

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 27 January 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors M Ford, Julie Hill, R L Hosker, R Mihaly, R A Parkinson, P Smith, J Twigg and B Wright.

Councillor J Frudd attended the meeting in accordance with Standing Order 17.6 as local Member in respect of the Ilkeston application (Minute No 3/14).

Apologies for absence were received from Councillor T Southerd.

No Declarations of Interest were received.

No Significant Lobbying had been received.

1/14 **SITE VISIT** In accordance with the Code of Practice the Committee visited the site at Ilkeston (Minute No 3/14).

2/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 2 December 2013 be confirmed as a correct record and signed by the Chair.

3/14 **PROPOSED INCINERATOR BOTTOM ASH**
PROCESSING AND AGGREGATES AND SOILS RECYCLING FACILITY
ON LAND AT THE FORMER SAINT-GOBAIN SMALL VALVES YARD,
BUILDING AND DISUSED RIFLE RANGE AT THE QUARRY HILL
INDUSTRIAL ESTATE OFF MERLIN WAY, ILKESTON (CODE NO:
CW8/0413/17) Details of the application were contained within the report of the Strategic Director for Economy, Transport and Environment together with comments received from consultees and following publicity. A summary of the concerns raised by Erewash Borough Council, Stanton-by-Dale Parish Council, Sandiacre Parish Council and in one letter of objection were addressed in the report.

The Strategic Director explained that the proposal was to establish a waste management facility within the Quarry Hill industrial estate at Ilkeston. It was proposed to import, process and recycle annually up to 350,000 tonnes of inert waste comprising Incinerator Bottom Ash (IBA) (300,00 tonnes),

together with construction and demolition wastes and soils (50,000 tonnes). He commented that there would be 70 HGV visits to the site daily (140 movements) and that in addition to the 16 local job opportunities which would be created.

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 in to account, including the National Planning Policy Framework and Planning Policy Statement 10. The Strategic Director's representative reminded Members that the waste hierarchy encouraged the management of waste issues in order to reduce the amount of waste materials produced and to recover maximum value from the wastes produced. He commented that the key issues relevant to the proposal were considered to be the impact of the proposed works on the amenity of the area (landscape and visual impact, emissions to air, noise and dust), hours of operation at the site and the potential impact of the proposal on the Stanton Regeneration Area. These issues were examined in the Strategic Director's report.

The Strategic Director's representative commented that the application site was designated in the 2005 Local Plan for industrial use and historically the area had been associated with heavy industry. He considered that the proposal accorded with the principles of sustainable development, particularly in line with the National Planning Policy Framework. He felt that the conditions would bring appropriate controls to mitigate against any significant environment impact of the proposed works. He also commented that while the concerns of Erewash Borough Council were noted, any refusal or limitation of the proposal would need to be based on an objective analysis of the likely operational impacts generated by the scheme. He further clarified that the establishment of a local liaison group was recommended be established to facilitate communications regarding the development with the local community and other relevant bodies, including the Borough Council. He commented that the County Council would monitor and review the site at regular intervals and did not consider that the long term aspirations of the Stanton Ironworks Regeneration Project would be unduly threatened. He concluded that approval of the application would bring benefits to the local and wider economy in the form of employment of local people and would also utilise a part derelict brownfield site. The applicant company had also indicated that if it implemented the proposal it would recruit 2 young people as apprentices.

Councillor Smith asked when access road improvement/widening works would be required to be undertaken. The Strategic Director's representative anticipated that this would be early on, before the first transport of waste material, and would be at the developer's expense.

Councillor Frudd, the local Member, spoke in support of the proposal, which he stated would bring welcome jobs to the area. He had noted that part of the site was proposed for housing but asked that industry opportunities should provide the maximum use of the site.

Steven Johnson was the Managing Director of the applicant company and confirmed that the proposed access road improvements would be undertaken before aggregates were brought on to the site. He explained that the company wished to expand its recycling of bottom ash operation. It had out-grown the applicant's site at Bunny in Nottinghamshire, where this operation was currently taking place. The application site was in an ideal location, was in a recycle area and of required size for a long-term operation. The Bunny site would be retained for construction and demolition waste for recycling and as a back-up to the proposed site. He commented that there was a possibility of providing over 20 additional jobs with 2 apprenticeship opportunities.

Martyn Blowers was the applicant's agent and had submitted the planning application on his behalf. He felt that the application complied with both local and national planning policies and statements and met most of the objectives of PPS10, in terms of planning, engineering and waste management. He also commented that a Permit would need to be issued by the Environment Agency.

Diane Cave spoke on behalf of the applicant on environmental control issues. She explained the processing of IBA, confirmed that lorries would be sheeted and would tip in allocated bays, and the current dust management procedures. The company was continually monitoring emissions from operations, which they addressed.

Councillor Ford noted that no objectors were speaking against the proposal and that the local Member was in support of the application.

Councillor Smith stated that the industrial estate seemed to be a recycling hub for the area. He commented on traffic issues for the site and suggested that a rail head for the site might be considered in the future. He also welcomed the establishment of a Liaison Committee.

