

Planning Committee

Thursday, 5 October 2017
10.00 am
Oak Room, County Buildings, Stafford

NB. Members are requested to ensure that their Laptops/Tablets are fully charged before the meeting

John Tradewell
Director of Strategy, Governance and Change
27 September 2017

Agenda

Part One

PLEASE SEE ATTACHED NOTES (Pages 1 - 2)

1. **Apologies**
2. **Declarations of Interest in Accordance with Standing Order No. 16**
3. **Minutes of the meeting held on 06/07/2017** (Pages 3 - 6)
4. **Annual Safety of Sports Grounds Report** (Pages 7 - 12)
5. **Applications for Permission**
Reports of the Director for Economy, Infrastructure and Skills
 - (a) Greener Composting, Watling Street, Wall, Lichfield - L.17/02/823 W (Pages 13 - 32)

Greener Composting's application to vary condition 13 of the composting facility planning permission L.12/01/823 W to allow receipt of compostable green waste from Local Authority Household Waste Recycling Centres on Sundays and Public/Bank Holidays
 - (b) Greener Composting, Watling Street, Wall, Lichfield - L.16/04/823 W (Pages 33 - 60)

Greener Composting's application to construct a biomass boiler facility instead of the permitted in-vessel composting facility

- (c) Kevin Quarry, Ramshorn, Oakamoor, Stoke-on-Trent - (Pages 61 - 84)
ES. 17/01/511 MW

J. C. Bamford Excavators Limited's application to construct a demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works

6. Decisions taken under Delegated Powers (Pages 85 - 94)

7. Exclusion of the public

The Chairman to move:-

"That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below".

Part Two

(All reports in this section are exempt)

8. Planning Regulation - Performance and Delegated Decisions Report (Pages 95 - 108)

Report of the Director of Economy, Infrastructure and Skills

Membership

David Brookes	Trevor Johnson
Ron Clarke	Alastair Little
Alan Dudson	Robert Marshall
Keith James	Kath Perry
David Smith (Chairman)	Kyle Robinson
Ben Adams (Vice-Chairman)	Paul Snape
John Cooper	Mike Worthington
Julia Jessel	

Planning Committee Agenda Notes

Note 1

The County Council has in place a scheme to allow Public Speaking at meetings, whereby representations may be made direct to the Planning Committee on these items.

The County Council's rules governing this facility are contained in the Protocol on Making Representations Direct to the Planning Committee which can be found on the Staffordshire Web www.staffordshire.gov.uk (click on "Environment" click on the shortcut to the "Planning Portal" click on "Planning Committee" and then click on "Protocol on Making Representations Direct to Planning Committee). "Alternatively, a copy of the Protocol may be obtained by contacting Member and Democratic Services on 01785 276142

Parties wishing to make oral representations must submit their request either in writing, by letter, fax or email or by telephoning Member and Democratic Services on 01785 276142 **before 5.00 pm on the Monday preceding the date of the Planning Committee meeting (or the Friday preceding if the Monday is a Bank Holiday).**

Note 2

Staffordshire County Council Policy on Requests for the Deferral of the Determination of Planning Applications

1. The County Council will on receipt of a written request for the deferral of the determination of a planning application prior to its consideration by the Planning Committee accede to that request only where the following criteria are met:-
 - (a) the request is received in writing no later than 12.00 noon on the day before the Committee meeting; and
 - (b) the basis for the deferral request and all supporting information is set out in full (requests for extensions of time to enable the applicant to submit further information in support of the deferral will not be accepted); and
 - (c) the deferral request will not lead to the determination of the application being delayed beyond the next suitable Planning Committee

The only exception will be where the request proposes a significant amendment to the applications. An outline of the nature of the intended amendment and an explanation of the reasons for making it must be submitted with the deferral request. The full details of the amendment must be submitted within 28 days of the request being accepted by the Committee, failing which the Committee reserve the right to determine the application on the basis of the original submission as it stood before the applicant's request was made.

2. Under no circumstances will the County Council accept a second request for deferral of an application.
3. The County Council will not object to applicants formally withdrawing applications before they are determined whether they are applications being considered for the first time or following an accepted deferral request.

Note 3

Policy for Committee Site Visits

1. Committee Site Visits should only take place where:-
 - (a) The visual verbal and written material is insufficient to convey a clear impression of the impacts and affects on the site and its surroundings.
 - (b) Specific impacts/effects such as landscape, visual amenity, highways and proximity to properties need to be inspected because of the site's location, topography and/or relationship with other sites/facilities which cannot be addressed in text form.
 - (c) The proposals raise new or novel issues on site which need to be inspected.
2. Site visits should not be undertaken simply at the request of the applicant, objectors or other interested parties whether expressed in writing or during public speaking.
3. No site should be revisited within a period of two years since the last visit unless there are exceptional circumstances or changes since the last site visit.
4. The arrangement and conduct of all visits should be in accordance with the Committee's Site Visit Protocol, a copy of which can be found on the Staffordshire Web which was referred to earlier.

Minutes of the Planning Committee Meeting held on 6 July 2017

Present: David Smith (Chairman)

Attendance	
Ben Adams	Trevor Johnson
David Brookes	Alastair Little
Ron Clarke	Robert Marshall
Alan Dudson	Kath Perry
Keith James	Kyle Robinson
Ben Adams	Paul Snape (Vice-Chairman)
John Cooper	Mike Worthington
Julia Jessel	

Apologies: No apologies were received.

PART ONE

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

The following Members placed on record his/her association with the applications under consideration as follows:

Name of Member	Nature of Association	Minute No./ Application No.
David Smith	Personal interest in Item 4a as his house overlooks the Quarry.	Item 4a: 16/05/809
Paul Snape	Personal interest in Item 5 as he sits on the Planning Committee at Cannock Chase District Council	Item 5: CH17164 CH17236 CH17150 CH110374

Due to the nature of Councillor David Smith's Declaration of Interest, he indicated that he would vacate the Chair for item 4a and would speak to the Committee as the local member for the area, following which he would leave the room whilst the application was considered and would not take part in the vote.

Note: Paul Snape took the Chair

8. Minutes of the meeting held on 1 June 2017

RESOLVED – That the minutes of the meeting held on 1 June 2017 be confirmed as a true record and signed by the chairman.

9. Applications for Permission

a) Shire Oak Quarry, Chester Road, Shire Oak - L.16/05/809 MW

The Committee received a presentation by the Case Officer on the proposed application for an eastern extension (inclusive of additional sand and gravel mineral working, subsequent infilling with inert material, landscaping works and all ancillary works) and to consolidate existing permissions with a composite restoration scheme at Shire Oak Quarry, Chester Road.

In accordance with the County Council's scheme for public speaking at meetings, the Committee received representations from Mr Mark Jones, on behalf of the residents in Stonnall, objecting to the application. The Committee also received representations from David Thompson on behalf of the Parish council, objecting to the application and from Adam Collinge, on behalf of the applicant, supporting the application

Councillor David Smith, as the local member, informed the Committee that he chaired a village meeting in March with an officer to listen to concerns from residents and a wide range of amendments to the application were called for. Councillor Smith urged the Committee to consider whether the proposed planning conditions met the community's expectations on the under-mentioned issues and to make their decision on whether to permit or refuse the application having regard to:

- Visual impact/screening
- Dust
- Noise
- Hours of working
- 11 years until the site is fully restored
- Whether the proposed rate of infill was achievable
- Monitoring of compliance with the planning conditions

Councillor Smith also indicated that, should the development be permitted, he would work with the site operator and local residents to establish a local liaison committee.

Councillor Smith left the room for the remainder of the agenda item.

Committee Members raised concerns about a range of issues including: the impact of noise and dust; the possibility of a request for a further extension to the life of the quarry if the demand for sand and gravel was to fall; landscaping of the south-eastern corner of the site and the quality of the land proposed in the restoration works. Committee Members also raised concerns at possible inaccuracies in the report as to the number of HGV's allowed entry into the quarry on a daily basis, compared with the amount of material required to backfill the site. Clarification was requested and received from the Case Officer.

Committee Members were satisfied with the responses from the Case Officer and that they had sufficient information to make a decision on the application. Following a vote, it was:

RESOLVED – To **PERMIT** the application for an eastern extension and to consolidate existing permissions with a composite revised restoration scheme in accordance with the recommendation in the report.

