

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 11 APRIL 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD.

Present:

Cllr Mark Connolly, Cllr Christine Crisp (Vice Chairman), Cllr Andrew Davis (Chairman), Cllr Peter Fuller, Cllr Julian Johnson, Cllr Francis Morland, Cllr Stephen Petty, Cllr Anthony Trotman and Cllr Ian West

Also Present:

Cllr Peter Davis and Cllr Dick Tonge

18. **Apologies for Absence**

Apologies for absence were received from Cllr Charles Howard and Cllr Chris Humphries.

19. **Minutes of the Previous Meeting**

Resolved:

To confirm and sign as a correct record the minutes of the meeting held on 14 March 2012.

20. **Declarations of Interest**

There were no declarations of interest.

21. **Chairman's Announcements**

There were no Chairman's announcements.

22. **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in Minute No 23, as detailed below.

There were no questions received from members of the public or members of the Council.

23. **N/09/02159/WCM & N/09/02158/WCM- Park Lane Quarry, Neston Park, Neston, Wiltshire - (a) Construction of a Road Access, Haul Road and Mine Access Area for Park Lane Mine (b) Environment Act 1995: Application for Determination of Conditions to which a Mineral Site is to be the Subject**

(a) Application No N/09/02159/WCM

The following people spoke objecting to the proposal:

Mr Mike Blane, a local resident
Dr Glenda Orledge
Mrs Anne Lock, a local resident

The following person spoke in support of the proposal:

Mr John Salmon, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted.

A site visit had taken place earlier that day in respect of this application, which had been attended by Cllr Mark Connolly, Cllr Christine Crisp, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Francis Morland, Cllr Stephen Petty and Cllr Tony Trotman, together with Cllr Dick Tonge and Cllr Peter Davis, as local Members.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllrs. Dick Tonge and Peter Davis, as local Members who both objected to the proposed routing of the vehicles to and from the site and the proposed new access road.

After discussion,

Resolved:

To grant planning permission for the following reasons and subject to the conditions set out below:-

Reasons

The development will provide a superior means of access to Park Lane Quarry than the existing consented access and would enable lorries accessing the mine to utilise more appropriate routes in the locality. The development is judged to be in accordance with the Development Plan and there are no material considerations to indicate that permission should be withheld.

The policies relevant to this decision are policies DP1, C1, C2, C3, C5, HE2 and MSP3 of the Wiltshire and Swindon Structure Plan 2016, MCS4, MCS8, MCS9 and MCS10 of the Wiltshire and Swindon Minerals Core Strategy Development Plan Document, MDC1, MDC2, MDC5, MDC6, MDC7, MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document and policies C1, C3, NE6, NE9, NE15, NE18 and HE8 of the North Wiltshire Local Plan 2011.

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: In accordance with Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

**Plan Ref: 528/7 Dated November 2009
Plan Ref: 528/9 Dated November 2009
Plan Ref: 528/10 Dated November 2009
Plan Ref: 921/PL4 Dated December 2011
Plan Ref: 921/PL5 Dated December 2011
Plan Ref: 921/PL6 Dated December 2011
Plan Ref: 921/PL7 Dated December 2011**

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until full construction details of the proposed access, access road and alterations to the existing highway have been submitted to, and approved in writing by, the Mineral Planning Authority. No part of the development shall be first brought into use until the access,

access road and highway alterations have been completed in accordance with the approved details.

Reason: In the interests of highway safety.

Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

4. No development shall take place until details of sign[s] to be erected on both sides of the haul route/site access road at the point where Bridleway 120 crosses, to warn horse riders, pedestrians and vehicles of the intersection, have been submitted to and approved in writing by the Mineral Planning Authority. The development shall be implemented in accordance with the approved details and the sign[s] shall be maintained for the duration of the development hereby permitted.

Reason: In the interest of the safety of all users of both the Right of Way and the haul road.

Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

5. No development shall commence on site until details of the new fence to be erected on site have been submitted to and approved in writing by the Mineral Planning Authority. Once approved the works shall be carried out in strict accordance with the details so approved.

Reason: In the interest of amenity.

Policy: MDC1 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

6. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping shall also be carried out in accordance with the approved details prior to the development first being brought into use or in accordance with a programme to be agreed in writing with the Mineral Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Policy: MDC1 and MDC5 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

7. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall 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, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. Associated pipe work should be above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in strict accordance with plans approved by the Mineral Planning Authority prior to the first use of the development.

Reason: To prevent pollution of the water environment.

