Trotman, Cllr Ian West, Cllr Fred Westmoreland and Cllr Graham Wright.

Cllr Peter Colmer also attended the meeting.

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12. **Apologies** Apologies for absence were received from Cllr Mark Packard.

13. **Minutes of Previous Meeting**

**Resolved:** To confirm and sign the minutes of the meeting held on 7 October 2009.

14. **Marston Meysey: Round House Farm Quarry, Marston Meysey - Extraction and Processing of Sand and Gravel with restoration to Nature Conservation uses without compliance with conditions 2, 18, 19, 20 and 35 of Permission N.00.1105 dated 3 July 2003 (to amend the phasing sequence) for Moreton C Cullimore (Gravels) Limited (Application No. N.08.07010)** In the absence of the Case Officer, the Committee received a presentation by the Team Leader – Minerals and Waste Development which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views against the proposal to which the Chairman responded:

Mr Anthony Murison, having a long-standing informal interest in local footpaths and towpaths in the Parish  
Mr Derek Richards, a local resident  
Mrs Pam Davey, a local resident

The Committee also received:

- (a) a statement from Mr Andrew Brand, Chairman of the Marston Meysey Parish Meeting

- (b) an email from Mr Saleem Shamash, on behalf of the Marston Meysey Parish Meeting
- (c) a statement from Cllr Peter Colmer, the local Councillor

The Committee then considered the detail of a report by the Service Director, Development.

After discussion,

**Resolved:** To defer consideration of the application and in the meantime to request the Case Officer to obtain from the applicant further information regarding timescales for completion of the operation.

15. **Cherhill: Lower Compton Waste Management Facility, Lower Compton, Calne - Extension to a Sand Quarry and Infilling with Waste without compliance with Condition 8 of Planning Permission N.06.07008 (Hours of Operation) for Hills Waste Solutions Ltd (Application No. N.09.01497)** The Committee received a presentation by the Case Officer which set out the main issues in respect of this application and the following two linked applications (see Minute Nos. 16 & 17 below).

The Committee then received statements from the following members of the public expressing their views on the three proposals to which the Chairman responded:

Mr Martin Tylee, a local resident, speaking against the three proposals  
Mr Gareth Bennett, representing Hills Waste Management, on behalf of the applicant

The Committee then considered the detail of a report by the Service Director, Development.

After discussion,

**Resolved:** To grant planning permission for the reasons and subject to the conditions as set out below:

### **REASONS**

The Council is of the opinion permission can be granted for the extension to a sand quarry and infilling with waste subject to conditions differing from the previous permission for that development. The operation of the site on Saturday afternoons and Bank Holidays is required to provide a waste disposal facility to accommodate the needs of the waste collection services. The Council considers any material planning objections to working the proposed hours is outweighed by the benefits of the development in meeting the waste management needs of Wiltshire.

The policies relevant to this decision are Policies W3 and W4 of the Adopted Wiltshire and Swindon Structure Plan 2016; Policy MCS8 of the Wiltshire and Swindon Minerals Core Strategy Development Plan Document (Adopted July 2009); Policy WCS1 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document (Adopted July 2009); Policies WDC2, WDC7 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies

Development Plan Document (Adopted September 2009); Policy MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document (Adopted September 2009) and; Policies C1, C3, NE4, NE15 and NE18 of the Adopted North Wiltshire Local Plan 2011.

## **CONDITIONS**

### **Commencement**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.*

2. Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.

*Reason: To enable the Mineral Planning Authority to monitor the operations and to ensure compliance with this permission.*

### **End Date**

3. The extraction of sand shall cease on or before 24<sup>th</sup> May 2018.

*Reason: To ensure that the development is carried out in accordance with the approved details.*

4. The tipping/deposit of waste material and restoration operations shall cease on or before 24<sup>th</sup> May 2022.

*Reason: To ensure that the development is carried out in accordance with the approved details.*

### **Site Operations**

5. The working, restoration and aftercare of the site shall be carried out only in accordance with Drawings Nos. 6304-5000-001 RRC Landfill Restoration Pre Settlement and 6304-5000-002 RRC Landfill Restoration Post Settlement.

*Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.*

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings and structures shall be erected, extended, installed, re-arranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

**Reason:** *To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.*

7. No topsoil, subsoil or overburden shall be exported from the site.

**Reason:** *To ensure the satisfactory restoration of the site.*

#### **Hours of Operation**

8. Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority in writing within seven days) no mineral extraction operations, including vehicles entering or leaving the site, shall be carried out at the site except between the times:-

07.00 hours and 20.00 hours Monday to Friday;  
and 07.00 hours to 13.00 hours Saturday;

No operations shall be carried out at any time on Sundays or Bank or Public Holidays.