Note: Councillor Smith retook the Chair

b) St. Anne's CE(C) Primary School, St. Anne's Vale, Brown Edge, Stoke-on-Trent - SM.16/05

The Committee received a presentation by the Case Officer on the proposed retrospective application for the construction of a single storey classroom extension at ST. Anne's CE(C) Primary School.

In accordance with the County Council's scheme for public speaking at meetings, the Committee received representation from Mr M Powell, a neighbour to the school, objecting to the application. The Committee also received a representation from Andrew Darby on behalf of Entrust and the school, supporting the application.

The Committee considered the concerns which had been expressed by Mr Powell and the mitigation measures which had been put in place in an attempt to allay his concerns including the relocation of the canopy in order to reduce the noise levels. The Committee also expressed their disappointment that this matter was having to be dealt with by way of a retrospective application. Following a vote, it was:

RESOLVED – To **PERMIT** the retrospective application for construction of a single storey classroom extension at St Anne's Primary School in accordance with the recommendation in the report.

10. Decisions taken under Delegated Powers

The Committee considered the 'county matters' and consultation with Staffordshire County Council dealt with by the Director for Economy, Infrastructure and Skills under delegated powers.

RESOLVED – That the report be received.

11. Exclusion of the public

Chairman

Planning Committee

**Annual Report - Safety of Sports Grounds
April 2016 - March 2017**

Report of the Director of Families and Communities

1. Executive Summary

This report informs the Committee of the work of the Safety of Sports Grounds team carried out during the last financial year. It explains the County Council's statutory obligations under the relevant legislation and outlines the activity carried out to ensure that these duties have been met. This Report details the performance of the team and highlights how this work influences the Council's priority outcomes. Finally, it advises the Committee of the future workload planning for the team to ensure that the Council will continue to meet its statutory obligations in this area.

2. Background

Staffordshire County Council is responsible for administering the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987, in respect of sports grounds in Staffordshire.

This responsibility covers designated grounds which are sports grounds with a capacity of over 10,000 (5,000 for football). They are designated under the 1975 Act, and require a safety certificate granted by the local authority. Staffordshire County Council has responsibility for the designated ground at Burton Albion Football Club.

Sports stadiums which are not designated but contain a covered stand with a capacity of over 500 standing or seated spectators require a safety certificate under the Act, granted by the local authority. Staffordshire County Council has responsibility for the following eight regulated stands:

- Staffordshire County Showground – displays / exhibitions.
- Hednesford Hills Raceway – stock car racing.
- Hednesford Town Football Club – football.
- Leek Town Football Club – football.
- Newcastle Stadium – speedway.
- Stafford Rangers Football Club – football.
- Tamworth Football Club – football.
- Uttoxeter Racecourse – horse racing.

The Act places a statutory duty on the Local Authority and the Emergency Services to provide advice and guidance to managers of sports grounds on their responsibility under the Act, and how best to discharge their responsibility.

It is the responsibility of the County Council to form and administer a Safety Advisory Group (SAG) for each stadium. Each SAG is chaired by a member of the County Council and has representatives from the sports club and other partners. The SAG brings key partners (emergency services, emergency planning and other key local authority officers) together to plan and prepare for spectator safety. The involvement of the SAG does not absolve the ground management of the ultimate responsibility for spectator safety. When applying the guidance and recommendations, the principal objective is “to secure reasonable safety at the sports ground when it is in use for the specified activity” (section 2(1) of the Safety of Sports Ground Act 1975).

During May 2011, following a full review of the Safety of Sports Grounds function, the Audit Committee abolished the Safety of Sports Grounds Panel. It was agreed that the Planning Committee should receive an annual report on the work of the Spectator Safety Officer team. This report covers the period for the last financial year.

3. Outcomes

During the year commencing April 2016, all of the premises listed above received inspection visits, support and advice to ensure the efficacy of the safety of spectator controls.

The criteria listed below form the basis of the inspections at each site:

- Construction and maintenance of the premise
- Operation and management
- Training and development of safety staff
- Fire safety
- Provision of adequate medical facilities
- Appropriate contingency plans are in place and tested

Issues identified by these inspections have been subsequently addressed, to ensure the safety of all spectators, including those with disabilities, the elderly, families and children.

The attendance of people at these stadia using local businesses and services clearly influences the Council’s priority outcome “*Feel safer, happier and more supported in and by their community.*”

4. Capacity/ Capability

The resources applied to this task were drawn from a designated officer employed within the Trading Standards Investigation Team within Regulatory Services, and the Safety of Sports Grounds work forms part of their overall activity. This enables the resourcing for a specialist area to be managed efficiently.

The designated officer who carried out the inspection work provided comprehensive reports to the Safety Advisory Group and relevant sports grounds following inspection. A number of officers within the trading standards team have been trained to provide support to the designated officers should strategic and tactical emergency meetings become necessary providing contingency and resilience for the statutory service. Additional administrative support has been provided to the designated officer from within the trading standards team to ensure any issues are addressed prioritised by risk associated with each stand.

In addition support and advice is also available, where required, from the Community Protection Manager who holds the FSOA (Football Safety Officers Association) Certificate in Event and Match Day Safety Management.

The resources committed to this activity during 2016/17 equated to approximately 0.5fte. In order to ensure there is an appropriate use of resource during 2017/18 the risk for each regulated stand has been reviewed enabling the highest risk stands to be prioritised for attention.

5. Performance

The statutory duty under the Safety of Sports Grounds Act 1975 requires that every local authority should enforce within their area the provisions of the Act and of regulations made under it, and for that purpose to arrange for the periodical inspection of designated sports grounds. The Act stipulates that “periodical” means at least once in every twelve months.

In 2016/17 the designated ground and seven of the eight regulated stands were inspected, in addition these venues were also visited during an event. Due to changes in use and spectator attendance, Newcastle Speedway has not received a formal inspection, visits to the premises and discussions with the site operator have taken place and there are continuing issues that need to be addressed.

In line with the risk assessments carried out, some of the inspections were lighter touch than others. Specific and where appropriate, extraordinary, SAG meetings were held to oversee and enhance spectator safety by assisting safety managers and event organisers to develop and implement robust spectator safety management controls. The SAG’s for these events were chaired and administered by the designated officers.

The promotion of Burton Albion FC to the Championship has involved additional support and guidance to ensure the club’s safety management team adjusts to the changes in attendance and spectator profile.

The Safety of Sports Grounds team, along with key SAG partners, provides support and guidance to the management of the sports grounds to facilitate ongoing crowd safety whilst ensuring that regulation is not over burdensome or restrictive on the growth of the venue. This support and guidance enables

the business to progress, develop and on occasion diversify from the intended use of the venue

6. Plans for current year and subsequent years

On 26 April 2016, the Jury on the Hillsborough Inquests reached their decision on the 14 questions set out by the Coroner, and concluded that the 96 people who died were unlawfully killed. The jury found errors and omissions in the safety certification and oversight, and a lack of pre-match and contingency planning contributed to the deaths. It is important to ensure that this area of work continues to be resourced to enable the County Council to meet its statutory obligations.

The inspection programme during 2016/17 has informed the planning of inspections for the current year and future years which will continue to be risk based. The highest risk is assessed as Burton Albion Football Club due its size, and inspection on both non-event and event days will continue to be a priority. Burton Albion stadium will also be subject to a regular Football League Association audit. Additional resource will continue to be focussed on the club whilst they are in the Championship supporting the changes needed for additional attendance and the changes in the supporter profiles.

Specific, additional, structured support will continue be provided to Newcastle Speedway to ensure the safety of spectators at the various events that are planned at the site over the coming year.

Stadia which require further certification will be risk assessed in order to prioritise limited officer resources.

7. Conclusion

The Safety of Sports Ground team achieved their business objectives; they carried out inspections at all designated grounds and 7 of the 8 regulated stands, gave remedial advice where necessary and ensured that Staffordshire County Council met its statutory obligations in respect of the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987.

Appendix 1

Equalities implications:

There are no specific equalities implications raised by this report. Safe access and movement within venues, particularly in the event of an emergency for all users is considered as part of the safety team's inspections. The Safety of Spectator inspections take into consideration the safety of all spectators, particularly those with disabilities, the elderly, families and children.

Legal implications:

The Team fulfil responsibilities the County Council has under the Safety of Sports Grounds Act 1975, and the Fire Safety and Safety at Sports Grounds Act 1987, in respect of Sports Grounds in Staffordshire.

