

Minutes



To: All Members of the
Development Control
Committee, Chief Officers, All
officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

DEVELOPMENT CONTROL COMMITTEE 8 DECEMBER 2017

ATTENDANCE

MEMBERS OF THE COMMITTEE

D Andrews, D J Barnard, D S Drury, M A Eames-Peterson (*substitution for E M Gordon*), J S Hale, M D M Muir (Vice-Chairman), S Quilty, I M Reay (Chairman) R H Smith (*substitution for S J Boulton*), A D Williams

Upon consideration of the agenda for the Development Control Committee meeting on 8 December 2017 as circulated, copy annexed, conclusions were reached and are recorded below:

Note: There were no declarations of interest.

CHAIRMAN'S ANNOUNCEMENTS

- (i) If a Member wished their particular view on an item of business to be recorded in the Minutes, it would be recorded on request by that Member.
- (ii) Members were reminded of their obligation to declare interests at the start of the meeting.

PART I ('OPEN') BUSINESS

MINUTES

The minutes of the Committee meeting held on 23 October 2017 were confirmed as a correct record.

PUBLIC PETITIONS

There were no public petitions.

ACTION

**Democratic
Services**

1. APPLICATION FOR THE VARIATION OF CONDITION 1 AND CONDITION 25 OF PLANNING PERMISSION 3/1228-13 TO EXTEND THE LIFE OF THE SAND AND GRAVEL EXTRACTION AND RESTORATION VIA LANDFILL AND TO AMEND THE RESTORATION VIA LANDFILL AND TO AMEND THE RESTORATION DETAILS AT WESTMILL LANDFILL SITE, WESTMILL ROAD, WARE, HERTFORDSHIRE, SG12 0ES

[Officer Contact: Shaun Wells, Tel: 01992 555049]

- 1.1 The Committee considered application 3/0075-16 for the variation of condition 1 and condition 25 of planning permission 3/1228-13 to extend the life of the sand and gravel extraction and restoration via landfill and to amend the restoration via landfill and to amend the restoration details at Westmill Landfill Site, Westmill Road, Ware.
- 1.2 It was noted that condition 1 required to be varied as restoration of the area needed to be undertaken following removal of all plant and machinery. Some sale of remaining sand and gravel stocks would continue for a short period until existing stocks were exhausted. The application sought to extend sand and gravel extraction until 31/12/2016 and sand and gravel processing until 31/12/17.
- 1.3 The Committee were informed that the applicant had stated strict Environmental Permitting Regulation requirements, which protect the environment may have slowed the landfill process, therefore the following sequence of cessation was proposed:-
 - Infilling with waste- to cease 31 December 2021
 - Capping of waste-to be completed by 31 December 2022
 - Restoration- to be completed by 31 December 2027
- 1.4 The Committee noted that 45 objections had been received to the application from all neighbour consultations; a letter received in objection from Hanbury Mews Residents Ltd which contained the signatures of 11 residents; Ware Town Council objecting; as well as the local MP. The Rights of Way Officer (HCC) had no objections to the proposals subject to £10k financial contribution toward upgrading of the internal public right of way from footpath to bridleway.
- 1.5 The Committee heard that Councillor Andrew Stevenson had raised concerns with regards to the generation of traffic along the A602. In response, it was noted that the A602 currently bends, however, it was going to be aligned and improved. It was also noted that from March 2018 a clearway order would be put in

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place to ban drivers from stopping along the highway.

- 1.6 Prior to questions and debate the Committee were addressed by Mr James Stewart-Irvine from Biffa Waste Services, speaking in support of the application.
- 1.7 During discussion, Members raised concern at the length of time this application had taken to come to the Development Control Committee, stating that processing should have ceased 2 years ago until consent had been given to continue; officers explained it had taken time to satisfy all the requirements of the consultees and the Environment Agency had only recently withdrew their concerns. The Committee therefore requested that Biffa were to provide written reports on a 6 monthly basis into both infilling of cells and restoration.

Following a vote by show of hands, the motion was CARRIED
(For: 9, Abstention: 1)

- 1.8 It was clarified that sand and gravel processing shall cease by 31 December 2017.

