

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 11 January 2016 commencing at 2.00 pm and finishing at 2.40 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 Bob Johnston
Councillor Stewart Lilly
Councillor James F. Mills
Councillor Glynis Phillips
Councillor Anne Purse
Councillor G.A. Reynolds
Councillor John Tanner

Officers:

Whole of meeting C. Kenneford & M. Thompson (Environment & Economy); S. Whitehead & J. Crouch, (Law & Governance)

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 and reports and schedule, copies of which are attached to the signed Minutes.

1/16 MINUTES (Agenda No. 3)

The Minutes of the meeting held on 30 November 2015 were approved and signed subject to the following correction:

Minute 64/15 – Correct the time in line 11 to read 9 am rather than 9 pm.

2/16 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Mike Kerford-Byrnes (Finmere Parish Council)	6.Finmere Quarry,- Application No. MW.0139/15

3/16 SECTION 73 APPLICATION FOR PLANNING PERMISSION TO CONTINUE DEVELOPMENT WITHOUT COMPLYING WITH CONDITIONS 1, 7, 17 AND 26 (TO ALLOW THE STORAGE OF REFUSE DERIVED FUEL (RDF) AND SOLID RECOVERED FUEL (SRF) OUTSIDE THE STORAGE BAY AT THE CONSENTED MRF (THE SUBJECT OF PLANNING PERMISSION 10/00361/CM), TO AMEND THE OPERATIONAL HOURS OF THE MRF AND TO EXTEND THE ACOUSTIC BARRIERS OF PLANNING PERMISSION REFERENCE 15/00245/OCC AT FINMERE QUARRY, BANBURY ROAD, FINMERE - APPLICATION NO. MW.0139/15

(Agenda No. 6)

The Planning & Regulation Committee considered an application for variations to conditions attached to planning permission no. 15/00245/OCC for the Materials Recycling Facility at Finmere Quarry to continue development without complying with Conditions 1, 7, 17 and 26 (to allow the storage of Refuse Derived Fuel (RDF) and Solid Recovered Fuel (SRF) outside the storage bay at the consented MRF (the subject of planning permission 10/00361/CM), to amend the operational hours of the MRF and to extend the acoustic barriers of the planning permission).

The application was reported to the Committee because there had been previous concerns with regard to the existing permitted developments at the site.

The report described why the proposals had been put forward and outlined the relevant planning policies along with the comments and recommendation of the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning). The Committee also had before them an addenda containing additional representations and comments from the Deputy Director for Environment & Economy.

Presenting the report Ms Thompson referred to the addenda and highlighted the amended conditions set out in the updated Annex.

Responding to questions she confirmed that the noise consultant would have assessed the site at night. There was no history of noise complaints.

Mike Kerford-Byrnes spoke against the application referring to the history of the site and the extension to the loss of amenity as a result of various applications over that time. The Parish Council were cautious about the long term consequences of this

application which it was feared would lead to further extension. He referred to their comments set out in the addenda and conditions they would wish to see imposed. He highlighted that at night Finmere was silent and that the Parish Council saw no justification for operation past 11.00 pm at night.

..... Responding to questions from members Mr Kerford-Byrnes indicated that they had no evidence that there would be obtrusive noise at night but there was real concern that there would be, given the quietness of the village at night. With regard to noise during the day it had not been possible to get data as the plant was not yet operating at its full capacity. However during the day the road between the site and the village was much busier. Night time was a different matter and no commissioning test had been carried out at 11.00 pm.

The Chairman commented that the Committee had carried out a site visit and seen the plant in operation. Asked for examples of previous problems Mr Kerford-Byrnes referred to the consequences of the previous un-regulated tipping and referred to instances where permissions were not properly carried out. He confirmed that the Parish Council would like the ability to request a limited number of measurements each year. Ms Thompson drew attention to draft conditions 15 and 28 which gave flexibility over what was measured and when.

During discussion there was some discussion of the noise concerns raised by the Parish Council. Councillor Purse expressed concerns at the potential over capacity being built in by the application and the extra storage space requested. Ms Thompson explained that future growth would be dependent on a future application. Councillor Reynolds expressed sympathy with Councillor Purse’s concern.

Councillor Tanner agreed with the above comments and stated that in his view operating hours from 7 am – 6 pm was reasonable and he would oppose the application. He noted that the approval had been given on restricted hours and these should continue to apply.

Councillor Phillips proposed, and Councillor Johnston seconded that the conditions should include the provision to allow Finmere Parish Council to request ad hoc measurements each year.

RESOLVED: (on a motion by Councillor Phillips, seconded by Councillor Johnston and carried by 9 votes to 2 with 1 abstention) that subject to no over-riding objections being raised by outstanding consultees, Application MW.0031/15 be approved subject to conditions to be determined by the Deputy Director (Strategy and Infrastructure Planning) but in accordance with those set out in Annex 1 to the addenda.

Note: the scheme in condition 28 to include provision that the Parish Council could request a limited number of ‘ad-hoc’ measurements each year, should they so deem it appropriate to address local concerns.

..... in the Chair

Date of signing 2016