Resource and Value for money implications:

The team have initiated a risk based approach to inspection which will take into account “earned recognition” for those grounds who are reaching the appropriate standards of spectator safety. This will ensure the limited resources available to the team are focussed where they are most needed. Whilst providing support and guidance to the relevant sports clubs, the team are clear that the ultimate responsibility for spectator safety lies with the club. The Team will review the risk assessment for premises with a view to assessing whether the level of prioritisation is appropriate.

Risk implications:

Risk to spectators and others attending venues is a primary consideration during inspections. Responsibility for the spectator’s safety lies at all times with the certificate holder and ground management. The holder and ground management must produce a written statement of safety policy, operations manual and risk assessments (including fire and medical) for spectator safety. These documents must take into consideration the safety of all spectators, including those with disabilities, the elderly, families and children.

Climate Change implications:

The newly implemented risk based approach to inspections will ensure that only those stadia that require a visit will be visited. This will reduce mileage travelled by staff and improve the carbon foot print of the team, thereby reducing any impact on climate change.

Health Impact Assessment screening:

By improving spectator safety at regulated and designated stadia the health and wellbeing of all spectators, including those with disabilities, the elderly, families and children will be enhanced. The Environmental conditions experienced by spectators at sporting events will be improved

Report authors:

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Local Members' Interest	
Mr. D. S. Smith	Lichfield Rural South
Mr. C. Greatorex	Lichfield City South

PLANNING COMMITTEE – 5 October 2017

WASTE COUNTY MATTER:

District: Application Lichfield - [L.17/02/823 W](#)

Date Received: 1 June 2017

Date Revised/Further Details Received: 8 June 2017 and 18 July 2017

Greener Composting, application to vary condition 13 of the composting facility planning permission [L.12/01/823 W](#) to allow receipt of compostable green/organic waste from Local Authority Household Waste Recycling Centres on Sundays and Public/Bank Holidays at Manor Farm, Birmingham Road, Wall.

Background

1. A temporary 'on-farm' composting facility was first permitted in November 2002 (ref. [L.01/00527](#)) and commenced operation on 8 March 2004. The facility was made permanent in March 2006 and varied to allow the export of woodchip from the site in June 2012 (ref. [L.12/01/823 W](#)) ('the composting permission').
2. In November 2006 planning permission was granted for an in-vessel composting facility alongside the open air composting facility (ref. [L.07/15/823 W](#)) ('the in-vessel permission'). The in-vessel permission allows for the reception and storage of compostable materials on Monday to Saturday and from Local Authority vehicles on Bank and Public Holidays (but no such operations on Sundays).
3. In December 2016 a planning application was submitted to replace the in-vessel facility with a biomass boiler facility in a smaller building on the same site (ref. [L.16/04/823 W](#)). The application is the subject of the following report to this Committee.

Site and Surroundings

4. The 2.7 hectare site lies to the south of Lichfield and north of the M6 Toll and the 'Wall Island' roundabout (A5, A5148 and A5127). Access is gained from Watling Street (the C0350) leading to the Birmingham Road (the A5127) (see Plan).
5. The site is bound to the east by the Birmingham Road (the A5127), to the south by the side road (the C0350) and to the west by the Lichfield to Birmingham railway line. The railway line is on an embankment adjacent to the site and tall hedgerows screen the site from the Birmingham Road and to a limited extent along the side road.
6. A commercial/business complex lies approximately 260 metres to south of the site and comprises of a leisure centre, hotel, fast food restaurant and offices. The nearest

residential areas are at Wall, approximately 1.2 kilometres to the west, and at Shenstone, approximately 1.5 kilometres to the south.

7. A footpath ('Wall 8') runs along a track that defines the southern boundary of the site.

Summary of Proposals

8. The application seeks to vary condition 13 of the composting permission to regularise the importation of compostable green/organic from the local Household Waste Recycling Centres (HWRCs) (Cannock, Burton-upon-Trent, Lichfield, Rugeley and Burntwood) on Sundays and Public/Bank Holidays.

9. Condition 13 of the composting permission states that:

'Other than the turning of windrows, or emergency works, no operations hereby permitted shall take place except between the hours 0800 to 1800 Monday to Friday, and 0900 to 1300 on Saturdays only. No operations shall take place on Sundays, Public or Bank Holidays'.

10. The applicant has confirmed that traffic on Sundays, Public and Bank Holidays would vary according to the season. The maximum number loads on Sundays would be 4 and on Public/Bank Holidays would be 10.
11. The applicant has also applied for operational hours from 08:00 to 18:00 on Sundays, Public or Bank Holidays.
12. The changes to allow deliveries from the HWRCs would require an amendment to the [Section 106 legal agreement](#) (S106) for the site which currently restricts the delivery of compostable green/organic waste to the site to 20 Heavy Goods Vehicle or tractor loads per day (Monday to Saturday). This being the combined total number of loads associated with the composting permission and the in-vessel permission.

The Applicant's Case

13. The applicant explains that the extant planning permission for the in-vessel composting facility already allows the deliveries of compostable green/organic waste on Public and Bank Holidays and this application is intended to regularise the receipt of compostable green/organic waste from the HWRCs.

Relevant Planning History

14. Relevant waste planning permissions include:

- [L.01/00527](#) - On-farm composting facility to receive and compost green waste and organic waste. Temporary planning permission was granted on 29 November 2002.
- [L.05/04/823 W](#) - Application not to comply with (to vary) conditions 8 (to make the permission permanent), 11 (to increase the number of loads from 6 to 20 per day) and 12 (to increase the quantity of compostable material from 6,000 to 20,000 tonnes per annum) of the composting permission. Planning permission was granted on 3 March 2006.

- [L.07/15/823 W](#) - Development of an in-vessel composting facility associated with an existing windrow composting facility. Planning permission was granted on 19 November 2008 (the 'in-vessel permission'). The in-vessel permission allows composting operations to be carried from 07:30 to 18:00 Monday to Friday, 07:30 to 13:00 on Saturdays and the reception and storage of compostable materials from Local Authority vehicles only from 07:30 to 18:00 on Bank and Public Holidays. . A [Section 106 legal agreement](#) was signed on 13 November 2008 which restricts the combined total number of heavy commercial vehicle or tractor loads per day associated with composting permission and in-vessel permission to 20. The permission has been implemented with the 'laying of the concrete pad'.
 - [L.12/01/823 W](#) - Application not to comply with (to vary) condition 2 of planning permission L.05/04/823 W to allow the export of woodchip from the site. Planning permission was granted on 7 June 2012 (the 'composting permission'). This permission restricts the operations, other than the turning of windrows, to 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays only.
 - [L.16/04/823 W](#) - Application to construct a biomass boiler facility to replace the in-vessel composting facility was submitted in December 2016. This application is the subject of the following report to this Committee.
15. To the south of Manor Farm, Lichfield District Council has granted planning permission for a 'commercial/business complex' (ref. [01/00788/FUL](#)). The 'commercial/business complex' has been constructed. Planning permission has also been granted for two buildings to provide office, studio and laboratory/workshop space (ref. [14/00395/OUTMEI](#) dated 23 December 2014) and varied in November 2016 (ref. [16/00589/FULMEI](#) dated 18 November 2016). An application to approve reserved matters was submitted to Lichfield District Council in December 2016 (ref. [16/01426/REMM](#)). This application has not yet been determined. The County Council raised no objection to the application (ref. [L.16/01426 WCA](#)).

Environmental Impact Assessment (EIA)

16. **Screening Opinion:** NO* **Environmental Statement:** NO

[*Note: The changes to the permitted development do not fall within the thresholds and criteria for screening for EIA development (ref. Schedules 1 and 2 to the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).)]

Findings of Consultations

Internal

17. The Environment Advice Team (EAT) – no objection.
18. Highways Development Control Team (on behalf of the Highways Authority) has no objection to the proposal subject to a condition restricting deliveries to the site on Sundays to 4 and on Public and Bank Holidays to 10.
19. The Staffordshire County Council's Noise Engineer has no objection.

