

Planning Committee

Minutes of meeting held at County Hall,
Colliton Park, Dorchester on 20 June 2014.

Present:

Mike Lovell (Chairman)
Peter Hall (Vice-Chairman)
Steve Butler, Barrie Cooper, Mervyn Jeffery, David Jones, David Mannings, and
Mark Tewkesbury.

Officers attending

Don Gobbett (Head of Planning), Phil Crowther (Solicitor), Andy Helmore (Senior Planning Officer), Huw Williams (Acting Team Leader Development Management) and Liz Eaton (Democratic Services Officer).

Daryl Turner County Council member for Marshwood Vale attended by invitation minute 68.

Public Speakers

Cliff Powley, local resident minute 68.
Will Vicary, Managing Direct of Habitat First Group minute 71.

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Planning Committee to be held on **25 July 2014**).

Apologies for Absence

64. Apologies for absence were received from Lesley Dedman and David Walsh.

Code of Conduct

65. There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Minutes

66. The minutes of the meeting held on 3 June 2014 were confirmed and signed.

Public Participation

Public Speaking

67.1 There were no public questions received at the meeting in accordance with Standing Order 21(1).

67.2 There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

67.3 There were no petitions received in accordance with the County Council's petition scheme at this meeting.

1/D/13/000972 – Landfill with inert material to facilitate improvements to golf driving range and practice area. Lyme Regis Golf Club, Timber Hill, Lyme Regis, Dorset (to agree conditions)

(Mr Jones abstained on this item as he did not attend the site visit).

68.1 The Committee considered a report by the Head of Planning on the conditions to be agreed for application 1/D/13/000972 for landfill with inert material to facilitate improvements to golf driving range and practice area. Lyme Regis Golf Club, Timber Hill, Lyme Regis, Dorset.

68.2 Officers informed the Committee that the application had been considered at the 28 March and 9 May 2014 meetings and that a site visit had been made which some members had attended but not all. Therefore, a visual presentation was given showing the site plans, photographs and layout of the site. Officers reminded members that the application was for landfilling of 40,000 tons of inert waste. The site was situated west of the A3052 and was located within an Area of Outstanding Natural Beauty (AONB), although land nearby and towards Axminster was outside of the AONB. It was anticipated that the number of vehicles to the site would be between 3-5 per day although Condition 25 stated that no more than 20 loaded vehicles should enter the site in any one day. The applicant had reversed the order in which the cells would be worked and there would be a new entrance created on the northern edge of the site. A 10 metre wild flower margin would be seeded in the first planting season following completion of the development.

68.3 Officers reported late representations received which were set out in the Update Sheet and had been circulated to members. In response, officers commented that if there was a breach of condition(s), notice would be issued and if a fine was later imposed monies from the fine would not go to the Planning Authority and it would, therefore, be inappropriate for the Planning Authority to seek to dictate what such monies should be used for. There would be no recycling of materials on site.

68.4 Condition 30 had been amended as set out in the Update Sheet as follows:

“The site shall be landscaped progressively in accordance with the details shown on Drawing Number 620-02A entitled Landscape Proposals and dated 15 November 2013. Notwithstanding the timetable for the implementation of the planting as set out on the drawing, the following timetable is imposed to reflect the changes to the proposed order of filling of the cells.

Phase 1 planting: the first planting season following the commencement of the development.

Phase 3 planting: the first planting season following the completion of filling in Cell 4;

Phase 4 planting: the first planting season following the completion of the northern phase (Cells 4-6).

The wildflower margin shall be a minimum of 10 metres wide and shall be seeded in accordance with the submitted details in the first planting season following the completion of the development.”

68.5 Cliff Powley, local resident representing himself and many other residents and holiday cottage owners, commented that complaints had been made in the 1990's about the previous landfill site in relation to noise and dust. It would only take a few negative comments on “Trip Adviser” and the effects on the holiday trade would be felt. The valley acted as an amphitheatre and would make living in the area

intolerable. The tranquillity of the area would be destroyed. He, with 22 other interested parties had drawn up draft conditions. He felt the times of tipping should be from 8.00 am until 5.00 pm weekdays only excluding Bank Holidays. Management of the site should not include a recycling facility and this should be included as a condition.

68.6 Daryl Turner, the County Council member for Marshwood Vale urged the Committee not to impose too large a number of conditions.

68.7 Members felt that the 10,000 ton capacity with 20 vehicles per day operating would, in effect, mean there would not be a significant number of days per year when the site would be operative. It was suggested that if the annual tonnage limit was increased by 25% it would cut down on the number of years needed to infill the site.

