



REGULATORY COMMITTEE

MINUTES of a MEETING of the REGULATORY COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 7 DECEMBER 2005.

PRESENT:

Mr M Connolly (Chairman), Mr A Davis, Mr PR Davis, Mr AN Deane, Mrs HM Dixon, Mrs MEM Groom, Mr A Molland, Mrs P Rugg, Mr IC West, Mr RS While and Mrs M White.

Miss MF de Rhé-Philippe, Mr WR Moss and Mr TR Sturgis also attended the meeting.

71. **Apologies** An apology for absence was received from Mrs SK Doubell.

72. **Minutes of Previous Meeting**

Resolved: To confirm and sign the minutes of the Committee meeting held on 2 November 2005, subject to the following amendment:-

Minute No. 64 - Whiteparish: Section 73 Application: Extraction of sand with reinstatement to agriculture using selected filling materials without compliance with Condition 4 of Planning Permission S.03.0592 dated 16 May 2003 to allow an increase in the rate of output to 150,000 tonnes per annum, Conditions 17 and 18 to allow a change in phasing, Condition 24 to allow a minimal settlement allowance ensuring ponding does not occur and Condition 30 to bring it in line with the alterations to Conditions 17 and 18 at Brickworth Quarry, Harestock, Whiteparish for Cleansing Service Group Ltd (Application No. S.05.8012) To include the following paragraphs immediately before the final sentence prior the resolution:-

“The Committee received a report by the Director of Environmental Services concerning an application that had been received from Cleansing Service Group Ltd to amend five conditions of an existing permission (S.03.0592) relating to the extraction of sand at Brickworth Quarry relating to the following matters:-

Condition 4 Increasing the output of sand from 100,000 tonnes to 150,000 tonnes.

Condition 17 To alter the sequence of phasing of working for the site to allow for a new realigned access road and high specification junction which was constructed in 2002.

Condition 18 In conjunction with Condition 17, to restrict commencement of each phase as a result of a change in the sequence of working to ensure that extraction and restoration take place in a progressive manner.

Condition 24 Requesting a change regarding surcharging levels.

Condition 30 Relating to detailed aftercare arrangements.

The Director of Environmental Services explained that he did not support the request for a change to Condition 24 regarding surcharging levels and therefore Condition 24 remained unchanged.”

73. **Members’ Interests** Mr AN Deane declared a personal interest in agenda item no. 9 - Tisbury: Extraction of Natural Building Stone in an Extension to an Existing Quarry at Upper Chicksgrove, for Chicksgrove Quarry Ltd. (Application No. S.04.1407) (see Minute No. 75 below) as he was a member of Teffont Parish Council, which had been consulted regarding the proposal. He intended to take part in the debate and vote on this item.

74. **Alderbury: Tipping of Inert Materials in Former Railway Cutting at Matrons College Farm, Whaddon for J Leech and Son (Application No. S.05.8011)** At the beginning of the item, the following members of the public made statements objecting to the planning application:-

Mr R Britton, local District Councillor
Mr S Fay, local resident
Miss K Saunders, local resident

Mr GR Knapman, representing Knapman & Bament, the applicant’s agent, then made a statement in answer to several of the points made by the objectors.

The Chairman responded by thanking the speakers for their statements which would be taken into account during the course of the debate.

The Committee then considered in detail a report by the Director of Environmental Services, a supporting statement by the applicant’s agent, the views of Mr WR Moss, the local member, and various letters and emails received from local residents.

Resolved: *To refuse planning permission for the following reasons:-*

- (1) *The proposed landfill/restoration scheme would cause significant harm to the biodiversity interest of the disused railway line, such harm cannot be prevented and the proposed mitigation and compensation measures*

are considered inadequate. Consequently, the proposed development is considered to be contrary to Policy C3 of the Adopted Wiltshire Structure Plan 2011, Policy 6 of the Adopted Wiltshire and Swindon Waste Local Plan 2011 and Policy C11 of the Adopted Salisbury District Local Plan 2003.

- (2) The applicant has not demonstrated that there are no other practical options for achieving beneficial restoration and afteruse of the disused railway line. Consequently, the proposed development is considered to be contrary to Policy 20 of the Adopted Wiltshire and Swindon Waste Local Plan 2011 and Policy C11 of the Adopted Salisbury District Local Plan 2003.*
- (3) The storage mounds, plant and machinery and building associated with the proposed development would give rise to adverse visual and landscape impacts on the Special Landscape Area. These components of the development would appear as alien features and would be out of character with the locality. Consequently, the proposed development is considered to be contrary to Policy 6 of the Adopted Wiltshire and Swindon Waste Local Plan 2011 and Policy C6 of the Adopted Salisbury District Local Plan 2003.*
- (4) The applicant has not demonstrated that the impacts of traffic movement on the local community can be satisfactorily controlled or that other recreational, cultural and tourism assests can be adequately protected from such impacts. Consequently, the proposed development is considered to be contrary to Policy 6 of the Adopted Wiltshire and Swindon Waste Local Plan 2011.*
- (5) The proposed landfill/restoration scheme would result in inappropriate levels of traffic generation and would adversely impact on the landscape, the local built environment and nature conservation interests. Consequently, the proposed development is considered to be contrary to Policy C21 of the Adopted Salisbury District Local Plan 2003.*

75. **Tisbury: Extraction of Natural Building Stone in an Extension to an Existing Quarry at Upper Chicksgrove, for Chicksgrove Quarry Ltd. (Application No. S.04.1407)** At the beginning of this item, Mr R Barnes, local residents, made a statement objecting to the proposal to which the Chairman responded by thanking the speaker for his statement which would be taken into account during the course of the debate.