Cllr Mihaly had noted the hours of operation until 10.00 pm and asked about flood lighting. The Strategic Director's representative commented that the condition suggested in the recommendation regarding external lighting would provide effective control of floodlighting and that a working hours limit of 10.00 pm would be compatible with a 2 shift operation.

RESOLVED that planning permission be granted, subject to (1) the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 to secure planning obligations considered by the Strategic Director for Economy, Transport and Environment and the Director of Legal Services to make satisfactory provision for:

- £20,000 for use by the Council to enhance local elements of the East Derbyshire Greenway and related Rights of Way networks
- Traffic routeing as specified in the application submission
- Improvement of the existing belt of trees and habitats adjoining the boundary
- The resurfacing and widening of the unnamed/unadopted road from Merlin Way roundabout to the site entrance with a solid bound material
- The establishment of a Local Liaison Group; and

(2) the imposition of conditions substantially in the form of the draft conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

4/14 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

5/14 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 27 January 2014 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.

6/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

7/14 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for December 2013.

8/14 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 5 December 2013

1 Delegation Decisions on Schemes Required by Planning Conditions:

- SD2497
- SD2498

(b) 12 December 2013

- 1 Construction of a Footbridge over the Restored Section of the Chesterfield Canal to Reconnect the Severed Public Right of Way (Staveley 67), off High Street/Church Street, Staveley, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/1013/103
- 2 Proposal to Develop a Modular School Classroom at Highfields School, Upper Lumsdale, Matlock
Applicant: Derbyshire County Council
Planning Application Code No: CD3/1013/109
- 3 Proposal for the Redevelopment of the Existing Key Stage Two School Playground at Bennerley Fields School, Stratford Street, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1013/116
- 4 Application for Non-Material Amendments at Church Gresley Infant School, Pennine Way, Church Gresley, Swadlincote
Applicant: Derbyshire County Council
Planning Application Code No: NMA/1013/21
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2488
 - SD2511
 - SW2499
 - SW2502
 - SW2503
 - SW2504
 - SW2505
 - SW2508
 - SD2493

(c) 19 December 2013

- 1 Proposed Replacement North Wingfield School that Includes the Demolition of Existing Buildings to Make Way for a New Build Educational Facility at Deincourt Community School, Chesterfield Road, North Wingfield
Applicant: Derbyshire County Council

Planning Application Code No: CD4/0813/88

- 2 Proposal to Install a Free Standing Canopy at Christ the King Catholic Primary School, Firs Avenue, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1113/119
- 3 Application for Non-Material Amendments at Marlpool Junior School, Claramount Road, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: NMA/1113/22
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2486
 - SW2487
 - SD2514
 - SD2480
 - SW2516

(d) 27 December 2013

- 1 Section 73 Application not to Comply with Previous Planning Conditions of Planning Permission CD6/0712/30 at Florence Shipley Home, Market Place, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1113/120
- 2 Proposed Erection of a Six Metres High Flagpole at Elvaston Castle Country Park, Thulston
Applicant: Derbyshire County Council
Planning Application Code No: CD9/1113/125
- 3 Application for a Certificate of Lawful Use for an Existing Use of a Dry Recyclable Sorting and Transfer Facility, on Land off John Street, Church Gresley, Swadlincote
Applicant: Ensor Holdings PLC
Planning Application Code No: CL9/1013/106
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2433
 - SM2443

(e) 2 January 2014

- 1 Delegation Decisions on Schemes Required by Planning Conditions:

- SM2379
- SD2515

(f) 9 January 2014

- 1 Proposed Demolition of the School Boundary Fencing at Longford C of E Controlled Primary School, Longford, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: CD3/1113/128
- 2 Proposal for the Development of a Classroom Extension at Granby Junior School, Heanor Road, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1113/130

(g) 16 January 2014

- 1 Proposal for the Installation of a New School Adventure Playground at the Grange Primary School, Station Road, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1113/129

(h) 23 January 2014

- 1 Retrospective Planning Application for the Installation of a Timber Storage Shed, Pergola, Shelter/Outdoor Classroom, Play Equipment and Play Area at John King Infant School, Church Street West, Pinxton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/1113/124
- 2 Proposal for the Installation of Security Fencing at the KS4 Support Centre, Old Lakeside School, Mikado Road, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1213/133
- 3 (1) Proposal to Develop a New Detached Single-Storey Classroom Block at Shardlow Primary School London Road, Shardlow
Planning Application Code No: CD9/1113/126
(2) An Application for Listed Building Consent for the Demolition of Existing Curtilage Structures and the Reduction in Height of Existing Boundary Wall
Listed Building Application Code No: LB9/1113/127
Applicant: Derbyshire County Council

9/14 **EXCLUSION OF THE PUBLIC RESOLVED** that the public, including the press, be excluded from the meeting during the Committee's

consideration of the remaining item on the Agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt Minutes of the meeting held on 2 December 2013.

10/14 **MINUTES RESOLVED** that the exempt Minutes of the meeting of the Committee held on 2 December 2013 be confirmed as a correct record and signed by the Chair.

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