**Reason:** *In the interests of local amenity.*

9. Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:-

07.00 hours and 20.00 hours Monday to Friday; and  
07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follow New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

**Reason:** *In the interests of local amenity*

10. No minerals except sand shall be removed from the site.

**Reason:** *To ensure that the development is carried out in accordance with the approved details.*

11. No waste other than that defined as inert shall be tipped within the area shaded blue on Drawing No. COM/2500/G/21A dated February 2001 of planning permission N.01.2803 and this area shall be restored in accordance with Condition 20 below.

**Reason:** *To ensure that the development is carried out in accordance with the approved details.*

12. Topsoil and subsoil and soil making material shall only be stripped when they are in a dry and friable condition and no movement, spreading or levelling of soils shall occur:

- (a) During the months October to March (inclusive)
- (b) When the full depth of soil to be stripped has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 - 'British Standard Method Test for Soils for Civil Engineering Purposes' or
- (c) There are pools of water on the soil surface.

**Reason:** *To prevent damage to soils.*

13. All topsoil, subsoil and soil making materials shall be stored separately and in separate mounds which shall:

- (a) Not exceed 3 metres in height in the case of topsoil, or 5 metres in height in the case of subsoils.
- (b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations.
- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3 metre stand off, undisturbed around each storage mound.
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

**Reason:** *To prevent the loss of soil for restoration and minimise damage to soil structure during storage.*

14. All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

**Reason:** *To prevent the spread of agricultural weeds.*

15. Noise levels from operations on the site shall not exceed 55 dB(A) LAeq (1 hour) at any residential or noise sensitive property, the measurement to be taken at not less than 3.5 metres from the façade and at a height of 1.5 metres above ground level except during temporary operations when the limit shall be 70 dB(A) LAeq (1 hour) measured in the same manner.

**Reason:** *To safeguard the amenity of local residents and adjacent properties and land users.*

16. Steps shall be taken to minimise the generation and emission of noise, dust and fumes from any use or operation authorised or required by this planning permission. Such steps shall include:
- (a) The spraying of water to lay dust on the surface of the site, access and haul roads as appropriate.
  - (b) The spraying of water to lay dust on the surface of stockpiles within the site as appropriate.
  - (c) The proper use of wheel cleaning facilities by vehicles leaving the site.
  - (d) Fitting all plant, machinery and vehicles with effective silencers maintained in accordance with the manufacturers specifications.

**Reason:** *To safeguard the amenity of local residents and adjacent properties and land users.*

17. The scheme for controlling scavenging birds, approved pursuant to Condition 14 of planning permission N.01.2803 shall apply for the duration of all operations hereby permitted.

**Reason:** *To prevent increased aviation hazard through potential for birdstrike.*

18. Within six months of the date of this permission being implemented, a detailed scheme to accommodate surface water run-off from the restored site shall be submitted to the Mineral Planning Authority for approval. Development shall be carried out in accordance with the approved scheme.

**Reason:** *To ensure the adequate drainage of the site.*

19. The site access and hard surfaced areas used by vehicles shall be watered or treated with approved dust laying agent at times as may be necessary to prevent dust nuisance arising from the site.

**Reason:** *To safeguard the amenity of the area and local residents.*

## **Restoration**

20. Within a period not exceeding 12 months of a phase being tipped and sealed to its pre-final level, it shall be covered with a layer of subsoil at least 300 mm in depth and topsoil 150 mm in depth.

***Reason:*** *To ensure the productive afteruse of the land.*

21. Within 12 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following:
- (a) The position, species and sizes of all existing trees, shrubs and hedgerows to be retained and the proposal for protection throughout the operations.
  - (b) The position, species, spacing and initial sizes of all new trees, hedges and shrubs.
  - (c) The programme of implementation of the scheme.
  - (d) The arrangements for subsequent maintenance.
  - (e) Any tree or shrub which dies within five years of being planted shall be replaced with new stock to the satisfaction of the Mineral Planning Authority and be maintained for a period of five years.

***Reason:*** *To improve the appearance of the site in the interests of visual amenity and to assist in absorbing the site back into the local landscape.*

22. On completion of the importation of all landfill material, all machinery, plant, buildings, structures and any other site facility not essential for restoration/aftercare or for continuing landfill gas/leachate monitoring and control shall be removed or demolished and removed from the site. Any hardcore or material likely to interfere with the restoration of the land shall be removed prior to the final seeding and cultivation of the land.

***Reason:*** *To ensure the satisfactory restoration of the site.*

23. All internal haul roads shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

***Reason:*** *To ensure the satisfactory restoration of the site.*

24. Prior to the commencement of the development hereby permitted, an aftercare scheme showing the steps to be taken to restore the physical characteristics of the land to a condition suitable for agriculture shall be submitted to and agreed in writing by the Mineral Planning Authority. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and related to the restoration of the site in accordance with the conditions of this permission. The steps to be taken shall cover a period of five years from the completion and reinstatement of topsoils over the site.