Policy: MDC3 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

8. No vehicle shall access the site for the purposes of loading or transportation of stone except between the hours of 7.00 a.m. to 5.00 p.m. Mondays to Fridays. No such activity shall take place on Saturdays, Sundays or Bank or Public Holidays.

Reason: In the interests of amenity.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Mineral Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

10. No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height

of 900mm above the nearside carriageway level. The visibility plays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety.

Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

11. Any gates shall be set back 15.0 metres from the edge of the carriageway, such gates to open inwards only.

Reason: In the interests of highway safety.

Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

12. The access roadway and all other areas within the surface stacking area, which are used by vehicles shall be watered or treated with an approved dust laying agent at such intervals as may be necessary to prevent the raising of dust from those areas.

Reason: To safeguard the amenities of local residents.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

13. No stockpile of stone within the storage yard/stacking area shall exceed 2 metres in height.

Reason: To ensure stockpiles do not exceed the height of perimeter bunds in order to safeguard the visual amenities of the local area.

Policy: MDC1 and MDC5 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

14. The access road between the Mine Access Area and the public highway shall be kept clear of debris for the duration of the development hereby permitted.

Reason: In the interests of preventing material, dust or detritus from affecting public highway safety.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

15. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of preventing material, dust or detritus from affecting public highway safety.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

16. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers.

Reason: To safeguard the amenity of the area.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

17. No processing of stone may take place on site at any time.

Reason: In the interests of the character of the area and amenity.

Policy: MDC2 and MDC5 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

18. All plant, machinery, hardstandings, and buildings forming part of this permission shall be removed within 3 months of cessation of extraction activities or upon expiry of this permission, whichever is the sooner, and the land restored to agricultural use.

Reason: In the interests of the character of the area.

Policy: MDC5 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

(b) Application No N/09/02158/WCM

The following people spoke objecting to the proposal:

Dr Glenda Orledge
Mrs Anne Lock, a local resident

The following person spoke in support of the proposal:

Mr John Salmon, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr. Peter Davis, a local Member, who objected to the construction of a new slope shaft. He also referred to the lack of information about lighting and equipment such as a compressor that would be required at ground level and the consequent levels of noise that might be generated.

After discussion,

Resolved:

To grant planning permission for the following reasons and subject to the conditions set out below:-

Reasons

In the opinion of the Council, as Minerals Planning Authority, the schedule of new conditions to which the planning permission is to be subject is considered appropriate to the planning circumstances and having regard to the considerations outlined in the relevant guidance and planning policy satisfactorily deal with the environmental and amenity aspects of working this particular site.

The policies relevant to this decision are Policies MDC1, MDC2, MDC3, MDC6 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document 2009.

Conditions

1. This permission is for a limited period only expiring on 22 February 2042, by which date the operations hereby permitted shall have ceased.

Reason: To comply with Part I of Schedule 5 to the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref: 528/4B dated November 2009

Plan Ref: 921/PL9 Revision A dated December 2011

Plan Ref: 11175-2500-01 dated December 2011

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The extraction area shall be worked by the room and pillar method with the pillars orientated to minimise the effects of natural fractures in the rock mass such that:

- (a) An effective extraction ratio of 64% is not exceeded in any area of the mine measuring 100 metres by 100 metres as defined by north and east grid lines drawn on the mine plan.**
- (b) Both the maximum distance and the effective span between adjacent pillars do not exceed 7 metres, including any over-cutting produced by the saw at roof level.**
- (c) The minimum dimension of any pillar is 4 metres.**
- (d) Wherever induced cracking of the roof occurs as a result of downward deflections of the roof beam to the extent that stability of the roof beam becomes suspect, the maximum roadway width shall be reduced progressively until a stable configuration is arrived at.**

Reason: To define the terms of the planning permission so that ambiguity is avoided, to ensure a satisfactory form of development, to maintain a review of mining conditions and to ensure a development which is safe and gives support to any adjoining and overlying properties.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document

4. The operator shall maintain a survey of the conditions within the area of extraction hereby permitted and shall submit the results of such a survey to the Mineral Planning Authority in plan form twelve months from the date of this permission and then annually. Where the survey reveals, or the site conditions illustrate:

- (a) A steepening of the dip of the strata, and/or**
- (b) A change in the average orientations of geological discontinuities, or**

