Minutes of the Planning Committee Meeting held on 2 February 2012

Present: Tim Corbett (Chairman)

<table>
<thead>
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<th>Attendance</th>
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<tr>
<td>Erica Bayliss</td>
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<td>Henry Butter</td>
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<td>John Cooper (Vice-Chairman)</td>
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<td>Peter Davies</td>
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<td>Brian Edwards</td>
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<td>Ian Lawson</td>
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<td>Geoffrey Martin</td>
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<td>John Wells</td>
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Also in attendance: Dylis Cornes

Apologies: David Billson, Ray Easton, Mark Heenan and Steve Tranter

PART ONE

53. Declarations of Interest in Accordance with Standing Order No. 16

No declarations at this meeting.

54. Minutes of the meeting held on 1 December 2011

RESOLVED – That the minutes of the meeting held on 1 December 2011 be confirmed and signed by the Chairman.

55. Strategic Planning Applications for Planning Permission etc

RESOLVED – That, subject to the following conditions, amendments or alterations, the recommendations contained in the reports (Schedules 1 and 2 to the signed minutes) be adopted as decisions of the County Planning Authority.

56. Waste County Matter - Newcastle Borough: N.11/07/231 W

The Committee considered details of the proposed application (Schedule 1 to the signed minutes), aided by photographic slides. In accordance with the County Council's Scheme for Public Speaking at Meetings, Mr. B. Coley, a local resident made representation against the application, and Mr. J. Heath, agent for the applicant, made representations in support of the application. The Local Member (Mrs. D. Cornes) expressed the concerns of local residents regarding: the high industrial use of the whole area; that the smelting furnace was second hand and therefore there was no provenience for its use; potential harmful emissions' in the area of Apedale Country Park; and site traffic using Apedale Road instead of Watermills Road through Chesterton. She also suggested that a three year temporary planning permission be granted; that the company employed local people; the safe storage of flammable liquids and fuels at the site and the smelting furnace not be used at weekends.
Members discussed the application and expressed their concerns regarding a number of issues including: the storage of flammable liquids and fuels; the smelting furnace emissions needing monitoring in the area; and the furnace not being used on Saturday and Sunday.

Members suggested that the Staffordshire Fire and Rescue Service recommendations detailed in the report regarding: (i) the diesel tank being moved to give three metre clearance for the electrical control panel; (ii) diesel tank being mounted on appropriate metal/masonry frame; (iii) fire extinguishers being made available and staff suitably trained; and (iv) the furnace and all equipment being subject to a maintenance program, be included in the permission. They agreed that a temporary three year permission would give the applicant the opportunity to comply with the conditions and that the furnace be precluded from being used on Saturday and Sunday to prevent increases in air pollution in the area and within the Apedale Valley and country park in particular.

Following a show of hands it was:

**RESOLVED** – (a) that extra controls be included in the permission to include: (i) Cease the operation of the smelter within 3 years of the granting of an environmental permit: (ii) the diesel tank being mounted on an appropriate metal/masonry frame; (iii) the furnace and all equipment being subject to a maintenance program; and (iv) fire extinguishers being made available and staff suitably trained;

(b) that Condition 9 should be amended to read “Hours of operation not to exceed Monday to Friday 0800 hours to 1900 hours”;

(c) that, subject to the addition of (a) and (b) above and the conditions and informative detailed in the report PERMIT the retrospective planning permission for change of use of part of a permitted end of life vehicle recycling centre for smelting non ferrous metals from road vehicles, Armstrong Vehicle Recycling Ltd, Rowhurst Close, Chesterton, Newcastle under Lyme and that the comments of the County Council detailed in (d) below be passed to Newcastle Borough Council;

(d) That Newcastle Borough Council be informed that in determining a planning application for a change of use of part of a permitted end of life vehicle recycling centre for smelting non ferrous metals from road vehicles at Armstrong Vehicle Recycling Ltd, Chesterton, Newcastle under Lyme (ref N.11/07/231 W) the County Council were informed of several concerns raised by local residents and Members about the operation and management of the proposed smelter which were not planning matters but could have a bearing on the issuing of a environmental permit for the facility by the Borough Council. Planning Committee would wish the Borough Council to take into account the following concerns:-
   - the smelter comprises second hand equipment,
   - there are no proposals to install filters on the plant;
   - the need for proper storage of flammable liquids and fuels adequate controls and monitoring being imposed to prevent further pollution of the Apedale Valley.
57. Waste County Matter - Newcastle Borough: N.08/03/249 W

The Committee considered details of the proposed application (Schedule 2 to the signed minutes), aided by photographic slides. Members discussed the application and noted local residents request to minimise the occurrence and nuisance of dust from the site; the prevention of mud and materials being brought onto the public highway; and the safe handling and storage of hazardous wastes such as asbestos, at the site. They agreed that these issues could be controlled through appropriate planning conditions and good operational management.

It was noted that the hedging at the front of the site would help screen the site, help to soak up excess water run-off and buffer noise from the site. But Members suggested that a condition be added to keep the hedging trimmed to maintain visibility on the highway. They also agreed that a three year temporary planning permission would give the applicant the opportunity to comply with the conditions detailed in the report.

