

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 5 June 2017.

PRESENT

Councillor M Ford (in the Chair)

Councillors J Atkin, D Charles, J Frudd (substitute Member), A Griffiths, L Grooby, R Iliffe, R Mihaly, R A Parkinson and P Smith (not site visit).

Apologies for absence were received from Councillor B Wright

No Declarations of Interest were received

No Significant Lobbying had been received

38/17 **MINUTE'S SILENCE** The Committee observed a minute's silence in remembrance of those who lost their lives in the terrorist attack in London on Saturday.

39/17 **SITE VISIT** In accordance with the Code of Practice Members visited the site at Creswell (Minute No 45/17)

40/17 **MINUTES RESOLVED** to receive the Minutes of the meeting of the Committee held on 10 April 2017.

41/17 **PROPOSED DEVELOPMENT AT ASHWOOD DALE QUARRY, BAKEWELL ROAD, BUXTON: (A) APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO NOT COMPLY WITH CONDITION 3 OF PLANNING PERMISSION R1/0298/8 IN ORDER TO ALLOW AN EXTENSION OF THE TIME LIMIT FOR THE COMPLETION OF MINERAL EXTRACTION AND RESTORATION TO 2066 (CODE NO: CM1/0315/159) (B) APPLICATION TO EXTEND THE QUARRY WORKINGS INTO 6 HECTARES OF ADJACENT LAND TO THE NORTH AND WEST OF THE QUARRY (CODE NO: CM1/0315/158) APPLICANT: OMYA UK LTD** At the request of the applicant, these applications were withdrawn from the meeting and would be considered at a later date.

42/17 **FIRST PERIODIC REVIEW APPLICATION FOR APPROVAL OF NEW CONDITIONS RELATING TO THE OPERATION OF THE ECISTING QUARRY AS REQUIRED BY THE ENVIRONMENT ACT**

1995 ACT AT ASHWOOD DALE QUARRY, BAKEWELL ROAD, BUXTON
APPLICANT: OMYA UK LTD (CODE NO: R1/0315/31) At the request of the applicant, the report for this application had been withdrawn from the meeting. The application would be considered at a later date.

43/17 **NEW FENCING AND GATES AROUND THE PERIMETER OF THE PLAYING FIELD AT HASLAND HALL COMMUNITY AND JUNIOR SCHOOL PLAYING FIELD, THE GREEN, HASLAND, CHESTERFIELD**
APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD2/0117/91)

The application was for the erection of 2.4 metres high black security fencing and gates at the playing field at Hasland Hall Community and Hasland Junior School Playing Field, The Green, Hasland to protect the site from dog-fouling, vandalism and anti-social behaviour. The site was located in the Green Belt and was identified as open space in the development plan.

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.

The key issues for consideration by the Committee were the need for the development, the location of the development, impact on the openness of the Green Belt, the visual impact of the development, and the impact of the development on the setting of the nearby listed buildings and these were examined in the report.

The Strategic Director considered that the development would not cause any adverse impacts and he was satisfied that the proposal would not conflict with the policies of the development plan.

Councillor Smith expressed concern that the development would cause open space to be excluded from community use but understood the reason for the application. He asked if the planning permission could be subject to a condition to secure managed community access to the site. Representatives from the school who were present at the meeting commented that it currently enabled the playing field space to be used for some community activities at weekends, and indicated that the school would be willing to liaise with the Council as the planning authority to ensure that appropriate managed community access to the field would continue.

RESOLVED that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Communities and a condition be specified by the Strategic Director for the submission for approval and implementation of a community use scheme for the playing field.

44/17 CHANGE OF USE OF LAND AT THE RENISHAW COATED STONE PLANT TO ENABLE THE IMPORTATION OF ROAD PLANINGS VIA THE EXISTING SITE ACCESS, RECYCLING USING MOBILE PLANT AND EQUIPMENT, AND STORAGE AND USE OF PROCESSED PRODUCT IN EXISTING OPERATIONS ON SITE AT RENISHAW COATED STONE PLANT, MAIN ROAD, RENISHAW
APPLICANT: TARMAC TRADING LTD (CODE NO: CW4/1116/61)

The application proposed the importation, storage, processing of up to 6,000 tonnes per year of waste material from road repair/construction works at the Renishaw Coated Stone Plant on Renishaw Industrial Estate, Main Road, Renishaw. Details of the proposed development, including relevant planning history and comments received from consultees and following publicity were contained in the report of the Strategic Director for Economy, Transport and Communities.

The Strategic Director commented that the existing operations at the site had unrestricted operating hours in order to allow coated stone products for strategic road contract. The application stated that the screening/crushing plant would be operated on a campaign basis and the at the proposed operating hours would be 0800 hours to 1700 hours Monday to Fridays, with no operations on Saturday, Sunday, public holidays and school holidays.

The current application had been considered in accordance with the development plan and other material considerations had been taken in to account. The key planning considerations were whether the proposal would have an unacceptable impact on nearby land uses and users in respect of noise, dust, vibration, landscape and visual, and highway and traffic impacts. These issues were examined in the report. The proposal had been assessed against criteria set out in the National Planning Policy Framework (NPPF), the National Planning Policy for Waste (NPPW) and the development plan.