RESOLVED

- 1.9 Having taken the balance of all the issues and policy into account, including all of the information as submitted in the environmental statement, and that subject to the application being referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 and the Secretary of State deciding not to call in the application for his determination, the Committee agreed that the Chief Executive and Director of Environment be authorised to grant planning permission subject to the completion of a section 106 Legal Agreement with the developer for a financial contribution of £30,000 to the Highway Authority for road cleaning and any repair to the network as a result of the development; a £10 000 financial contribution toward upgrading of the internal public right of way from footpath to bridleway and the following conditions and informative:

1. Time Limits For Cessation
2. Vehicle Movements(Whole Site)
3. Vehicle Movements(Quarry)
4. Wheel Cleaning
5. Covered Loads
6. HGV hours
7. Permitted Hours of operations
8. Further Development
9. Quarry Processing Plant

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- 10. Vehicle Noise
- 11. Noise from operations restriction
- 12. Noise from sales and deliveries restriction
- 13. Noise from temporary operations restriction
- 14. Groundwater protection 1
- 15. Groundwater protection 2
- 16. Dust Suppression
- 17. Restoration Plans
- 18. Planting
- 19. Removal of plant/structures
- 20. Aftercare
- 21. Ecology
- 22. Display of Permission
- 23. Biffa to provide written reports on a 6 monthly basis into both infilling of cells and restoration.

Informative-Ecology

There were two Members of the Committee opposed to the application.

2. APPLICATION FOR VARIATION (S.73) OF CONDITION 4 (APPROVED PLANS) AND CONDITION 8 (NO PROCESSING OF MATERIALS ON-SITE) ON PERMISSION 3/1304-13 TO ALLOW FOR THE SITING OF A MODULAR TREATMENT PLANT AND PROCESSING OF MATERIAL ON SITE AT THORLEY HALL FARM, THORLEY WASH, THORLEY, BISHOPS STORTFORD, HERTFORDSHIRE

- 2.1 The Committee considered application no. 3/2245-17 (CM0951), an S73 planning application seeking to vary two conditions (4 & 8) on planning permission no. 3/1304-13 to allow for the siting of a modular treatment plant and processing of material on site at Thorley Hall Farm, Thorley Wash, Bishops Stortford.
- 2.2 The Committee noted that that there was no change to the original application, just the varying of the 2 conditions which would possibly cause less HGV movements on site. The noise levels may also be minimised. Members heard there had been no objections received to varying the 2 conditions.
- 2.3 The local Member, Graham McAndrew, although not opposed to the application, did raise disappointment that the site had moved from an agricultural reservoir to a mineral extraction site.

RESOLVED

- 2.4 It was unanimously agreed that the proposed variation of conditions (4 & 8) be granted planning permission subject to the following 22 conditions:

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1. Time Limit for Commencement
2. Completion of Development
3. Approved Plans
4. Abstraction Licence
5. Dust Management Scheme
6. Sound insulation on plant and machinery
7. Sheeting of Vehicles
8. Landscaping including fencing
9. Tree Protection Scheme
10. No removal of trees or hedges in bird breeding season
11. Ecological and landscape management plan
12. Bird Hazard Management Plan
13. Archaeological Investigation
14. The Pumphouse
15. Hours of Operation
16. Construction Traffic Management Plan
17. Limit on HGV movements
18. HGVs to turn left out of site
19. Wheelwashing and cleaning facilities
20. Removal of bunds and ancillary temporary development
21. Flooding measures
22. External Lighting

Conditions 2, 5 and 8, as set out in planning permission 3/1304-13, have been deleted.

3. APPLICATION FOR THE DEMOLITION OF EXISTING SCIENCE BLOCK, CARETAKER'S HOUSE, GYM AND GIRLS CHANGING ROOMS. ERECTION OF A TWO STOREY MUSIC AND SCIENCE BLOCK, A NEW COMMUNITY SIZED SPORTS HALL AND INFILL DINING COURTYARD TO INCREASE THE SCHOOL BY 1FE AT HEMEL HEMPSTEAD SCHOOL, HEATH LANE, HEMEL HEMPSTEAD, HERTFORDSHIRE, HP1 1TX.

3.1 The Committee considered planning application reference 4/2598-17 for the demolition of existing science block, caretaker's house, gym and girls changing room and the erection of a two storey music and science block, a new community sized sports hall and infill dining courtyard to increase the school by 1FE at Hemel Hempstead School, Heath Lane, Hertfordshire, HP1 1TX.

3.2 Members' attention was drawn to 4.3 of the report which stated that Hertfordshire County Council as Lead Local Flood Authority objected to the application on the basis that the submitted documents did not provide sufficient information regarding the discharge locations for Zone 1 (music block) and Zone 2 (sports hall) and clarification on post-development run-off and storage calculations. It was noted that the condition would be amended to

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include this information once it had been received.