Consideration was then given to a report by the Director of Environmental Services and various letters and statements received from local residents.

Resolved:

- (1) To authorise the Solicitor to the Council to prepare a legal agreement under Section 106 of Town and Country Planning Act 1990 (as amended) to secure*

the long-term geological and ecological management of the restored proposal site.

- (2) *Subject to the completion of the legal agreement referred to above, to grant planning permission, subject to the following conditions:-*

Standard

1. *The development hereby granted shall commence within five years from the date of this permission.*

Duration

2. *Extraction of stone from the site shall cease within twenty years of the date of this permission, or when the permitted reserve is exhausted, whichever is the sooner.*

Hours of work

3. *Except in emergencies, in order to maintain safe quarry working (which shall be notified to the MPA as soon as practicable), no operations or activities authorised or required by this permission shall be carried out and plant shall not be operated on the site other than during the following hours:-*

0800 hours to 1800 hours Monday to Friday

0800 hours to 1300 hours on Saturday

No working shall take place at any time on Sundays and Bank or Public holidays.

Method of working and restoration

4. *Restoration of the site shall be in accordance with approved drawing 660/SK22D.*

Depth of working

5. *No extraction shall take place below 74 metres above ordnance datum (AOD).*

Dust

6. *All loads leaving the site shall be suitably sheeted.*
7. *No vehicle shall leave the site unless its wheels and chassis have been cleaned so as to prevent mud and detritus being deposited on the highway.*
8. *The site access and vehicle running areas shall be watered or treated with an approved dust-laying agent at such times as may be necessary to prevent the raising of dust from the areas throughout the duration of operations hereby permitted.*

Restriction of Permitted Development Rights

9. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that order), no building, structures, fixed plant or machinery shall be installed, erected, modified or placed within the site without the prior written approval of the MPA.*

Stone Importation

10. *No stone shall be imported into the site.*

Noise

11. *Noise from the operations including the use of plant, machinery and vehicles relating to the operation, shall not result in noise level exceeding 50 dB LAeq 1 hour at the closest noise sensitive property, as measured Freefield.*
12. *All vehicles, plant and machinery operated within the site shall at all times be maintained in accordance with manufacturer's specification, and shall be fitted with and use effective silencers.*

Vehicle Movements

13. *There shall be no more than eight lorry movements (four in and four out, including tractor trailers) to and from the site in any one day and no more than 22 movements per week.*

Geological Management

14. *Within three months of this permission, the applicant must submit a Monitoring Strategy for the geological interest of the quarry site. The strategy must include the mechanism by which agreement will be sought for the location of the ramps/benches required to access the final quarry faces with the Minerals Planning Authority and English Nature. The Monitoring Strategy must be agreed with English Nature and the Minerals Planning Authority and implemented in accordance with the submitted details.*
15. *Development must be carried out in accordance with the submitted Restoration and Geological Management Plan (dated May 2005).*

Water Protection

16. *Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the MPA for approval.*

The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%, or 25% of the total volume that could be stored at any one time, which ever is the greater.

All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Soil handling

17. *Soil handling shall be carried out in accordance with the submitted scheme prepared at Appendix 2 to the Environmental Statement.*

Ecological mitigation

18. *The Bat and Dormouse Mitigation Strategy shall be implemented in accordance with the submitted scheme.*
19. *All tree, shrub and hedgerow planting must be undertaken in the planting season (November–March) prior to hedgerow translocation.*
20. *Prior to commencement of development, a planting scheme must be submitted providing details of species to be planted on the site and their provenance, location, spacing and layout, ground preparation, method of planting, timing of planting, protection of plants and details of aftercare and maintenance. The planting scheme must be submitted to the Minerals Planning Authority for approval and must be implemented in accordance with the agreed details.*
21. *A minimum buffer strip of 12 metres between the woodland strip to the east and the site boundary must be maintained with all works and stockpiling located outside this buffer strip.*

Archaeology

22. *No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (involving a 'strip, map and sample' exercise) which must be submitted by the applicant and approved in writing by the Minerals Planning Authority.*

Informative

23. *If the capacity of any storage container is greater than 200 litres the developer should refer to Guidance for the Control of Pollution (Oil Storage) (England) Regulations 2001 published by DEFRA.*

(Duration of meeting: 10.30am – 11.50am)

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

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