**Reason:** *In the interests of safeguarding and enhancing the visual amenities of the site.*

16. **Cherhill: Lower Compton Waste Management Facility, Lower Compton, Calne - Change of Use to a Composting Facility and ancillary development without compliance with Condition 4 of Planning Permission N.01.02802 (Hours of Operation) for Hills Waste Solutions Ltd (Application No. N.09.01498)** On considering a report by the Service Director, Development,

**Resolved:** To grant planning permission for the reasons and subject to the conditions as set out below:

### **REASONS**

The Council is of the opinion permission can be granted for the composting facility and ancillary development subject to conditions differing from the previous permission for that development. The operation of the site on Saturday afternoons and Bank Holidays is required to provide a waste disposal facility to accommodate the needs of the waste collection services. The Council considers any material planning objections to working the proposed hours is outweighed by the benefits of the development in meeting the waste management needs of Wiltshire.

The policies relevant to this decision are Policies W3 and W4 of the Adopted Wiltshire and Swindon Structure Plan 2016; Policy MCS8 of the Wiltshire and Swindon Minerals Core Strategy Development Plan Document (Adopted July 2009); Policy WCS1 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document (Adopted July 2009); Policies WDC2, WDC7 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document (Adopted September 2009); Policy MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document (Adopted September 2009) and; Policies C1, C3, NE4, NE15 and NE18 of the Adopted North Wiltshire Local Plan 2011.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** *To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.*

2. Before development is commenced, a schedule of materials and finishes, and where so required by the Waste Planning Authority, samples of such materials and finishes, to be used for the external wall(s) and roof(s) within the proposed development shall be submitted to and approved in writing by the Waste Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** *For the avoidance of doubt and to ensure.*



3. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

*Reason: To avoid causing pollution of the water environment.*

4. Composting activities, including vehicles in and out, shall only take place during the following hours:-

07.00 hours and 18.00 hours Monday to Friday; and  
07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Monday to Friday including Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follow New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

*Reason: In the interests of local amenity.*

17. **Cherhill: Lower Compton Waste Management Facility, Lower Compton, Calne - Continued Use of weighbridge complex and portacabin without compliance with Condition 1 of Planning Permission N.06.07020 (Hours of Operation) for Hills Waste Solutions Ltd (Application No. N.09.01499)** On considering a report by the Service Director, Development,

**Resolved:** To grant planning permission for the reasons and subject to the conditions as set out below:

### **REASONS**

The Council is of the opinion permission can be granted for the use of the weighbridge complex and portacabin office subject to conditions differing from the previous permission for that development. The operation of the site on Saturday afternoons and Bank Holidays is essentially required to provide a waste disposal facility to accommodate the needs of the waste collection services. The Council considers any material planning objections to working the proposed hours is outweighed by the benefits of the development in meeting the waste management needs of Wiltshire.

The policies relevant to this decision are Policies W3 and W4 of the Adopted Wiltshire and Swindon Structure Plan 2016; Policy MCS8 of the Wiltshire and Swindon Minerals Core Strategy Development Plan Document (Adopted July 2009); Policy WCS1 of the Wiltshire and Swindon Waste Core Strategy Development Plan Document (Adopted July 2009); Policies WDC2, WDC7 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document (Adopted September 2009); Policy MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document (Adopted September 2009) and; Policies C1, C3, NE4, NE15 and NE18 of the Adopted North Wiltshire Local Plan 2011.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004*

2. The use of the weighbridge and portacabin shall take place only during the following hours:-

07.00 hours and 20.00 hours Monday to Friday;  
and 07.00 hours to 13.00 hours Saturday;

No vehicle shall use the weighbridge on Sundays or Bank or Public Holidays other than as indicated below;

The weighbridge and portacabin may in addition be open solely for the receipt of waste from the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately preceding and following a Bank or Public Holiday.

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follow New Year's Day.

The weighbridge and portacabin may in addition be open solely for the receipt of waste from Household Recycling centres between the following hours:

13.00 - 20.00 Saturday  
07.00 – 18.00 Sunday and Bank or Public Holidays

Notwithstanding the above, no vehicle shall use the weighbridge on Christmas Day, Boxing Day or New Years Day.

*Reason: In the interests of local amenity.*

3. **The site access and hard surfaced areas used by vehicles shall be treated with and approved dust laying agent at such times as may be necessary to prevent dust nuisance arising from the site.**

***Reason: To protect the amenity of local residents.***

(Duration of meeting: 10.30am – 12.05pm)

The Officer who has produced these minutes is Roger Bishton, Democratic & Members' Services, direct line (01225) 713035 or e-mail

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