

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 10 July 2017.

PRESENT

Councillor R Iliffe (in the Chair)

Councillors J Atkin, D Charles, A Griffiths, L Grooby, R Mihaly, R A Parkinson, P Smith (not site visit) and B Wright.

In accordance with Standing Orders Councillor L Chilton attended the site visit to Springwood (Minute No 53/17) and Councillor K S Athwal attended the site visit to Long Eaton (Minute No 54/17)

Apologies for absence were received from Councillor M Ford

No Declarations of Interest were received

No Significant Lobbying had been received

51/17 **SITE VISITS** In accordance with the Code of Practice Members visited the sites at Long Eaton (Minute No 54/17) and Springwood (Minute No 53/17).

52/17 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 5 June 2017 be confirmed as a correct record and signed by the Chairman.

53/17 **(A) ERECTION OF AN ON-FARM ANAEROBIC DIGESTION PLANT, FOR THE PROCESSING OF AGRICULTURAL MANURES, CROP AND CROP RESIDUES, WITH A TOTAL FEEDSTOCK CAPACITY OF 17,500 TONNES PER ANNUM, TOGETHER WITH WEIGHBRIDGE, COMBINED HEAT AND POWER UNIT; CONCRETE APRON; WOOD DRYING SHED; LANDSCAPING; MODIFICATIONS TO ACCESS; RE-PROFILING OF GROUND LEVEL; AND ASSOCIATED INFRASTRUCTURE ON LAND AT DERBY HILLS FARM, SPRINGWOOD, SOUTH DERBYSHIRE (CODE NO: CW9/0416/9) (B) MEANS OF ACCESS, PROVISION OF PARKING BAY AND ASSOCIATED SCREENING ONLY TO SUPPORT AND ANAEROBIC DIGESTION PLANT ON LAND AT DERBY HILLS FARM, SPRINGWOOD, SOUTH DERBYSHIRE APPLICANT: THORNFIELD 005 LIMITED (CODE NO: CW9/1216/78)** Planning permission was sought for two interrelated applications comprising (A) an on-farm

anaerobic digester (AD) plant, associated plant and equipment and associated wood drying shed and (B) a vehicular access on land belonging to Derby Hills Farm, Springwood, South Derbyshire. The AD plant feedstock would comprise farm manure, crop residues and crop feedstock to produce digestate (a form of fertiliser) and gas which would be utilised to generate renewable energy in the form of both electricity and heat. Vehicular access to the site would be obtained directly off the B587 road, following highway safety improvements, and along an upgraded existing field access track.

Details of the applications were contained in the report of the Strategic Director for Economy, Transport and Communities, together with comments received from consultees and following publicity. Representations received were addressed in the report.

The key planning considerations for the applications were the need for the development the landscape and visual impact, highway impact, heritage impact, ecological impact and environmental impacts. These were examined in the report and the Strategic Director's representative discussed these in detail at the meeting.

The Strategic Director concluded in his report that the proposed development would enable the existing agricultural business to expand its capabilities and evolve in line with the latest environmental requirements regarding sustainable treatment and management of its raw cattle slurry waste, as well as securing the resulting economic benefits from the renewable energy source. The farming business sought to diversify in order to provide additional income stream. The development would contribute positively to the economics of the agricultural business whilst providing a full time permanent job. The applicant sought to introduce an on-farm sustainable waste management facility and associated wood drying shed. The development would manage existing agricultural waste by converting raw manure and crops (biomass) in an AD plant. The process would minimise odour since the digestion was undertaken in an enclosed environment. The AD process would produce liquid and solid digestate which would be injected/spread on agricultural fields instead of the traditional raw manure application currently being undertaken. This would further reduce any local odour impact that currently might be occurring. The digestate would be used by other farms as well from which some of the biomass would arise.

