

Agenda Item No. 4.4

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

5 March 2018

Report of the Strategic Director – Economy, Transport and Environment

Item for the Committee's Information

4 CURRENT ENFORCEMENT ACTION

1. Enforcement Action

Site	Breach	Action Taken	Comment
BM Tech, Foston. 9.1564.4	Non-compliance with conditions 2 and 3 of planning permission CW9/1110/115.	Condition 2 - Breach of Condition Notice issued 8 March 2012 requiring the cessation of importation and deposit of waste outside the building. Condition 3 - Breach of Condition Notice issued 8 March 2012 requiring the cessation of use of processing plant outside the building.	Pre-application enquiry response provided to applicant. Awaiting submission of planning application.
Rainbow Waste, Swadlincote.	Storage of waste outside the building.	Breach of Condition Notice served on 17 November 2012 for cessation of storage and removal of external waste and concrete "A" frames by 17 December 2012.	Continued liaison with the operator regarding ongoing breaches and potential regularising application.
Lindrick, Mansfield Road,	Unauthorised storage and processing of inert	Enforcement Notice issued 27 June 2013, requiring removal of all waste material	Notice of Relaxation issued on 10 July 2017. This notice relaxes the terms of the

Corbriggs (formerly MXG)	waste.	<p>before 1 August 2014. A Notice of Relaxation of Enforcement Notice was issued on 23 March 2015. This extended the period of compliance for the processing and removal of waste to 31 January 2016, and the seeding of the exposed perimeter banks to 31 July 2016.</p> <p>Planning Contravention Notice issued 1 November 2016 (response received).</p> <p>Breach of Condition Notice (Mud on Road) issued 19 December 2016.</p> <p>Notice of Relaxation of Enforcement Notice issued on 10 July 2017.</p>	<p>Enforcement Notice issued on 27 June 2013 and extends the period of compliance for the removal of waste to 31 December 2017 and seeding of banks to 31 May 2018.</p> <p>Removal of the waste has not been secured within the compliance date. A request has been received from the operating company to extend the compliance date for a further 12 months. Request under consideration.</p>
Stancliffe Quarry 3.696R	<p>Condition 43 relating to stability of land adjacent to quarry face. Non-compliance relating to requirement to provide appropriate remediation scheme.</p> <p>February 2017 Breach involving the removal of stone via unauthorised access, creation of access track and damage to trees covered by Tree Preservation Order.</p>	<p>Breach of Condition Notice served October 2013 requiring submission of a relevant scheme by end of January 2014 (extended date).</p> <p>Temporary Stop Notice issued 17 February 2017.</p> <p>Interim Injunction Order granted 31 March 2017.</p>	No current activity noted on the site. Pre-application response provided to applicant.

Poorlots Quarry, Tansley	Unauthorised importation of waste soils.	Temporary Stop Notice issued 14 September 2016. Enforcement Notice issued 12 October 2016. Notice of Relaxation issued 21 August 2017 extending compliance date to 30 September 2017.	Enforcement Notice requires remediation and seeding to be undertaken. Compliance dates set within the notice have not been met. In correspondence with the owner regarding the breach of the notice. Request from operator not to comply with notice requirements as the site has been granted planning permission by NEDDC for camping pod/touring caravan site which includes landscaping. Request under consideration.
CP Environmental Ltd, Markham Vale, Duckmanton, Chesterfield	Condition 6 of Planning Permission CW2/0215/144. Breach involves the unloading, deposit, storage and transfer of waste material (not consisting of wood, hardcore or soils) outside the Waste Transfer building.	Breach of Condition Notice issued 9 November 2017.	<p>Notice requires:</p> <p>i) cessation of unloading, deposit, storage or transfer of waste material outside the waste Transfer building except for the unloading, deposit, storage or transfer of wood, hardcore or soils within the external storage bays – Time for compliance - 11 December 2017;</p> <p>ii) the removal, or relocation to within the Waste Transfer building, of all waste material stored outside the building unless it is wood, hardcore or soils within the external storage bays – Time for compliance - 8 January 2018.</p> <p>Site inspection on 10 January 2018 noted that the waste material stored outside has been substantially removed. A small amount remained within the external storage bay which the Company were advised to remove by 22 January 2018.</p> <p>Recent inspections noted all waste material stored and transferred within the building. Site subject to routine monitoring.</p>

2. Other sites (where formal enforcement action has not been taken to date)

Site	Breach	Action Taken	Comment
Land at Fall Road, Heanor	Importation and deposit of waste.	Planning Contravention Notice issued 6 July 2017.	Responses to Planning Contravention Notice received. Further action under consideration.
Stoneyford Farm, Castle Lane, Jacksdale	Importation and deposit of waste material.	Planning Contravention Notice issued 23 August 2017.	Response to Planning Contravention Notice received. Further action under consideration.
Park Farm, Woodland Road, Stanton	Importation, deposit and processing of waste material.	Planning Contravention Notice issued 8 November 2017.	Response to Planning Contravention received – Further action under consideration. Site meeting to be arranged

3. Items featuring in previous report where no further action is required at this time

Site	Breach	Action Taken	Comment
None			

Mike Ashworth
Strategic Director – Economy, Transport and Environment