Following a show of hands it was:

RESOLVED – (a) that a condition be added regarding the trimming of hedging to ensure visibility was maintained on the highway at the entrance to, and exit from the site;

(b) that, with the inclusion of the condition detailed at (a) above and subject to the conditions and informative detailed in the report, to PERMIT the proposed operation of a secondary aggregates materials recycling facility and skip hire business and waste transfer station comprising the sorting of general and non-hazardous wastes; and limited temporary storage of hazardous wastes (e.g. asbestos), prior to transfer off site for recycling or disposal to landfill at Former Berrisford Transport Yard, Longbridge Hayes Industrial Estate, Chemical Lane, Newcastle under Lyme.

58. Decisions taken under Delegated Powers

The Committee considered the “County Matters” and consultation with Staffordshire County Council dealt with by the Director for Place and Deputy Chief Executive under delegated powers.

RESOLVED – That the report be received (Schedule 3 to the signed minutes).

59. Scheme of Conditions submitted for the review of an old mining permission for the extraction of clay and ancillary minerals at Campions Wood Quarry, Cheslyn Hay

The Committee considered a report of the Director for Place and Deputy Chief Executive (Schedule 4 to the signed minutes) updating them on the decision made by the Secretary of State for Communities and Local Government (the Secretary of State) following the uncontested appeal against the Scheme of Conditions considered by the Planning Committee on 7 April 2011 (ref. SS.09/08/611 M) relating to the extraction of clay and ancillary minerals at Campions Wood Quarry, Cheslyn Hay.

It was noted that on 7 April 2011, Planning Committee approved a modified Scheme of Conditions, previously agreed with the applicant, which sought to update and replace
the existing Scheme of Conditions that had previously been appealed in connection with mineral working and restoration operations at Campions Wood Quarry.

The Committee Report and the approved Scheme of Conditions had been forwarded to the Planning Inspectorate on 15 April 2011 to be considered as part of the appeal into the previously approved Scheme of Conditions. The Secretary of State’s decision was received on 16 December 2011. The Secretary of State accepted the Planning Inspector’s recommendation to allow the recommencement of mineral excavation subject to conditions. No significant changes had been made to the conditions previously approved by the Planning Committee by either the Planning Inspector or the Secretary of State.

It was noted that those individuals who raised concerns with the Scheme of Conditions have been notified of the decision. The Planning Inspector concluded that working rights had not been restricted and therefore there was no need to formally notify the applicant that this was the case.

Members were aware that the site operator had set up a liaison committee on a voluntary basis and both Local Members (Mr. M. Lawrence and Mrs. K. Perry) have been invited to attend the meetings.

RESOLVED – That the report be noted.

60. Broadcasting of Planning Committee Meetings via the Internet

The Committee considered a joint report of the Director of Law and Democracy and the Director for Place and Deputy Chief Executive (Schedule 5 to the signed minutes) detailing proposals to broadcast future Planning Committee meetings via the Internet (webcasting) on a trial basis and to seek the Committees views. The County Council is making it easier for people to get involved in the decisions it makes by broadcasting important Council meetings over the internet. At present people can only get involved in the Planning Committee process through public speaking but this situation could be improved if meetings are broadcast via the internet (webcasting).

Members discussed the issues of broadcasting the Planning Committee via the Internet and the option of public speakers being able to speak “off camera”. The Legal Representative raised issues about personal behaviours, confidence in public speaking, and increased scrutiny of skills, abilities and knowledge. These issues could be addressed and overcome with appropriate information, advice and training. They supported the trial of broadcasting Planning Committee meetings.

RESOLVED – that two Planning Committee meetings were broadcast on a trial basis, commencing with the March 2012 meeting and approval was given to the preparation of a protocol to inform and accompany the trial along the lines of Appendix 2 of Schedule 5 to the signed minutes.
61. Half Yearly Performance Update

The Committee considered a report of the Director for Place and Deputy Chief Executive (Schedule 6 to the signed minutes) on the planning development control and policy-making performance over the previous six months. On this occasion, due to a delay in reporting, this report covers the previous nine months / three quarters. The Presenting Officer detailed performance against various categories of application and acknowledged performance with most of targets been achieved for the three quarters of the year.

The Planning, Policy and Development Control Team had handled 70% (28 out of 40) of the minerals and waste applications within 13 weeks in the three quarters of 2011/12. This represented a significant increase in performance compared to the same period in the previous two years.

Performance with minor County Development applications was 80% (33 out of 41) in the first three quarters of 2011/12. No major County Development applications were determined so far this year. The number of items dealt with by officers under delegated powers was 88% in the first three quarters of 2011/12.

Continuing, the Presenting Officer summarised the policy making work being undertaken in relation to the waste core strategy (submitted to the Secretary of State on 8 December 2011), with work on the minerals core strategy re-starting in 2012 when the Waste Core Strategy had been adopted. He summarised the staffing structure of the Planning Development Control and Minerals and Waste Planning Policy teams.

The Committee noted that as part of the reorganisation of the Place Directorate the Planning, Policy and Development Control (and Planning Regulation) teams had been included in a new section “Sustainable County” led by Ian Benson, the new Commissioner for Sustainable County. Mike Grundy and Doug Walker had been confirmed in post as team managers and the structure of the two teams were expected to be confirmed in the spring/early summer.

RESOLVED - That the half year performance report be noted.