20. The Planning Regulation Team has no objection and has confirmed that no complaints have been received since 2012.

External

21. Environment Agency – no objection.
22. Network Rail – no comments.
23. Western Power Distribution – has indicated that Western Power Distribution (WPD) Electricity / WPD Surf Telecom apparatus is present in the vicinity of the site.
24. Cadent Gas Ltd - has indicated there is apparatus in the vicinity of the proposal.
25. Lichfield District Council Environmental Health Officer (EHO) – no response.

District/Parish Council

26. Wall Parish Council – no objections.
27. Shenstone Parish Council (adjacent to the site) has objected on the following grounds:
- no business case has been made for the site operating a full seven days a week including bank holidays;
 - the majority of local HWRCs do not operate on a seven days a week basis;
 - imminent policy initiatives by the local District and County Councils mean that demand could fall; and,
 - there is no traffic impact analysis.
28. The applicant submitted additional information to address the points raised by Shenstone Parish Council. The Parish Council confirmed that it wished to maintain their objection on the grounds that there continues to be no business case.
29. Lichfield District Council – no response.
30. Lichfield City Council – no response.

Publicity and Representations

31. Site notice: YES Press notice: YES
32. 15 neighbour notification letters were sent out and no representations have been received.

The development plan policies and other material planning policy considerations relevant to this decision

33. The relevant development plan policies are listed below:

- a) [Staffordshire and Stoke on Trent Joint Waste Local Plan](#) (2010 -2026) (adopted 22 March 2013):
- Policy 4: Sustainable design and protection and improvement of environmental quality:
 - Policy 4.2 Protection of environmental quality.
- b) [Lichfield District Local Plan](#) (2008 - 2029) (adopted 2015):
- Core Policy 2: Presumption in Favour of Sustainable Development;
 - Core Policy 3: Delivering Sustainable Development;
 - Policy ST1: Sustainable Travel;
 - Policy BE1: High Quality Development.
34. The other material planning policy considerations are:
- a) The [National Planning Policy Framework](#) (the NPPF):
- Section 1: Building a strong, competitive economy;
 - Section 4: Transport;
 - Section 8: Promoting healthy communities;
 - Section 11 – Conserving and enhancing the natural environment;
- b) [Planning Practice Guidance](#) (last updated 28 July 2017)
- [Waste](#);
 - [Noise](#);
 - [Travel Plans, Transport assessments and statements](#)
- c) [National Planning Policy for Waste](#):
- Section 1: Key Planning Objectives;
 - Section 6: Identifying Suitable Sites and Areas – Green Belt;
 - Section 7: Determining Planning Applications.
- d) [The Waste \(England and Wales\) Regulations 2011](#)
- e) [Wall District Neighbourhood Local Plan](#) (designated April 2014).
- f) [Lichfield City Neighbourhood Local Plan 2016 - 2029](#) (submission consultation version June 2017).

Observations

35. This is an application to vary condition 13 of the composting permission to allow receipt of compostable green/organic waste from HWRCs on Sundays and Public/Bank Holidays.
36. Having given careful consideration to the application and supporting information, the relevant development plan policies other material considerations, and the consultation responses received, all referred to above, the key issues are considered to be:

- The proposed change of operating hours
- Any other material changes to the site, its surroundings, or in terms of the planning policy considerations;
- Matters raised by the Shenstone Parish Council;
- The opportunity to review, regularise and update the planning permission, and to review the Section 106 Legal Agreement.

The proposed change of operating hours

37. The applicant is seeking to: regularise current practices; bring the operating hours in to line; and, include deliveries on Sundays. The operating hours under the most recent composting permission are 08:00 to 18:00 (Monday to Friday) and 0900 to 1300 (Saturdays) (i.e. no operations on Sundays, Public/Bank Holidays). Whereas the current in-vessel permission allows operations to start from 07:30 (Monday to Saturday) and deliveries from Local Authority vehicles to occur on Bank and Public Holidays. In both cases no such operations are currently permitted on Sundays.
38. Having regard to: the HWRC operating hours which include Sundays and Public/Bank Holidays (for more details see 'Matters raised by Shenstone Parish Council - Business Case' and Appendix 1 below); the very limited impact on local amenity in this location that allowing up to 4 deliveries on Sunday and 10 deliveries on a Public/Bank Holiday; and, for the sake of consistency and enforceability; it is reasonable to recommend that the operational hours should be extended. However as the most recent composting permission restricts the operational hours on Saturdays to a 09:00 start time it is recommended that the deliveries on Sundays; Public and Bank Holidays should do the same i.e. commence at 09:00 but be allowed to continue to 18:00. [Note: the recommendation in the following report on the agenda to this Committee is that for the sake of consistency and enforceability the biomass facility also operates in accordance with the recommended hours.]

Any other material changes to the site, its surroundings, or in terms of the planning policy considerations.

39. Other than the application for the construction of a biomass boiler facility to replace the in-vessel composting facility (the subject of the following report to this Committee) there have been no material changes / proposed changes to the Manor Farm site since the most recent planning permission was granted in 2012 to allow the export of woodchip from the site.
40. The site has been accepting green waste for composting from the HWRCs on Sundays, Public and Bank Holidays for some time.
41. The very special circumstances to allow the in-vessel facility to be constructed and operated on the site within the Green Belt have already been accepted.
42. There have been no significant material changes to the site's surroundings (planning permission for the commercial/business complex was first granted in February 2002 (ref. [01/00788/FUL](#))).

43. In terms of the policy considerations, the Government has been working with local councils to increase the frequency and quality of waste collections (page 22 of [The Waste Management Plan for England 2013](#)).
44. In March 2014, the Government introduced the [Planning Practice Guidance](#) (PPG) and published the [National Planning Policy for Waste](#) in October 2014, which set out detailed waste planning policies and guidance and should be read in conjunction with the National Planning Policy Framework introduced in 2012.
45. The PPG includes a section that supports the implementation of national waste planning policy.
46. In December 2013, the Government published the '[Waste Management Plan for England](#)'. The Plan sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and waste management and highlights the importance of putting in place the right waste management infrastructure at the right time and in the right location. The Plan also sets out the need to drive waste management up the waste hierarchy, ensuring that waste is considered alongside other spatial planning concerns, to provide a framework in which communities and businesses are engaged to take more responsibility of their own waste, helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, and in ensuring design and layout compliments sustainable waste management.
47. *Conclusion:* Having regard to the policies, guidance, other material considerations, referred to above, it is reasonable to conclude that the proposed changes to the permitted operating hours are acceptable in principle. However it is also important to consider the matters raised by Shenstone Parish Council which are discussed below.

Matters raised by the Shenstone Parish Council

48. As mentioned above, Shenstone Parish Council initially objected to the proposal on a number of grounds and the applicant was requested to respond to them. Following receipt of the response and re-consultation, the Parish Council confirmed that they wished to maintain their objection on the grounds that there was no business case. The Parish Council objections are considered below.

Business case

49. The Parish Council contends that no business case has been made for the site operating a full seven days a week as: the majority of local HWRCs do not operate on a seven days a week basis; and, the imminent policy initiatives by the local District and County Councils to charge for garden waste collections means that demand could fall.
50. The applicant contends that the proposed extension to the operating hours would regularise the current practices and provide flexibility to the local authorities as they would be able to accept green/organic waste from the HWRCs in Cannock, Burton-upon-Trent, Lichfield, Rugeley and Burntwood on Sundays, Public and Bank Holidays.
51. The HWRC's in Staffordshire are operated by FCC Environment (on behalf of

Staffordshire County Council). The HWRC's have different [public opening hours](#) during the week. The applicant has indicated that green waste from 5 of the HWRC's would be accepted. Details of the HWRC's public opening days and hours, and the Bank Holiday Arrangements for 2016 and 2017 are included in Appendix 1. It is relevant to note that the permitted hours include at least 1 hour before and after the public opening times for operational reasons. For example the Cannock HWRC operational hours are 07:30 to 18:15 7 days a week; whereas, the Lichfield HWRC operational hours are 08:00 to 20:00 Monday to Friday and 08:00 to 18:00 on Saturdays and Sundays during British Summer Time, and 08:00 to 18:00 7 days per week at other times.