The rural character of the area was sensitive regarding environmental and heritage constraints nearby which included SSSIs/Special Areas of Conservation (SACs)/Landscape designations, listed buildings and Conservation Areas. Issues and concerns raised by consultees had been addressed by the additional information provided by the applicant or were capable of being addressed by planning condition(s). These included

protected species interests relating to great crested newt which had delayed the determination of the application because of the survey requirements being seasonally related. Similarly, public representations received had been taken into account in the report so far as they concerned material planning matters.

The Strategic Director confirmed that the development complied with national and local policies on waste, and minimised odour. Subject to planning conditions the development was considered acceptable and in line with the economic and environmental threads referred to in the National Planning Policy Framework, as well as complying with relevant development plan policies.

Jenny Leigh addressed the Committee as a new owner of the fishery, which was adjacent to the application site and comprised two fishing ponds and a caravan site. She had concerns regarding how the proposal would impact on her business, particularly as the fishing banks looked straight on to the application site. She was concerned about how noise during development of the site might affect the fish; traffic increase to the site; the access to the site was only 100 yards from the fishery access; and the impact of the burning flare, both visibly and audibly. She also referred to her concerns regarding contamination from the site to a natural spring in the woods and questioned whether the environmental report had considered these issues.

Henry Waite addressed the Committee on behalf of the applicant. He gave an overview of the plant and spoke of the benefits which would be achieved. He commented that the proposal removed the need to spread slurry. He considered that the project was well conceived and addressed any potential concerns which might arise, including improvement to the access lane.

The Strategic Director's representative responded to the concerns raised by Ms Leigh. He commented that the proposed structures, although large, would be of agricultural type, which was acceptable in a countryside farming environment. He confirmed that the application had been accompanied by an Environmental Statement, which had included technical reports, and that the potential impacts on the locality had been assessed and he was satisfied that with the recommended conditions and an Environmental Permit they would be mitigated sufficiently. He explained that an Environmental Permit would be required from the Environmental Agency, which would control the working of the proposal, including pollution, noise and dust. All planning permissions were monitored and conditions imposed were managed. Planting of hedgerows and trees was proposed on the eastern side of the site, which would provide not only a visual screen but also a sound barrier. In answer to the concern regarding the spring, he confirmed that a

hydrological assessment had been conducted and any concerns would have been highlighted.

RESOLVED to authorise the simultaneous granting of planning permission in respect of each of the planning applications, subject to the draft conditions for the applications as contained in the report of the Strategic Director for Economy, Transport and Communities.

54/17 ERECTION OF A NEW SCHOOL BUILDING, DEMOLITION OF TWO EXISTING BUILDINGS, RELOCATION OF TENNIS COURTS, PLAY AREAS, PROVISION OF NEW SERVICE YARD, REVISION TO PARKING LAYOUTS AND ASSOCIATED LANDSCAPING AT WILSTHORPE COMMUNITY SCHOOL, DERBY ROAD, LONG EATON, DERBYSHIRE APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD8/0317/104) The application was for the redevelopment of Wilsthorpe Community School, off Derby Road, Long Eaton. This was a large project involving the Council, Secretary of State for Education, and Kier (as contractors) proposed as part of the Government's Priority Schools Building Programme (PSBP), which sought to renew the provision of secondary schools in England. The £4.4 billion PSBP proposed the rebuilding and refurbishing of school buildings considered to be in the worst condition across the country. There were two phases of the programme covering a total of 537 schools and Wilsthorpe School was part of the second phase. This was a significant and extensive proposal involving demolition of some of the existing buildings and the construction of a new three storey building with new tennis courts, play areas, revised parking and associated landscaping.

Details of the application, together with comments received from consultees and following publicity, were contained in the report of the Strategic Director for Economy, Transport and Communities. Representations received were addressed in the report.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations had also been taken into account. The key issues considered with this proposal were the need for the development, design quality, whether or not the impact of the proposal on adjoining landowners and residents local to the site during the construction phase (and on completion of the works) was acceptable, and the concerns raised against the proposal. These issues were examined in the report and discussed in detail at the meeting.

