

**MINUTES OF A MEETING OF THE DEVELOPMENT AND REGULATION
COMMITTEE HELD AT COUNTY HALL, CHELMSFORD ON 13 DECEMBER
2013**

Present

Cllr C Guglielmi (in the chair)	Cllr I Grundy
Cllr J Abbott	Cllr J Lodge
Cllr K Bobbin	Cllr M Mackrory
Cllr P Channer	Cllr J Reeves
Cllr M Ellis	Cllr C Seagers

1. Apologies and Substitution Notices

Apologies were received from Cllr R Boyce (substituted by Cllr Grundy), Cllr A Brown, Cllr Lady P Newton and Cllr S Walsh (substituted by Cllr Seagers).

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The Minutes and Addendum of the Committee held on 22 November 2013 were agreed and signed by the Chairman.

4. Identification of Items Involving Public Speaking

There were none identified.

Minerals and Waste

5. Batemans Farm, Great Leighs

The Committee considered report DR/60/13 by the Head of Planning, Environment and Economic Growth.

The Committee was advised that the proposal sought the continued use of the existing site for the importation, treatment, storing, processing of inert waste materials and secondary aggregates with the addition of the importation, treatment, storing, processing of 6000 tonnes per annum of hazardous and non-inert waste and four sealed storage containers.

Policies relevant to the application were detailed in the officer's report.

Details of Consultation and Representations received were set out in the officer's report.

The Committee noted the key issues that were:

- Need and Principle of Development;

- Hazardous Waste; and
- Impact upon Amenity.

In response to questions and concerns raised, Members were informed that:

- Although the proposed extra 6000 tonnes per annum would take the annual throughput of waste above the existing 25,000 tpa, there would be no increase in vehicle movement, which stood at 25 vehicles in, 25 out on weekdays, and 12 in and 12 out on Saturdays. Consequently, Highways did not have any concerns about these proposals
- The 25,000 tonnes limit was controlled by the Environment Agency permitting regime and the next permit banding was for developments handling waste up to 75,000 tonnes
- Although this site may be viewed as a non-preferred site, the site's lawful use was permitted by Braintree District Council in 2000 which was followed by a subsequent approval by the Waste Planning Authority in 2012 therefore, the fall-back position was that the applicant could operate a lawful inert waste recycling facility
- Should planning permission be granted The Environment Agency would be required to issue a bespoke permit for the handling of hazardous waste and the site would be monitored accordingly. Any action by the County Council tended to be reactive, ie responding to complaints, rather than maintaining a watch on the site
- With regard to some suggestions that toxic waste had been burnt on the site, the Planning Officer confirmed that during personal site visits this had not been witnessed. In addition, the responsibility for enforcement burning of waste materials lay with the Environmental Agency.

The resolution was moved, seconded and following a vote of eight in favour and two against, it was **Resolved**

That:

Planning permission be granted subject to conditions covering the following matters:

1. COM2 Commencement;
2. COM3 Compliance with submitted details;
3. HOUR1 Hours of Working;
4. HIGH4 Prevention of Mud and Debris on Highway;
5. HIGH5 Vehicle Movements Limits;
6. HIGH6 Lorry Sheeting;
7. VIS2 Stockpile Heights;
8. VIS3 Machinery Operating at Ground Level;
9. LGHT1 Fixed Lighting Restrictions;
10. LAND1 Landscape Scheme submitted within 3 months;
11. LAND2 Replacement Landscaping;
12. WAST1 Waste Type Restriction;
13. WAST4 Waste Handled in Designated Areas.

Appeals Updates

6. Codham Hall Farm, Great Warley

The Committee considered report DR/61/13 by the Head of Planning, Environment and Economic Growth.

Members were informed that the appeal had been allowed by the Inspector.

The Committee **NOTED** the report.

7. Tyre UK, Benfleet

The Committee considered report DR/62/13 by the Head of Planning, Environment and Economic Growth.

Members were informed that the appeal had been allowed by the Inspector.

The Committee **NOTED** the report.

8. Statistics

The Committee considered report DR/63/13, Applications, Enforcement and Appeals Statistics, as at end of the previous month, by the Head of Planning, Environment and Economic Growth.

The Committee **NOTED** the report.

9. Date and Time of Next Meeting

The Committee noted that the next meeting will be held on Friday 24 January 2014 at 10.30am in Committee Room 1.

There being no further business the meeting closed at 11.24 am.

Chairman