52. Within Staffordshire there are nine operational open windrow composting facilities (including the Manor Farm composting facility - see Table 1 in Appendix 2). Of the nine facilities, eight were permitted by Staffordshire County Council as Waste Planning Authority (WPA), however one (Lawn Lane, Coven, which is now operated by Veolia) has a South Staffordshire District Council planning permission. Of the eight composting facilities permitted by the WPA, only three are permitted to accept deliveries of green waste on a Public or Bank Holiday (Mill Farm, Chebsey (Stafford Borough); Kingsley (Staffordshire Moorlands District); and Cressford Farm, Dilhorne (Staffordshire Moorlands District). Of these three, only two (Mill Farm, Chebsey and Cressford Farm, Dilhorne) are permitted to accept deliveries of green waste on a Sunday but are restricted in respect of vehicle movements (5 loads per day and 2 loads per day respectively). Mill Farm, Chebsey is also restricted further to only the extended Easter and Whitsun Bank / Public Holiday period. With the exception of the appeal decision at Kingsley, the facilities are restricted to the import of green waste from HWRCs and one of the four sites (Mill Farm, Chebsey) are restricted to Local Authority vehicles only.
53. The County Council's Sustainability & Waste Strategy Team has provided green waste data for the 2017 May Day Bank Holiday (1 May 2017). The data shows that a total of 7 loads of green waste were delivered to Manor Farm from the Burntwood, Burton-on-Trent, Cannock (2 loads), Lichfield, Rugeley and Wombourne HWRC's:

HWRC	Total amount of waste (tonnes)
Burntwood	8.34
Burton	11.56
Cannock	7.7
Cannock	10.9
Lichfield	10.88
Rugeley	11.5
Wombourne	8.8
Total	69.68

54. The County Council's Sustainability & Waste Strategy Team have also provided data for the period of March 2016 to February 2017 for green waste, which shows that green waste was delivered to Manor Farm on 44 Sundays throughout the period and on 4 Public/Bank Holidays.
55. In the interest of amenity the Waste Planning Authority generally restricts sites from being operational on a Sunday, Public or Bank Holiday. However, in this case it is relevant to note that the delivery of green waste from HWRCs to the adjacent in-

vessel composting facility was permitted on Sundays, Public and Bank Holidays .

56. Each case should be considered on its own merits and there may be circumstances where it is necessary and appropriate to restrict the import/export of green waste on Sundays and Bank and Public Holidays. In this case, however, it is considered that there are no material planning reasons why the existing provisions for the delivery of green waste under the in-vessel permission should not be extended to the composting permission.
57. Shenstone Parish Council stated that Lichfield District Council and Tamworth Borough are introducing charges for green bin collection services from January 2018 and are now offering subsidised composting bins; which will have an effect on demand. [Lichfield District Council](#) and [Tamworth Borough Council](#) as part of a Joint Waste Service will be charging £36 per bin per year for the collection of green waste and offering composting bins through a partnership with Recycle for Staffordshire & Stoke (www.getcomposting.com).
58. The applicant has indicated the need to operate the open windrow compost facility is required to allow the delivery of green waste from HWRCs and that there would be no deliveries of green waste by Local Authority green waste collection vehicles on Sundays, Public and Bank Holidays.
59. Shenstone Parish Council has also made reference to a House of Commons Briefing Paper concerning [Fly Tipping - the illegal dumping of waste](#) (Number CBP05672, 21 June 2017) and Defra statistics for 2013/14 which showed that local authorities reported around 852,000 cases of fly-tipping in England, representing an increase of 20% from 2012/13.
60. [Lichfield District Council](#) committee report on the new service stated that:

'The subscription scheme would be on an opt-in basis which means only those residents who choose to use the garden waste collection service will have to pay for it. Those residents who do not wish to use a chargeable service would still have the option of disposing of their organic waste without charge by taking it to a Household Waste Recycling Centre, or, by home composting their waste'. (Paragraph 3.7 of the Report of Cabinet Member for Waste Management - Garden Waste Subscription Service dated 8 March 2017)

and that

'The introduction of a chargeable garden waste service could see an increase in the amount of fly tipping in both Lichfield and Tamworth. Experiences of other authorities who have introduced chargeable services is that the anticipated increase does not materialise. Officers currently monitor fly tipping incidents on a monthly basis and they will be able to identify any trends that occur following the introduction of the charge'. (Paragraph 3.31 of the of the Report of Cabinet Member for Waste Management - Garden Waste Subscription Service dated 8 March 2017)

61. The County Council's Sustainability & Waste Strategy Team has stated that they are exploring the potential implications of Lichfield and Tamworth Council decisions to

charge for green waste collections. Other Councils who have introduced similar charges have experienced an increase in the volume of green waste disposed at HWRCs. The Sustainability & Waste Strategy Team anticipate that it may experience a similar response.

62. The Sustainability & Waste Strategy Team commented that there may be an increase in the number of residents who home compost following the introduction of the charge, again based on others' experiences, the volumes of green waste composted are not thought to be significant.
63. *Conclusion:* It is reasonable to conclude that the proposals would give the composting facility more flexibility to meet the demand for the sustainable management of green waste from local HWRCs on Sundays, Public and Bank Holidays and the amount of green/garden waste taken to HWRCs could increase as a result of the introduction of the garden waste subscription service offered by Lichfield District Council and Tamworth Borough Council thereby supporting the need to receive green waste from the HWRCs on Sundays, Public and Bank Holidays.

The effects of traffic

64. Shenstone Parish Council raised a concern that there was no traffic impact analysis.
65. The National Planning Policy Framework paragraphs 32 and 144 of the NPPF and local plan policy ([Staffordshire and Stoke on Trent Waste Local Plan](#) policy 4.2) seek to ensure that developments does not cause unacceptable adverse impacts and that highways safety is not compromised.
66. The applicant has indicated that there would be a maximum of 4 loads on Sundays and a maximum of 10 loads on Public/Bank Holidays. The composting permission allows up to 20 Heavy Goods Vehicles or tractors to deliver compostable green waste to the site per day (Monday to Saturday).
67. No objections have been received from the Highways Development Control Team or the Planning Regulation Team. Green/ organic waste has been delivered to the site on Sundays and Public/Bank Holidays, and, the Planning Regulation Team has no record of complaints about the operation of the existing site since 2012.
68. *Conclusion:* Having regard to the above mentioned policies, guidance and consultee comments, it is reasonable to conclude that subject to the recommended conditions, the proposals can reasonably be controlled such that they would not give rise to any unacceptable adverse impact in terms of traffic or harm to the transport network.

The opportunity to review, regularise and update the planning permission, and to review the Section 106 Legal Agreement

69. As the extant planning permission for the site was issued in June 2012 and having regard to the Staffordshire and Stoke-on-Trent Waste Local Plan (policy 4.2), which supports high environmental standards, it is considered reasonable and necessary to review, regularise and update the existing conditions.

70. Paragraph 206 of the NPPF explains that:

'Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'.

71. The extant planning permission was issued on 7 June 2012 and has 34 conditions. Based on the above guidance, it is considered that this application also provides an opportunity to review and update the planning conditions to ensure relevance. The recommended conditions below include a number of updates and new conditions.

72. As indicated above, there is a Section 106 Legal Agreement (S106) which relates to the composting permissions (ref. [L.05/04/823 W](#) and [L.12/01/823 W](#)) and to the 'in-vessel permission' (ref. [L.07/15/823 W](#)). The S106 secures an undertaking that the combined total number of loads of compostable green/ organic waste brought to the site shall not exceed 20 per day (Monday to Saturday).

73. It is therefore necessary to consider whether the recommended undertakings listed below meet the tests in the NPPF and should be secured as part of a new / supplemental S106:

- the existing undertaking to limit the combined total number of loads to 20 (Monday to Saturday)
- an amendment to the existing undertaking to reduce the number of loads on a Saturday to take account of the shorter operating hours;
- an additional undertaking to include the deliveries on Sundays, Public and Bank Holidays from HWRCs; and,
- an additional undertaking not to further implemented the earlier composting permissions.

74. The tests set out in [paragraph 204 of the NPPF](#) are that undertakings should be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

[Note: These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010 [[Part 11, Regulation 122 and 123](#)] (as amended by the [2011](#), [2013](#) and [2014](#) Regulations). The Planning Practice Guidance ([Community Infrastructure Levy, Do the planning obligations restrictions apply to neighbourhood funds?](#)) indicates that the [Community Infrastructure Levy \(Amendment\) Regulations 2014](#) prevents section 106 planning obligations being used in relation to those things (infrastructure) that are intended to be funded through the levy (Community Infrastructure Levy) by the charging authority. In this case, a [CIL](#) was adopted by Lichfield District Council on 19 April 2016 and came into effect on 13 June 2016. This type of development is not included in the Charging Schedule.

