

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 7 April 2014 commencing at 2.00 pm and finishing at 3.05 pm

**Present:**

**Voting Members:** Councillor Mrs Catherine Fulljames – in the Chair

Councillor Neil Owen (Deputy Chairman)  
Councillor David Bartholomew  
Councillor Mark Cherry  
Councillor Patrick Greene  
Councillor Pete Handley  
Councillor Bob Johnston  
Councillor Stewart Lilly  
Councillor Glynis Phillips  
Councillor Anne Purse  
Councillor G.A. Reynolds

**Officers:**

Whole of meeting G. Warrington and J. Crouch (Law & Culture); C. Kenneford and D. Periam (Environment & Economy)

Part of meeting

**Agenda Item**

**Officer Attending**

6. M. Thompson (Environment & Economy) and A. Potts (Atkins)

6 & 7 Farakh Hamid (Environment & Economy)

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

### 10/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor John Tanner	-

**11/14 MINUTES**

(Agenda No. 3)

The minutes of the meeting held on 13 January 2014 were approved and signed subject to noting the following comment with regard to Minute 5/14 paragraph 13. Councillor Bartholomew advised that it had in fact been Councillor Mathew and not him as the minute suggested who had questioned whether such a risk to the fritillary population was justified.

**12/14 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 4)

<i>Request</i>	<i>Item</i>
Grant Scott (Applicants) Ginny Dalrymple (Applicants)	) 5. Ardley Energy from Waste ) Facility – MW.0067/13
Suzi Coyne (Agent for Applicant)	6. Slape Hill Quarry – MW.0015/14

**13/14 DETAILS PURSUANT TO CONDITION 31 (EXTERNAL LIGHTING SCHEME) OF PLANNING PERMISSION 08/02472/CM (MW.0044/08) FOR ARDLEY ENERGY FROM WASTE FACILITY, ARDLEY - APPLICATION MW.0067/13**

(Agenda No. 6)

The Committee considered (PN5) a details pursuant application required by condition 31 on an existing planning condition which required details of external lighting for the energy from waste facility at Ardley to be approved by the Waste Planning Authority. This matter had been previously deferred on 13 January 2014.

Councillor Owen took the Chair for the duration of this item.

Presenting the report Mary Thompson confirmed that the Council's lighting expert had confirmed that the proposed scheme met health and safety requirements.

Anthony Potts endorsed that and confirmed that the scheme was in full compliance with and met British Standards.

Grant Scott advised the scheme included a mechanism which would allow lights to be turned off when not required and confirmed there would be a substantial reduction in lighting as the evening progressed. The Company were committed to minimise the impact of lighting as much as possible and intended to review the lighting in late October/November after the autumnal GMT change in daylight hours and would be making regular reports to the Liaison Committee.

He then responded to questions from:

Councillor Handley – the lights currently in situ were there for construction use but would not be there when operational.

Councillor Purse – previous photomontages had been taken when construction lighting was on. That obviously had more impact. However, for the current photomontages that had been removed to reflect what would be in situ when the site was operational.

Councillor Cherry – he confirmed that the photomontages had been prepared using the more sensitive of the 3 locations.

Ginny Dalrymple for the applicants confirmed the photomontages had been prepared in strict accordance with guidelines and went on to further explain the criteria behind each of the 2 photomontages. The first had included construction lighting and the second had had that element removed. There were 3 settings for the external lighting which would be activated to respond to different levels of natural light. She was confident that even when fully dark and fully lit the effects would be imperceptible bearing in mind lighting would where possible be directed downward and some 10m below the tree line which had been superimposed on the photomontage.

She and Grant Scott then responded to questions from:

Councillor Bartholomew – the photomontages had been developed in accordance with strict guidelines and were representative of a typical winter scenario. However, they had been prepared on 7 November when some foliage remained on trees and therefore it was reasonable to expect the situation could be slightly different between December – March when there would be just the structure of the trees. However, the natural landscape and form would help offset that.

Councillor Mrs Fulljames – Mr Scott advised that the final shift was 11 pm when there would be about 6 people on site.

Councillor Purse advised that she had viewed the site and what she had experienced then had been 10 times worse than what had been reproduced on the photomontages and she had little confidence that the final outcome with regard to lighting would be satisfactory when the site was operational.

Anthony Potts advised that although he had not visited the site it was the case that construction lighting had to be intense for safety reasons.

Councillor Mrs Fulljames expressed some concern that the Council's lighting consultant had not visited the site and despite numerous requests a site visit had not been arranged. She also felt an overview showing proposed lighting placement should have been provided. The photomontages had been prepared from St Mary's Walk but she felt the Committee were not getting the complete picture and the photomontages were very misleading. The site was not in a dip as had been suggested and internal lighting would be visible from all directions and at night time.