The Strategic Director commented that the location of the new building was intended to create a sense of destination with its large 'campus green' leading up to the main entrance. The proposed landscaping and the better quality (existing) trees had been integrated as a feature into the design. The

new three-storey building would clearly be the most dominant built structure on the site, but the Strategic Director felt that care had been taken to ensure that no loss of amenity or overshadowing of adjacent buildings would occur. Overall, the design was of a high standard, a clearly expressed entrance and a variety of colour which would provide a stimulating interest to the users of the building. The definition of a new secure boundary created the ability for Wilsthorpe School to control and manage its new inner-campus of new and retained buildings. Whilst understanding the concerns that had been raised regarding this proposal, it remained clear that the new school would bring significant and much needed improvements to the educational facilities in this area.

The Strategic Director concluded that he was satisfied that the applicant had given due consideration to the potential impact of the proposed works and this was reflected in the detailed design of the school including its proposed location within this site. Having considered the effects of the proposal on local amenity and on this local environment, he felt that, on balance, the impacts would be moderate and could be made wholly acceptable by appropriate mitigation measures that could be secured by planning conditions. It was inevitable that neighbouring properties would experience some disturbance during the working day throughout the construction phase of this project but he did not consider these would be significant or over and above those experienced at other construction sites.

Jonathon Crofts the Headteacher at the school addressed the Committee. He spoke of the current problems of the school buildings and the school's relationship with other schools on the campus.

Councillor Smith commented on the long term benefit the new school would have on pupils at the school and on the community. Councillor Griffiths, whilst endorsing the proposal, raised an issue on behalf of the Ward Member, Councillor Hickton, about childrens' safety leaving the site and asked if a school crossing could be considered at the Briar Gate side of the site. This suggestion, together with a Home to School Travel Plan was noted.

The Strategic Director's representative reported that the proposed location of the building had been chosen to keep the school operational during the construction phase, he confirmed there would be no loss of playing fields, no direct overshadowing of adjacent buildings, the minimum number of existing residential properties would be affected, any noisy outdoor sport and play would be located away from the neighbouring properties and brought into a central location and provided the opportunity to retain existing parking and access roads to minimise site disruption. He also confirmed that all staff employed on the site would have an enhanced Disclosure and Barring (DBS) Certificate and any appointed contractor would engage in Agenda Screening

Services (ASS) to carry out independent screening prior to the issue of any Certificates. Safeguarding best practices would be implemented and maintained by all staff at all times.

RESOLVED that planning permission be granted, subject to a set of conditions substantially based on the draft set of conditions contained in the report of the Strategic Director for Economy, Transport and Communities.

55/17 REQUEST TO APPROVE A CONSULTATION EXERCISE CONCERNING THE ADOPTION OF A REVISED LOCAL LIST OF INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS In accordance with guidance issued by the Department for Communities and Local Government (DCLG) a draft revised list of County Council requirements for planning applications had been prepared to enable a consultation to be carried out.

The existing local list had been reviewed and it was considered that it needed to be revised. Prior to publication of a revised local list the Strategic Director for Economy, Transport and Communities would consult the local community, including applicants and agents. All observations received would be considered prior to the publication. A revised local list, once published, would assist the County Council in ensuring that particulars and evidence were clearly required to have been submitted. The revised list could continue to refer to a schedule of national requirements, as well as a compilation of potential local requirements and had been prepared with the principles and criteria of the Planning Policy Guidance in mind.

RESOLVED to approve the carrying out of a consultation exercise on the publication by the Council of a revised local list of requirements for planning applications.

56/17 CURRENT ENFORCEMENT ACTION RESOLVED to receive the report on Current Enforcement Action.

57/17 OUTSTANDING APPLICATIONS RESOLVED to receive the list on decisions outstanding on 10 July 2017 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

58/17 CURRENT APPEALS/CALLED-IN APPLICATIONS RESOLVED to note the report on current appeals/called-in applications relating to County matters.

**59/17 DEVELOPMENT MANAGEMENT MONTHLY
PERFORMANCE MANAGEMENT STATISTICS RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for 6 June to 10 July 2017.