75. It is considered that the existing undertaking, as amended, and the additional undertakings would meet the tests referred to above for the reason discussed below:

1. *The existing undertaking to limit the number of loads; the amendment for Saturdays and the additional loads on Sundays, Public and Bank Holidays*

76. It is considered that the existing undertaking, which would continue to restrict the combined total number of HCVs delivering waste to the whole site (i.e. associated with the composting facility and the in-vessel facility (and the proposed biomass boiler facility which is the subject of the following report to this Committee)), is applicable to the composting facility: for the sake of consistency (it is also recommended in the following report on the agenda to this Committee); enforceability; and, as it was recommended by the Highway Authority to minimise the impact on the highway network. For the same reasons, it is also considered opportune to amend the number of loads on a Saturday to 8, to reflect the operating hours (09:00 to 13:00 (4 hrs)) compared to 20 loads per day from Monday to Friday (08:00 to 18:00 (10 hours)) and to add to the undertaking to accept loads from HWRCs on Sundays (4) and on Public/Bank Holidays (10).

77. This undertaking, as amended, accords with the [Staffordshire and Stoke on Trent Waste Local Plan](#) (policy 4.2); the [National Planning Policy Framework](#) (section 4); Planning Practice Guidance ([Planning obligations](#)); and, [the National Planning Policy for Waste \(paragraph 7 and Appendix B\)](#).

2. *A requirement that the earlier composting planning permissions should not be further implemented.*

78. This undertaking would require the applicant to agree not to further implement the earlier composting planning permissions (ref. [L.05/04/823 W](#) and [L.12/01/823 W](#)) to:

- assist the Planning Regulation Team in the effective monitoring and enforcement of the site; and,
- ensure that the site operates to high environmental standards.

79. This undertaking accords with the [Staffordshire and Stoke on Trent Waste Local Plan](#) (policy 4.2); the [National Planning Policy Framework](#) (section 4); Planning Practice Guidance ([Planning obligations](#)) and, the [National Planning Policy for Waste](#).

80. *Conclusion:* In this case, it is reasonable to conclude this application provides an opportunity to update the planning conditions and that the undertakings described above are necessary, relevant and fairly and reasonably related in scale and kind to the development and should be secured as part of a new / supplemental S106.

Overall Conclusion

81. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given careful consideration to application and supporting information, the consultee responses and the other material considerations, all referred to above, it is reasonable to conclude that the proposed development is acceptable and should be permitted subject to the terms of a new / supplemental

S106 and planning conditions recommended below.

RECOMMENDATION

PERMIT the application to vary (condition 13 of planning permission [L.12/01/823 W](#) to allow receipt of compostable green/organic waste from Local Authority Household Waste Recycling Centres on Sundays and Public/Bank Holidays at Manor Farm, Birmingham Road, Wall subject to the applicant and all other persons with an interest in the land first signing a new / supplemental Section 106 Legal Agreement and subject to planning conditions (the heads of terms are listed below).

[Note: the additional terms of the new / supplemental Section 106 Legal Agreement and planning conditions are highlighted in **bold**, new conditions are identified as **[new condition]**.]

The new / supplemental Section 106 Legal Agreement - heads of terms to include the following:

1. The combined total number of loads of compostable green/organic waste delivered to the site shall not exceed the following:
 - Monday to Friday (20 loads / 40 movements per day);
 - **Saturdays (8 loads / 16 movements);**
 - **Sundays (4 loads / 8 movements from Household Waste Recycling Centres; and,**
 - **Public and Bank Holidays (10 loads / 20 movements per day) from Household Waste Recycling Centres.**
2. That the applicant agrees not to further implement the earlier composting planning permissions ref. [L.05/04/823 W](#) and [L.12/01/823 W](#).

The planning conditions to include the following:

Definition of Permission

1. **To define the permission with reference to all the approved documents and plans;**
2. **To define the commencement of the development as being the date of the planning permission;**

Cessation of Operations

3. To require a site clearance scheme in the event that the use of the site should cease;
4. To define cessation;

Waste Types and Waste Quantity

5. To define waste types - green waste or organic waste;
6. To limit the tonnage of waste material imported on to the site - not no more than 20,000 tonnes of waste per annum;
7. To require that no more than 35% of the waste recycled is exported off site as chipped wood product;
8. To require record keeping including vehicle movements; quantity and type of waste; records of the windrows; details of the movement of material to the field stores, the application of composted material to the land, fields, and rate of application; records of site inspections; the amount of wood chip produced and the amount exported and to provide them to the Waste Planning Authority on request;
9. To require a copy of the permission and all associated documents to be available to the person person/s responsible for the operations on site;

Noise and dust

10. Noise condition to ensure that the noise generated from the site does not exceed 64 dB LAeq, (1 hour), Freefield;
11. To require best practicable means to be employed to minimise noise generated by the permitted operations **[new condition]**;
12. To require best practicable means to be employed to minimise dust generated by the permitted operations;

General Environmental Protection

13. To require the site to be maintain in good condition and fit for purpose **[new condition]**;
14. To require that redundant vehicles, plant or machinery are not stored or parked at the site **[new condition]**;
15. To require that no materials are burnt on the site;
16. To require the site to be secured outside the working hours **[new condition]**;
17. To require the removal of non-conforming wastes;
18. To require any plant/equipment to be used in such a way that in the event of failure there would be no risk of accidental entry of any plant or equipment onto railway property;
19. **To limit the operations to following hours (except the turning of windrows, or emergency works):**

- **0800 to 1800 Monday to Friday**
 - **0900 to 1300 on Saturdays**
 - **0900 to 1800 Sundays, Public or Bank Holidays;**
20. **To require that no shredding or screening of waste takes place on Sundays, Public or Bank Holidays**
21. To restrict the delivery to the delivering compostable material to the site to:
- Monday to Friday (20 loads / 40 movements per day);
 - **Saturdays (8 loads / 16 movements);**
 - **Sundays (4 loads / 8 movements) from Household Waste Recycling Centres only; and,**
 - **Public and Bank Holidays (10 loads / 20 movements) from Household Waste Recycling Centres only; [see new S106 for combined total]**
22. To define the entrance and exit to the site [**new condition**];
23. To require the internal site roads, including the measures to protect the existing footpath, high pressure gas main and underground electricity supply to be maintained;
24. To require the sign instructing the drivers of all HCVs that on leaving the site they should turn left and use the A5127 is maintained;
25. To require all vehicles leaving the site to turn left and all vehicles arriving at the site to turn right into the site access;
26. To require the parking or manoeuvring of vehicles or plant to take place on an impermeable base;
27. To require no parking of vehicles or plant on the site overnight except for vehicles/plant required for the purposes of turning or shredding of compostable materials and during the restoration of the Site;
28. To require the compostable material, composted material stockpiled or deposited in windrows and also stockpiles storing wood chip not to exceed 3 metres in height;
29. To require that all field stores are located within the farm holding and comply with the following:-
- a) the field stores not to exceed 3 metres in height above surrounding land;
 - b) the field stores not to be located within 250m of a potentially sensitive receptor, and;
 - c) the location of the field stores to accord with DEFRA's good practice advice relating to the protection of waters;
30. To require the impermeable composting pad base and site drainage infrastructure to be maintained in accordance with the approved details (ref. [L.01/00527 D1](#) dated 24 October 2003);

31. To require any potentially polluting activities, including the storage, shredding and composting of compostable material to take place on an impermeable base, drained to an impermeable sump/tank(s);
32. To require any excess foul or contaminated water (leachate) contained in the sump/tank(s) not to be re-circulated in the windrows and to be removed from the Site by tanker to an authorised waste water treatment works;
33. To require the safe storage of oils, fuels and chemicals;
34. To require that any lighting, including site security lighting, required on-site for safe working outside of daylight hours to be directed to minimise light spillage;
35. To require all existing screening/soil storage bunds, landscaping and planting to continue to be stored and maintained in accordance with the approved details (ref. [L.01/00527 D1](#) dated 17 December 2003);
36. To require the planting on a triangular area of land between the site and the lane to Wall to continue to be maintained and any plants that die, are removed or become seriously damaged or diseased within 5 years of being planted to be replaced in the next planting season;
37. To limit the use of the site to the uses hereby permitted and to restrict permitted development rights;
38. To ensure that the permission expires after the Waste Planning Authority has confirmed that the site has been restored and subject to aftercare.