The Strategic Director concluded that the recycling operation would provide a facility which would result in the recycling of waste locally instead of it being sent to landfill or transported for recycling further afield. The recycling facility was considered an acceptable development in this employment area subject to appropriate screening and environmental impact compliance. Regard had been had to the appeal decision granting the processing of up to 40,000 tonnes per year of inert waste material at the site. In weighing all the issues in the planning balance, including economic, environmental and design, it should be concluded that the benefits of delivering the recycling facilities outweighed any environmental impacts experienced. The proposal moved waste up the Waste Hierarchy avoiding the need for landfill, which complied with Government policy and helped achieve the targets for landfill diversion. The proposed development accorded with policies of the Derby

and Derbyshire Waste Local Plan and the North East Derbyshire Local Plan and it was considered that the development was in accordance with national planning policy contained in the National Planning Policy Framework, National Planning Policy for Waste and Planning Policy Guidance.

Dan Walker attended the meeting and addressed the Committee on behalf of the applicant. He expressed concern regarding the proposed condition 5 (hours of operation) as set out in the officer recommendation. He commented that the planning permission issued by North East Derbyshire District Council for the coated stone plant did not limit the times of its operation, and that the applicant needed to be able to import waste for recycling, transfer processed material to the coated stone plant, and export the product, at any time of day or night, and requested that a condition in respect of hours of operation did not prevent this. He also expressed concern about the limitation on days for processing within the proposed condition 7 being to a 10 day annual maximum and requested that the period was instead set to 30 to 45 days.

The requested amendments to the wording for condition 5 and 7 were as discussed.

With regards to the proposed condition 7, the Strategic Director commented that the Environmental Health Officer had recommended that crushing be limited to 9 days per year; however, following concerns expressed by the applicant further communication had taken place with the Environmental Health Officer who had become satisfied that 30 days per year would be required to perform this operation.

RESOLVED that planning permission be granted, subject to conditions based substantially on those draft contained within the officer recommendation in the report of the Strategic Director for Economy, Transport and Communities, provided that the limitation to be included in them in respect of hours of operation reflected the request made on behalf of the applicant at the meeting and the limitation to be included in them in respect of days for processing material was specified at 30 days.

45/17 PROPOSED RESTORATION OF FORMER COLLIERY LAGOONS AND SETTLEMENT PONDS TO AGRICULTURE AND NATURE CONSERVATION THROUGH THE IMPORT OF INERT WASTE AT CRESWELL COLLIERY LAGOONS, FRITHWOOD LANE, CRESWELL
APPLICANT: WELBECK ESTATES COMPANY LTD (CODE NO: CW5/1116/71) At the request of the applicant the report for this application was withdrawn from the meeting to enable further information to be provided. The application would be considered at a later date.

46/17 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on current Enforcement Action.

47/17 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 2 June 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.

48/17 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

49/17 **DEVELOPMENT MANAGEMENT MONTHLY PERFORMANCE MANAGEMENT STATISTICS** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for 1 May to 5 June 2017.

50/17 **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 – 13 April 2017

- 1 Erection of Office Cabin, Erin Landfill Site, M1 Commerce Park, Markham Lane, Duckmanton
Applicant: Viridor Waste Management Ltd
Planning Application Code No: CW2/0117/86
- 2 Proposed Recladding of External Walls at Parkside Community Junior School, Cokayne Avenue, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0317/100
- 3 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2950
 - SW2957
 - SW2984
 - SD2991

Exempt Item

- 4 Proposed Variation of Enforcement Notice, Land at Mansfield Road, Corbriggs

(b) Delegation Meeting – 27 April 2017

- 1 (i) Proposed Section 73 Application not to Comply with Condition 3 (Approved Details) of Planning Permission Code Number CW2/0209/203 to allow Amendments to the Building Design;
(ii) Request for Approval of Schemes Relation to Conditions 4(b) (Architectural Design of the Main Building) and 22 (External Materials) of Planning Permission Code Number CW2/0209/203;
At the former Brickworks, Campbell Drive, Barrow Hill, Staveley, Chesterfield
Applicant: Tawnywood Recycling Limited
Application Number: CW2/0117/83
Submission Code Nos: SW2950 and SW2959
- 2 Proposed Change of Use of an Existing Education Building (D1) into an Office (B1), Creation of Car Park and Installation of Storage Containers at David Nieper Academy, Grange Street, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1116/73
- 3 Proposed Erection of Two Classroom Extensions with Associated Additional Hard Play Area and Four Additional Car Parking Spaces at Waingroves Primary School, Waingroves Road, Ripley
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0117/87
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2951
 - SW2952
 - SW2953
 - SW2954
 - SW2958
 - SW2961
 - SW2962

(c) Delegation Meeting – 3 May 2017

- 1 Proposed Erection of an Extension to the Pupils entrance Lobby/Cloakroom Area and the Installation of a New External Door Opening incorporating an Access Ramp at St Oswalds C of E VC Infants School, Mayfield Road, Ashbourne
Applicant: Derbyshire County Council

Planning Application Code No: CD3/1016/55

- 2 Construction of a New 'In Only' Entrance with Associated Amendments to Existing Access, Longcliffe, Brassington
Applicant: Longcliffe Quarries Limited
Planning Application Code No: CM3/0117/89
- 3 Proposed Classroom Extension, Replacement Canopy and Construction of New Footpath and Retaining Wall at Charlotte County Infant School, Trinity Close, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0317/103
- 4 Construction of an enclosed Fire Escape Staircase to the North-West Elevation of the Art Block at Granville Community School, Burton Road, Woodville, Swadlincote
Applicant: Derbyshire County Council
Planning Application Code No: CD9/0317/108
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2910
 - SD2660
 - SD2662
 - SW2977
 - SM2884
 - SM2883