- 3.3 Members' attention was also drawn to 4.9 of the report which stated that Sports England did not object to the development, subject to a condition to provide for community use of the school's sports facilities. It was also recommended that an informative in respect of facility design was included. However, this response was made on the basis that the proposed development would prejudice the use of the existing playing field and therefore the response was that of a statutory consultee. Officers clarified that the planning authority find that the development would not prejudice the use of the playing field as the development was not on the playing field.
- 3.4 It was noted that this was a very popular, over-subscribed, Grade II listed building with very small rooms, and the school was very expensive to maintain. Members were happy to support the school and the area in this way as this was an improvement; however it was mentioned that rain water harvesting should have been included.

RESOLVED

- 3.5 The Committee considered that the need to alter and expand the school outweighed concerns in respect of the impact on residential amenity, highways and the design of the proposed development, which can also be regulated through the imposition of reasonable, but robust, conditions.

The landscaping and trees could reasonably be either enhanced or protected by condition, and it was considered that the development was compliant with the relevant policies relating to sustainability, the need for educational facilities, design, highways impact, the protection of ecological assets and impact on residential amenity in the Dacorum Borough Council Local Plan documents and within the National Planning Policy Framework.

The Committee unanimously agreed that the Chief Executive and Director of Environment be authorised to grant planning permission, subject to the receipt of the appropriate surface water discharge information and subject to the following FOURTEEN conditions: -

1. Time Limit for Commencement
2. Approved Plans and Supporting Documents
3. Surface Water Drainage
4. Hours of Operation (Construction)
5. Hours of Operation

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6. Construction Traffic Management Plan
7. External Materials used in Construction
8. Landscaping plan; including tree protection and habitat improvements
9. Vegetation improvements
10. Overarching Travel Plan
11. Cycle spaces
12. External Lighting
13. Removal of temporary science lab
14. Reinstatement of land to be used for temporary science lab

4. PROPOSED APPLICATION FOR A SINGLE STOREY EXTENSION TO FORM 1 NEW CLASSROOM AND CIRCULATION SPACE, INFILLING OF AN INTERNAL COURTYARD TO CREATE NEW OFFICE SPACE AND ENLARGEMENT OF PLAYGROUND HARDSTANDING AT WALKERN PRIMARY SCHOOL, HIGH STREET, WALKERN, HERTFORDSHIRE, SG2 7NS

- 4.1 The Committee considered application 3/2301-17 (CC0476) for the single storey extension to form 1 new classroom and circulation space, infilling of an internal courtyard to create new office space and enlargement of a playground hardstanding at Walkern Primary School, High Street, Walkern, Hertfordshire, SG2 7NS
- 4.2 Members noted that there had been no statutory objections to this application; the proposal would not increase the number of children allowed to attend the school; there would be no further traffic impact; East Herts District Council had no objections; the School Travel Plan 2015 would be reviewed as part of the proposal; there was no record of any protected species at this site; therefore, officers were of the view this was an acceptable proposal.
- 4.3 It was questioned if additional parking was required on site. Members noted that there would be no additional staff, therefore, no additional parking was required.

RESOLVED

- 4.4 The Committee unanimously agreed permission be granted subject to the additional condition of the location of bins being included.

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5. APPLICATION FOR PROPOSED CONTINUED USE OF AN EXISTING MATURATION PAD FOR THE PROCESSING OF GREEN WASTE AND ITS CONVERSION INTO COMPOST FOR USE AS A FERTILIZER ON LAND FORMING PART OF THE FARMING OPERATION UNDERTAKEN AT BLACKBIRDS FARM, BLACKBIRDS LANE, ALDENHAM, HERTFORDSHIRE, WD25 8BS.

- 5.1 The Committee considered Application 0/1567-17 (CM0867) for the continued use of an existing maturation pad for the processing of green waste and its conversion into compost for use of fertiliser at Blackbirds Farm, Aldenham, WD25 8BS which was reported to Committee on 26 October 2017, and the Committee resolved to grant planning permission subject to conditions. The resolution however did not include a condition on PAS100 as discussed in the Committee report. This report sought authority to include such a condition as part of the decision notice, which had not yet been issued.
- 5.2 The proposal, is as set out in the previous report to the Development Control Committee of 26 October 2017, as attached at Appendix 1 to the report. However the recommendation omitted to include a condition requiring compliance with PAS100, which is the British Standards benchmark for compost quality. Hertsmere Borough Council (Environmental Health) requested that this condition be included in the Blackbirds Farm application.
- 5.3 Prior to questions and debate the Committee were addressed by Mr Alistair Pinkerton from Blackbird Farm, speaking in objection to the inclusion of the PAS100 planning condition.
- 5.4 During discussion, it was clarified that the basis for granting planning permission in the Green Belt was for agricultural operations of Blackbirds Farm. The sale of the compost from the site would not be considered an appropriate use within the Green Belt. Concern was raised how PAS100 would be enforced and tested; however, Members were reminded that this was a standard requested by Hertsmere Environmental Health (Environmental Health).