**60/17 MATTERS DETERMINED BY THE STRATEGIC
DIRECTOR FOR ECONOMY, TRANSPORT AND COMMUNITIES UNDER
DELEGATED POWERS RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Communities under delegated powers on:-

(a) Delegation Meeting – 8 June 2017

- 1 Proposed Erection of 2.4 Metres High Security Fencing and Gates at Hasland Hall Community School, Broomfield Road, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0217/92
- 2 External Storage Shed at Brockwell Junior School, Purbeck Avenue, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0417/5
- 3 New Security Fencing and Gates at Mary Swanwick Primary School, Church Street North, Old Whittington
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0417/6
- 4 The Construction of a New Two Classroom Modular Block to Create Additional Teaching Space at Hilltop Infant and Nursery School, Wyaston Road, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0317/102
- 5 New Main Entrance Path and Gate, New Fencing and Gates adjacent to Block 05 at Tibshelf Community School, Doe Hill Lane, Tibshelf
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0317/105
- 6 Extension to Provide New Classroom and Two No. New Car Parking Spaces at St Johns CE Voluntary Controlled Primary School, Dannah Street, Ripley
Applicant: Derbyshire County Council

Planning Application Code No: CD6/0317/111

- 7 The Erection of New Security Fencing and Gates at Walton on Trent CE Primary School, Coton Road, Walton on Trent
Applicant: Derbyshire County Council
Planning Application Code No: CD9/0417/7
- 8 Submission for the Authority's Approval under Part 17B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015: Extension to Building, Bone Mill Quarry, Hopton
Applicant: Longcliffe Quarries Ltd
Submission No: PD17/3/61
- 9 Request for the Council's Prior Approval for the Carrying out of Remediation Works to an Area of Land Slippage outside the Permitted Working Area at Slinter Top Quarry, Cromford
Applicant: Slinter Mining Company Ltd
Submission No: PD17/3/63
- 10 Application for Non-Material Amendment to Planning Permission CW6/1116/68 at Milford Sewage Pumping Station, Derby Road, Milford
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0417/53
- 11 Change from Shallow Mono-Pitch Roof to a Shallow Duo-Pitch Roof at Simmondley Primary School, Pennine Road, Glossop
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0417/54
- 12 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2966
 - SW2955
 - SD3003
 - SW2992
 - SW2979
 - SW2980
 - SW2981
 - SW2982
 - SM2877

(b) Delegation Meeting – 15 June 2017

- 1 Proposed Refurbishment Works to Woodbridge Junior School, Grange Street, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0517/11

(c) Delegation Meeting – 22 June 2017

- 1 Proposed Permanent Retention of and Amendments to Existing Green Waste Recycling Facility including the Chipping of Wood, and Retrospective Planning Permission for an Extension of the Existing Concrete Waste Reception Pad, New Weighbridge and Weighbridge Office, Sheepbridge Lane, Chesterfield
Applicant: Hall Plant Hire Ltd
Planning Application Code No: CW2/0317/110
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2997
 - SW2998
 - SW2999
 - SD2993

(d) Delegation Meeting – 29 June 2017

- 1 Section 73 Application to Not Comply with Conditions 3, 6, 7 and 13 of Planning Permission CW4/1115/112 to Extend the Completion Date of the Remediation Project, to Install a Reed Bed to Treat Contaminated Water and Subsequent Amendments to the Approved Final Landform and Landscaping Scheme at the Former Avenue Coking Works, Derby Road, Wingerworth
Applicant: Homes and Communities Agency
Planning Application Code No: CW4/0517/9
- 2 Application for Non-Material Amendment to Planning Permission CD3/0916/49 at Parkside Community Junior School, Cokayne Avenue, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0617/55
- 3 Delegation Decisions on Schemes Required by Planning Conditions:

- SM2911
- SM2912
- SM2913
- SM2914

(e) Delegation Meeting – 6 July 2017

- 1 The Proposed Erection of a 5000mm x 5000mm, 2500mm High Timber Log Cabin at Horsley Woodhouse Primary School, Main Street, Horsley Woodhouse, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0517/15
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD3002

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