



REGULATORY COMMITTEE

MINUTES of a MEETING of the REGULATORY COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 13 DECEMBER 2006.

PRESENT:

Mr A Molland (Chairman), Mrs EA Chettleburgh, Mr A Davis, Mr PR Davis, Mr AN Deane, Mrs SK Doubell, Brig. RWS Hall, Mr JP Johnson, Mr C Newbury, Mrs P Rugg, Mrs MSN Taylor, Mr IC West and Mr RS While.

Miss MF de Rhé-Philippe also attended the meeting.

44. **Minutes of Previous Meeting**

Resolved: To confirm and sign the minutes of the Committee meeting held on 8 November 2006.

45. **Members' Interests** Brig. RWS Hall declared a personal and prejudicial interest in agenda item no. 11 - Chitterne: Construction of Earth Bund required to Screen a large Cattle Stock Shed at Valley Farm (part retrospective) for Mr J Harley (W.06.09002) (see Minute No. 49 below) as he knew the applicant socially. He would leave the Chamber for consideration of this item.

46. **Westbury: The Winning & Working of Mineral as an Extension to the existing permitted Westbury Chalk Quarry, Westbury Works, Trowbridge Road for Lafarge Cement UK (W.04.1867)** At the beginning of the item the Committee received statements from the following members of the public:-

- Mr F Morland, a resident of Chapmanslade, expressing concern regarding the effect of the application on the Public Rights of Way.
- Mr D Levy, on behalf of *The Air That We Breathe*, objecting to the application.

Mr J Hernon then made a statement on behalf of the applicant.

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

The Committee then considered the detail of a report by the Director of Environmental Services. After a full discussion, and on hearing the views of Miss MF de Rhé-Philipe, as local member,

Resolved: To grant planning permission, subject to:-

(1) the prior completion of an Agreement under Section 106 of the Town & Country Planning Act 1990, as detailed in the Director's report, and

(2) the conditions set out in the report.

47. Whiteparish: Development & Operation of Inert Waste Recycling at Brickworth Quarry, Harestock for Cleansing Service Group (S.06.8004)

At the beginning of the item the Committee received statements from Mr L Randall, local District Councillor and Mr M Nokes representing Whiteparish Preservation Group opposing the application.

Mr B Arnold and Mr S Cole then made statements on behalf of the applicant.

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

The Committee then considered the detail of a report by the Director of Environmental Services. After a full discussion,

Resolved: To refuse planning permission for the following reason:-

The proposed development is considered to be contrary to the policies and proposals for waste management set out in the Adopted Wiltshire and Swindon Waste Local Plan 2011. The proposed facility would not be ancillary to the use of the site as a quarry and inert landfill site with little use being made of the imported materials for the restoration of the site. The proposed facility therefore is contrary to the principles of sustainable waste management which seek to manage waste close to source and to minimise the distance waste has to be transported. As the inert waste recycling facility would not be ancillary to Brickworth Quarry, a site closer to waste arisings and end user of the recycled product is considered to be a more appropriate location.

48. Whiteparish: Section 73 Application to Continue Development without Complying with Conditions 3 and 18 of Planning Permission S.05.8012 to Allow a Change in the Phasing at Brickworth Quarry, Harestock for Cleansing Service Group (S.06.8015)

Resolved: To note that in the light of the decision on Application No. S.06.8004 (See Minute No. 47 above) the applicant had withdrawn this application.

49. **Chitterne: Construction of Earth Bund required to Screen a large Cattle Stock Shed at Valley Farm (part retrospective) for Mr J Harley (W.06.09002)** On considering a report by the Director of Environmental Services,

Resolved: *To grant planning permission, subject to the following conditions:-*

1. *The development shall be carried out solely in accordance with the submitted details except as modified by these conditions.*

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with approved plans and details.

Limits of tipping

2. *No working shall take place until the perimeter and levels of the bund east of cross section lined D-D shown in Drawing No. 8/06/4/1 has been clearly demarcated on a plan to be submitted and approved in writing by the Waste Planning Authority. Before any landfilling takes place east of line D-D, the perimeter shall be clearly defined by the erection of 1 metre high posts in positions and in a manner which shall be approved in writing by the Waste Planning Authority. Such marker posts shall be retained in the approved positions at all times until the completion of tipping operations.*

Reason: To aid monitoring of activities and to ensure that approved levels and gradients are adhered to.

3. *A survey of levels shall be undertaken at intervals of not less than every six months starting from the date on which tipping operations hereby permitted commence. A copy of the survey shall be submitted to the Waste Planning Authority within 14 days of being undertaken.*

Reason: To ensure the proper restoration of the site in accordance with the approved plans and details and in the interests of the Special Landscape Area.

Archaeology

4. *No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a scheme of investigation which has been submitted by the applicant and approved in writing by the Waste Planning Authority.*

Reason: To enable sites of archaeological interest to be adequately investigated and recorded.

Hours of Operation

5. *No operations or activities authorised or required by this permission shall be carried out other than during the following hours:*

08.00 - 17.00 Monday to Friday

08.00 - 12.00 Saturday

No such operations or activities shall take place on Sunday, Bank or Public Holidays.

Reason: To protect the amenities of local residents and for the avoidance of doubt.

End date

6. *The deposit of waste shall cease no later than 30th June 2008. Within 12 months from the date of completion the site shall be restored in accordance with a scheme submitted and agreed in writing by the Waste Planning Authority.*

Reason: To ensure the prompt and effective restoration of the site.

Site Operations

7. *All vehicles, plant and machinery associated with the development shall be maintained in accordance with the manufacturer's specifications and shall be fitted with and use effective silencers.*

Reason: To safeguard the amenity of the area.

8. *A wheel washing facility of a specification approved in writing by the Waste Planning Authority shall be provided on site and used throughout the period of construction of the screening bund. In the event that mud is tracked from the application site onto the B390, a sweeper shall be employed to clean the road surface.*

Reason: In the interests of highway safety.

9. *No material other than inert material shall be deposited at the site.*

Reason: Other waste materials raise environmental and amenity issues that would require consideration afresh.

Dust

10. *Dust caused by the moving and storage of inert material shall be suppressed. A water bowser shall be used to aid the suppression.*

Reason: To protect the amenities of the locality from the effects of dust arising from the development.

Site Restoration

11. *The best subsoil and topsoil shall be spread evenly to a depth of 1.2 metres so as to form the final approved contour.*

Reason: To ensure a satisfactory restoration of the land to grazing.

12. *Within six months of the date of this permission, details of the type and provenance of seed mix for planting shall be submitted to the Waste Planning Authority for approval in writing.*

Reason: To ensure a seed mix appropriate to the site is used.

50. **Downton: Sure Start Children's Centre at the Trafalgar School, Breamore Road (S.06.8016)** Consideration was given to a report by the Director of Environmental Services.

During the discussion, members raised concerns about the use of sprinkler systems and also the level of car parking provision. The Chairman agreed to write to the applicant requesting that consideration be given to these matters as the project progresses.

Resolved: *To grant planning permission, subject to the conditions set out in the Director's report.*

51. **Highways Act 1980: Section 119 – Public Path Diversion Order – Footpath 21, Urchfont** On considering a report by the Director of Environmental Services,

Resolved: *To forward the Public Path Diversion Order to divert part of Footpath 21, Urchfont to the Secretary of State with the recommendation from the County Council that it be confirmed, subject to the width for the alternative paths being increased to 2.0 metres.*

(Duration of meeting: 10.00am – 12.10pm)

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

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