She also advised although there were no public representations at this meeting many had been unable to attend due to work commitments and there remained a great deal of local concern. She queried whether it was necessary to provide all this lighting if only 6 people were there late at night. She welcomed the undertaking by Viridor to review the lighting but would like to see something to that effect recorded in any decision by the Committee. This was a huge facility in the open countryside and care needed to be taken to minimise its effects as much as possible.

Councillor Greene moved approval of the officer recommendation subject to the Committee visiting the site as part of the review in November and addressing any problems at that time. Councillor Lilly seconded.

Councillor Bartholomew expressed his disappointment that no site visit had been undertaken and felt there would be still some benefit in the Committee seeing the site. He supported the recommendation with the amendment as moved.

Councillor Johnston then moved an amendment to approve the recommendation subject to the review in November 2014. Councillor Cherry seconded.

The amendment by Councillor Johnston was then put to the Committee and lost by 4 votes to 3.

The original motion by Councillor Greene was then put to the Committee and lost by 5 votes to 3.

**RESOLVED:** (8 votes to 0 with 2 abstentions recorded) to defer consideration of Application MW.0067/13 to the 12 May meeting subject to the Committee visiting the site beforehand.

**14/14 SECTION 73 APPLICATION FOR VARIATION OF CONDITION 1 ATTACHED TO PLANNING PERMISSION NO. 08/1235/P/CM TO EXTEND TIME FOR CESSATION OF USE OF LAND FOR THE IMPORTATION, PROCESSING, SORTING, STORAGE AND TRANSFER OF WASTE AND RECYCLED MATERIALS AND FOR THE SITING OF A MIXED WASTE RECYCLING/SKIP COMPOUND FROM 20 MAY 2014 TO 20 MAY 2019 AT SLAPE HILL QUARRY - APPLICATION MW.0015/14**

(Agenda No. 7)

The Committee considered (PN7) an application to vary condition 1 of planning permission No. 08/1235/P/CM to extend the life of the recycling plant by 5 years.

Mr Periam presented the report together with additional information provided by the applicant with regard to issues raised by the local county councillor and Woodstock town council related to hgv movements through Woodstock which had been set out in the addenda sheet.

Mrs Coyne clarified that back in 2008 the applicants would have preferred to apply for a longer time in order to coincide with the life of landfill but at that time the landowner

would only agree to a time limited period. The applicant had unsuccessfully tried to find an alternative site but the landowner in the meantime had agreed to a further 5 years to allow that search to continue. She confirmed that all waste had to be screened and sorted and that the current stockpile of waste which had become wet during the recent wet weather would be disposed when it had dried. A site under cover would be eventually needed.

Responding to a question from Councillor Johnston she confirmed that about 80% was recycled with the rest going to landfill.

**RESOLVED:** (on a motion by Councillor Reynolds, seconded by Councillor Cherry and carried by 10 votes to 0, 1 abstention recorded) that Application MW.0015/14 (14/0267/P/CM) be approved subject to conditions to be determined by the Interim Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out below:

1. The permission hereby granted should be for a limited period expiring on 20 May 2019 on or before which date the use of the land for the importation, processing, sorting, storage and transfer of waste and recycled materials and for the siting of a mixed waste recycling/skip compound should cease, and all stockpiled materials, hardstandings, structures, bunding, skips, plant, machinery, site offices, weighbridge and wheelwash should be removed within a further 6 months, unless the prior written consent of the local planning authority had been obtained for a further period of use.
2. Development to be carried out solely in accordance with the submitted details other than as amended by other conditions of the planning permission.
3. Hours of operation – 07.00 to 18.00 Monday to Friday, 07.00 to 13.00 Saturdays with no operations on Sundays or bank or public holidays.
4. Noise levels to not exceed 50 dB (A) Leq 1h when measured 5.5 metres from the facades of the nearest residential properties.
6. Internal site roads to be maintained free of potholes and removed when no longer required.
7. No plant, machinery, vehicles, equipment, skips or materials to be stored other than in locations approved by the Waste Planning Authority.
8. Heights of stockpiles to not exceed 3.2 metres.
9. Heights of stacked skips to not exceed 3 metres.
10. No floodlighting to be erected other than as approved by the Waste Planning Authority.
11. Existing boundary trees and hedgerows to not be lopped, topped, felled or uprooted other than as may be approved by the Waste Planning Authority.
12. Any trees or shrubs planted or required to be retained in accordance with planning permission W99/1168, which, during the course of the development or for a period of five years following the end of operations, were removed, died, became seriously damaged or diseased, should be replaced in the next planting season with others of similar size and species, unless the Waste Planning Authority approved any variation in writing.
13. The volume of the bunds as shown on approved plan 1071/02 Rev 1 should not exceed total 24,000 m<sup>3</sup>.

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14. The topsoil stored in the bunds should not be used except for the final restoration layer of the whole site, including the access road, to a depth of 300mm.

..... in the Chair

Date of signing