INFORMATIVES

1. Section 106 Legal Agreement

To remind the applicant about the terms of Section 106 Legal Agreement.

2. The County Council's Environmental Advice Team (Rights of Way) has advised as follows:

To inform the applicant about the advice about the possible existence of a right of way in common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980.

3. Western Power Distribution and Cadent Gas Ltd

To inform the applicant about the advice provided by Western Power Distribution and Cadent Gas Ltd about their apparatus in the vicinity of the site.

4. Environment Agency

To remind the applicant about the advice previously given by the Environment Agency about pollution controls, the management of stockpiles of waste, and the

proximity of a former landfill,

5. Network Rail (formerly Railtrack)

To remind the applicant about the advice previously given by Railtrack (now Network Rail) about any operations in close proximity to their property, fencing, lighting, litter control and changes to site drainage.

Case Officer: David Bray - Tel: (01785) 277273
email: david.bray@staffordshire.gov.uk

A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).

Appendix 1: Public opening times and the Bank Holiday Arrangements for the 2016 and 2017 of the HWRC's

The days and hours of operation for the HWRC'S (where green waste is delivered to Manor Farm):

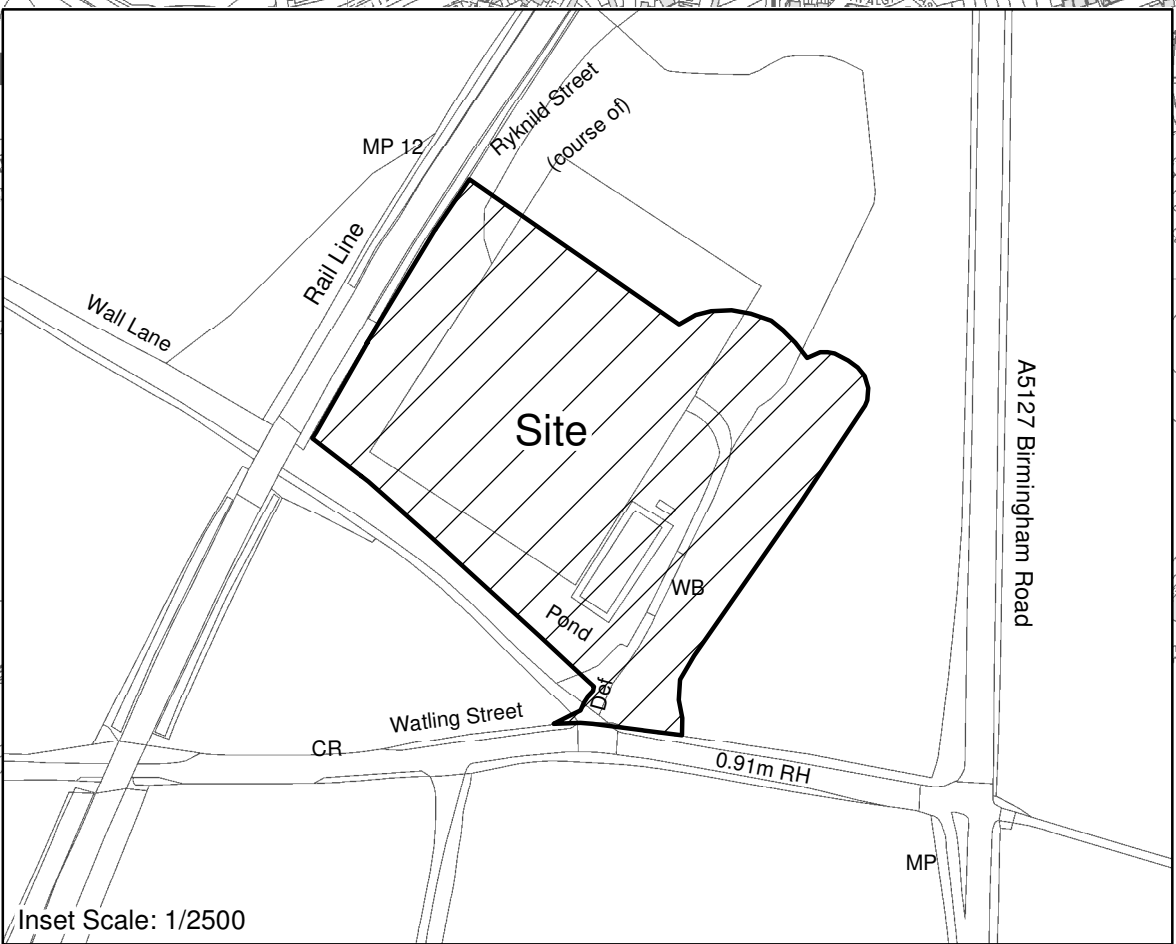
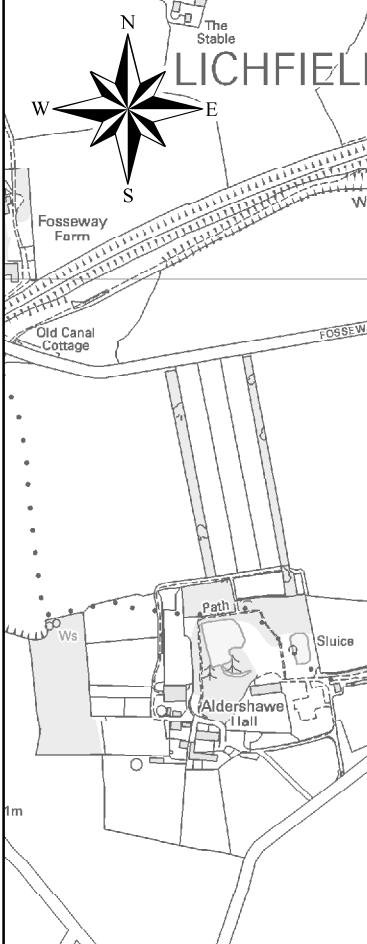
		Burntwood	Burton-on-Trent	Cannock	Lichfield	Rugeley
Summer Opening Hours¹	Monday	9am - 6pm	Closed	9am - 6pm	Closed	9am - 6pm
	Tuesday	9am - 6pm	9am - 6pm	9am - 6pm	Closed	9am - 6pm
	Wednesday	Closed	9am - 6pm	9am - 6pm	9am - 6pm	Closed
	Thursday	Closed	9am - 6pm	9am - 6pm	9am - 6pm	Closed
	Friday	9am - 6pm	9am - 6pm	9am - 6pm	9am - 6pm	9am - 6pm
	Saturday	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
	Sunday	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
Winter Opening Hours²	Monday	9am - 5pm	Closed	9am - 5pm	Closed	9am - 5pm
	Tuesday	9am - 5pm	9am - 5pm	9am - 5pm	Closed	9am - 5pm
	Wednesday	Closed	9am - 5pm	9am - 5pm	9am - 5pm	Closed
	Thursday	Closed	9am - 5pm	9am - 5pm	9am - 5pm	Closed
	Friday	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
	Saturday	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
	Sunday	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
¹ Summer Opening Hours (BST), Sunday 26 March 2017 - Saturday 28 October 2017						
² Winter Opening Hours (GMT), Sunday 29 October 2017 - Saturday 24 March 2018						