RESOLVED

The Committee agreed the following:

- 5.5 The conclusion of the previous report is included below. It is emphasised that compliance with PAS 100 is a material consideration.

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- 5.6 In addition to the resolution now including the PAS100 as Condition 6, Condition 7 (Resale of Green Waste Compost) now includes the wording amended by committee at its meeting on 26 October 2017 by reference to 'Blackbirds Farm enterprise'. The committee also resolved on 26 October that the condition limiting hours of operation for this maturation area be deleted. As a result that condition is not included below.
- 5.7 "It is recognised that there is significant benefit in the re-use of green waste to use as compost within the farm, and that the maturation pad at Broadfields is key to that operation.
- 5.8 *"Planning approval remains for the reception area and green waste processing at Blackbirds Farm through the earlier planning approval (ref: 0/1097-09). The maturation pad at Broadfields is a key part of the operational process to convert green waste to compost, however it does not have approval due to a technical oversight; this application seeks to remedy that omission. The principle of the development is considered acceptable therefore being in general accordance with local and national planning policy.*
- 5.9 *"No objections have been received from technical consultees (statutory and non-statutory), and whilst 2 objections have been received from neighbours, the application also received 11 letters of support. Any impacts that may arise are considered to be able to be appropriately mitigated by way of conditions, and any harm that may arise as a result of the development are not considered to outweigh the benefits of the scheme which supports a rural enterprise, facilitates a sustainable method of farming and which is a sustainable method of dealing with green waste.*
- 5.10 *"Taking all material considerations and relevant planning policy into account, it is recommended that The Chief Executive and Director Environment should be authorised to grant planning permission subject to the following conditions:"*

Approved Plans and Documents

1. The development hereby permitted shall only be retained in accordance with the following approved plans submitted with the application unless otherwise agreed in writing by the Waste Planning Authority:
 - a. Plan 1, Location plan received 26 July 2017
 - b. Plan 3, Block Plan Broadfield Maturation Pad and Working Area received 26 July 2017

Reason: In order to protect the character, appearance and amenity of the site and the surrounding area and for the avoidance of doubt.

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Height of Waste Materials stored in Broadfields Maturation Area

2. No waste or other material shall be stored or stacked over a height of 4 metres within the Broadfields Maturation Area.

Reason: To limit adverse visual effects upon the surrounding landscape

Landscaping

3. Within 3 months of the date of this permission, a scheme for landscape screening of the maturation site at Broadfields including the planting of a hedgerow to the south and east boundaries of the site shall be submitted to and agreed in writing by the Waste Planning Authority. All planting agreed shall be undertaken within the first planting season following the agreement of the details as submitted.

Reason: To limit adverse visual effects upon the surrounding landscape

Odour

4. All operations at the site shall be carried out in accordance with the Odour Management Scheme as agreed under application 0/1097-09.

Reason: In the interests of odour suppression and local amenity

Dust Suppression

5. All operations at the site shall be carried out in accordance with the Dust Suppression Scheme as agreed under application 0/1097-09.

Reason: To minimise the potential for dust emissions and in the interests of local amenity the interest of its general amenity.

Compost Quality

6. The compost produced at the application site shall achieve PAS 100 accreditation or any subsequently revised standard superseding PAS 100 which subsequent standard shall first be submitted to and agreed in writing by the Waste Planning Authority.

Reason: In the interests of human health and odour suppression

Resale of Green Waste Compost

7. The compost generated from the green waste composting hereby permitted shall be used wholly on land at Blackbirds Farm enterprise and there shall be no resale of the compost under any circumstances.

Reason: The justification for this development in the Green Belt is that it is intrinsically linked to an agricultural operation of Blackbirds Farm. The sale of the compost from the site is not considered to be an appropriate use within the Green Belt.

There were two Members of the Committee opposed to the application.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN _____

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