68.8 Officers explained that the applicant had hoped to win a particular contract which would have required more vehicles per day to access the site but had asked for a 5 year permission in case that contract was not won. An increased fill rate would lead to a more intensive use. Officers considered that the annual tonnage limit and maximum daily vehicle movement struck the appropriate balance.

68.9 Members asked if conifers would be used in replanting and it was confirmed by officers that they would not.

68.10 One member commented that as he was unable to attend the site visit he would abstain from voting.

Resolved

69. That planning permission be granted subject to the conditions set out in section 4.2 of the report and subject to condition 30 being amended as set out in minute 68.4 above.

Reason for Decision

70. The reason for imposing each condition was set out in Section 4.2 of the report.

Change to the Restoration Landform, to conform with the Silverlake Proposal, Warmwell Quarry, Moreton Road, Crossways, Dorchester, Dorset, DT2 8HU

71.1 The Committee considered a report by the Head of Planning on applications WD/D/14/000838, WD/D/14/000839 and WD/D/14/0008340 to vary conditions 2, 3, 4, 29 and 37 of permission 1/D/2008/2363; conditions 2, 3, 4, 23 and 30 of permission 1/E/92/157Y as amended by 1/D/2008/2364; and conditions 2, 3, 4, 25 and 33 of permission 1D/2008/2365, to enable restoration to be completed in accordance with a revised restoration plan to facilitate the Silverlake development proposal at Warmwell Quarry, Moreton Road, Crossways, Dorchester, Dorset, DT2 8HU for Habitat First Group.

71.2 Officers gave a visual presentation of site plans, photographs and layout of the site including access and egress. Officers reported late representations received which were set out in the Update Sheet and had been circulated to members. The site was Dorset's biggest minerals site with an area of over 227 hectares consisting of heathland, designated as Sites of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Areas (SPA) and RAMSAR. It was anticipated that extraction works from the quarry would finish at the end of 2015. The approved restoration plan showed the proposed rights of way, a

large lake which was broken up with a causeway, islands and public open space. The proposed restoration scheme would consist of several smaller lakes and a plan was shown. Officers considered that irrespective of the Silverlake proposal the revised restoration scheme represented an enhancement over the previously approved scheme.

71.3 Moreton parish Council had submitted a late representation raising concerns about increased traffic, vehicle weights and pedestrian footways. However officers considered that these concerns related to the Silverlake proposal and not the restoration of the minerals site. The Environment Agency had no objections provided continued hydrological monitoring and the submission of a hydrogeological risk assessment in compliance with the proposed conditions were carried out. They also requested an additional informative note relating to the need for an Environmental Permit.

71.4 The recommendation had been revised as set out below:

“That, subject to receipt of satisfactory planning obligations bringing forward outstanding obligations including those relating to rights of way, aftercare and the prevention of mineral extraction within specified areas and planning consents, as secured in conjunction with the 2011 consents, and securing public access in accordance with the revised restoration proposal, that the Head of Planning be given delegated authority to grant planning permission subject to the conditions set out in the report and subject to an additional informative note requested by the Environment Agency in relation to mine waste.”

71.5 Will Vicary, Managing Director, Habitat First Group, gave a brief description of the company ethos and history. It was a family owned business with over 20 years experience in ecology. All the development sites they had previously developed had been redundant quarries. The company changed to developing aggregate sites 3 years ago. He outlined how the company had been working together with Aggregate Industries for some time to deliver a sustainable future for the site. He considered that the proposed restoration scheme would create a landform with improved public access and enhanced environmental feature.

71.6 Members asked what type of rights of way were being considered and about the mineral waste. Officers confirmed the rights of way were bridleways and that silt was the by product which fell within the definition of waste.

Resolved

72.1 That planning permission be approved subject to the revised recommendation as set out below:

“That, subject to receipt of satisfactory planning obligations bringing forward outstanding obligations including those relating to rights of way, aftercare and the prevention of mineral extraction within specified areas and planning consents, as secured in conjunction with the 2011 consents, and securing public access in accordance with the revised restoration proposal, that the Head of Planning be given delegated authority to grant planning permission subject to the conditions set out in the report and subject to an additional informative note requested by the Environment Agency in relation to mine waste.”

Reason for Recommendation

73. The reason for granting planning permission was summarised in paragraph 6.15 of the report.

Questions

74. No questions were asked under Standing Order 20(2).

Meeting Duration
10.00 am to 10.45 am