- (c) **An open, clay filled or faulted geological discontinuity, this shall be reported immediately to the Mineral Planning Authority and before continuing mining in the affected area the operator shall submit for approval changes to the mining method/direction or means of implementation necessary to take account of the changed geological factors. In the case of an open, clay filled or faulted discontinuity, the spacing between the roadways adjacent to such discontinuity shall be increased to provide the equivalent of a full line of pillars either side of the discontinuity and details in plan form illustrating such steps shall be submitted to the Mineral Planning Authority. The operator shall thereafter implement such changes or steps as approved by the Mineral Planning Authority in the method of operation, implementation or direction of working or any additional works which are required to augment the stability of any pillars or roadways within the permitted area.**

Reason: To define the terms of the planning permission so that ambiguity is avoided, to ensure a satisfactory form of development, to maintain a review of mining conditions and to ensure a development which is safe and gives support to any adjoining and overlying properties.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document

- 5. Should any indication of the yielding or failure of a pillar or group of pillars be observed within or adjoining the site, the operator shall suspend mining immediately and advise the Mineral Planning Authority.**

Reason: To define the terms of the planning permission so that ambiguity is avoided, to ensure a satisfactory form of development, to maintain a review of mining conditions and to ensure a development which is safe and gives support to any adjoining and overlying properties.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document

- 6. The development hereby permitted shall be implemented in accordance with the Bat Mitigation Scheme for Park Lane Mine and Method Statement dated 4 July 2011 and compiled by Bat Pro Limited in all respects.**

Reason: To make appropriate provision for protected species within the approved development in the interests of biodiversity and to ensure development is carried out in accordance with submitted application.

Policy: MDC6 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

7. All vehicular access and egress to and from the site shall be from Brookleaze Road, as indicated on Drawing No. 528/4B, dated November 2009. No other access shall be used by vehicles or plant entering or exiting the site.

Reason: In the interest of highway safety and safeguarding local amenity.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

8. No development shall take place until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Mineral Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

Reason: In the interests of highway safety and safeguarding local amenity.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

9. Prior to the Installation of any above ground equipment required in connection with the working of the site, full details of the equipment including its purpose, position within the site and details of acoustic insulation and times of operation shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be implemented in accordance with the details so approved.

Reason: In the interests of amenity and to safeguard the character of the area

Policy: MDC1 and MDC 2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document

10. The access road between the Mine Access Area and the public highway shall be kept clear of debris for the duration of the development hereby permitted.

Reason: In the interests of preventing material, dust or detritus from affecting public highway safety.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

11. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of preventing material, dust or detritus from affecting public highway safety.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

12. No loading or transportation of stone shall be carried out except between the hours of 7.00 a.m. to 5.00 p.m. Mondays to Fridays. No such activity shall take place on Saturday, Sunday or Public or Bank Holidays.

Reason: In the interests of safeguarding local amenity and to ensure development is carried out in accordance with submitted application.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

13. Notwithstanding Condition 12, no Heavy Goods Vehicles shall enter or leave the site between the hours of 0840 – 0910 and 1505 – 1535 Monday to Friday during school term times.

Reason: To prevent conflict between movements of school pupils and Heavy Goods Vehicles on the local highway network in the interest of Highway safety

Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

14. The output of mineral from/total amount of material leaving the site shall not exceed a level of 12,000 tonnes per annum.

Reason: To reduce the potential for disturbance caused by vehicular movements in the interests of safeguarding local amenity and to ensure development is carried out in accordance with submitted application.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

15. From the date of this permission the operator shall maintain records of the annual output production and shall make them available to the Mineral Planning Authority at any time upon request.

Reason: To allow the Minerals Planning Authority to adequately monitor activity at the site.

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

16. The total number of Heavy Goods Vehicle movements associated with the development hereby permitted shall not exceed 4 [2 in and 2 out] per day. No HGV movements shall take place outside the hours of operation authorised in condition 11 of this permission.

Reason: To reduce the potential for disturbance caused by vehicular movements in the interests of safeguarding local amenity and to ensure development is carried out in accordance with submitted application.

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

17. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicles' registration number and the time and date of the movement and shall be made available for inspection by the Mineral Planning Authority on demand at any time.

Reason: To allow the Minerals Planning Authority to adequately monitor activity at the site

Policy: MDC2 and MDC8 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

18. No explosives shall be used in the mining process.

Reason: In the interests of amenity

Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

19. No pumping shall take place to dewater the workings.

Reason: To prevent pollution of groundwater.

Policy: MDC3 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

20. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall 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, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. Associated pipe work should be above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in strict accordance with plans approved by the Mineral Planning Authority prior to the first use of the development.

Reason: To prevent pollution of the water environment.

Policy: MDC3 of the Wiltshire and Swindon Minerals Development Control Policies Development Plan Document.

24. Urgent Items

There were no urgent items of business.

(Duration of meeting: 2.00 - 4.00 pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115