The Bank Holiday Arrangements for the HWRC'S - 2016

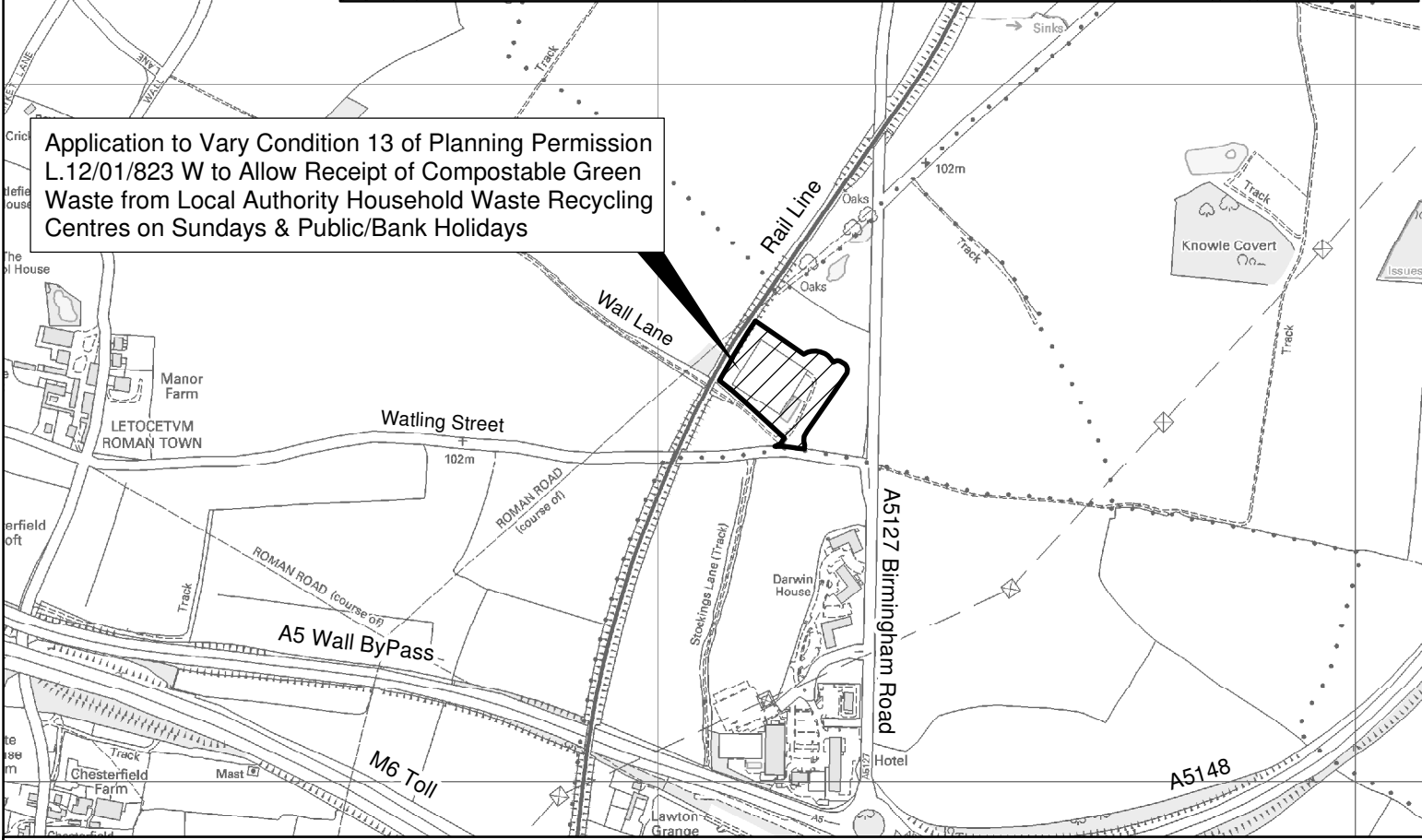
Bank Holiday	Date	HWRC's Opening Hours
New Year's Day	Friday 1 January 2016	Closed
Good Friday	Friday 25 March 2016	9am - 5pm
Easter Monday	Monday 28 March 2016	9am - 5pm
Early May bank holiday	Monday 2 May 2016	9am - 5pm
Spring bank holiday	Monday 30 May 2016	9am - 5pm
Summer bank holiday	Monday 29 August 2016	9am - 5pm
Christmas Day (Sunday)	Tuesday 27 December 2016 (substitute day)	Closed
Boxing Day	Tuesday 26 December 2016	Closed

The [Bank Holiday HWRC'S Arrangements - 2017](#)

Bank Holiday	Date	HWRC's Opening Hours
New Year's Day (substitute day)	Monday 2 January 2017	Closed
Good Friday	Friday 14 April 2017	9am - 5pm
Easter Monday	Monday 17 April 2017	9am - 5pm
Early May bank holiday	Monday 1 May 2017	9am - 5pm
Spring bank holiday	Monday 29 May 2017	9am - 5pm
Summer bank holiday	Monday 28 August 2017	9am - 5pm
Christmas Day	Monday 25 December 2017	Closed
Boxing Day	Tuesday 26 December 2017	Closed



Application to Vary Condition 13 of Planning Permission L.12/01/823 W to Allow Receipt of Compostable Green Waste from Local Authority Household Waste Recycling Centres on Sundays & Public/Bank Holidays



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Planning, Policy & Development Control,
Staffordshire County Council,
No.1 Staffordshire Place,
Stafford, ST16 2LP.
Telephone 0300 123 8000

Greener Composting. Application to vary condition 13 of the composting facility planning permission L.12/01/823 W to allow receipt of compostable green waste from Local Authority Household Waste Recycling Centres on Sundays and Public/Bank Holidays, Watling Street, Wall, Lichfield.

Local Members' Interest	
Mr. D. S. Smith	Lichfield Rural South
Mr. C. Greatorex	Lichfield City South

PLANNING COMMITTEE – 5 October 2017

WASTE COUNTY MATTER:

District: Application No. Lichfield - [L.16/04/823 W](#)

Date Received: 1 December 2016

Date Revised/Further Details Received: 9 January 2017, 12 January 2017 and 13 January 2017

Greener Composting, Watling Street, Wall, Lichfield application to construct a biomass boiler facility to replace the permitted in-vessel composting facility at Manor Farm, Birmingham Road, Wall

Background/Introduction

1. A temporary 'on-farm' composting facility was first permitted in November 2002 (ref. [L.01/00527](#)) and commenced operation on 8 March 2004. The facility was made permanent in March 2006 and varied to allow the export of woodchip from the site in June 2012 (ref. [L.12/01/823 W](#)) ('the composting permission').
2. In November 2006 planning permission was granted for an in-vessel composting facility alongside the open air facility (ref. [L.07/15/823 W](#)) ('the in-vessel permission').
3. The Planning Regulation Team confirmed that the in-vessel permission was implemented and commenced lawfully on 24 May 2011 with the construction of a concrete pad however the facility is not operational and this application for the biomass boiler facility is located on the same site and intended to replace that facility.
4. In June 2017 a planning application was submitted to vary condition 13 of the composting permission to allow receipt of compostable green/organic waste from Local Authority Household Waste Recycling Centres (HWRCs) on Sundays and Public/Bank Holidays. The application was the subject of the preceding report to this Committee.

Site and Surroundings

5. The 2.7 hectare site lies to the south of Lichfield and north of the M6 Toll and the 'Wall Island' roundabout (A5, A5148 and A5127). Access is gained from Watling Street (the C0350) leading to the Birmingham Road (the A5127) (see Plan).
6. The site is bound to the east by the Birmingham Road (the A5127), to the south by

the side road (the C0350) and to the west by the Lichfield to Birmingham railway line. The railway line is on an embankment adjacent to the site and tall hedgerows screen the site from the Birmingham Road and to a limited extent along the side road.

7. A commercial/business complex lies approximately 260 metres to south of the site and comprises of a leisure centre, hotel, fast food restaurant and offices. The nearest residential areas are at Wall, approximately 1.2 kilometres to the west, and at Shenstone, approximately 1.5 kilometres to the south.
8. A footpath ('Wall 8') runs along a track that defines the southern boundary of the site.

Summary of Proposals

9. The biomass boiler facility would be smaller than the in-vessel composting building. The in-vessel composting building measures about 2700 square metres (63 metres in length, 42 metres in width and 12 metres in height). The biomass boiler building measures about 1312 square metres (42.6 metres in length, 30.8 metres in width, and 11.85 metres to the ridge height).
10. The lower 3 metre section of the walls would be constructed using reinforced concrete panels in a natural finish. The upper part would be clad using fibre cement sheeting (Van Dyke Brown in colour). The north-western elevation of the building would be open. The roof would be constructed using Marley Eternit profile 6 fibre cement roofing sheets. There would be two galvanised steel stacks measuring approximately 15.35 metres from ground level (3.5 metres higher than the roof ridge height) and two galvanised steel shutter doors located on the north-western and southern elevations. The biomass boilers would be located within a subdivided area approximately 324 square metres (18 metres by 18 metres). [The in-vessel building would be constructed using 'Kingspan' minimal profile metal panels]
11. The building would contain machinery to prepare the waste wood (by chipping and drying) to fuel two 999KW biomass boilers and an Organic Rankine System (which allows the exploitation of low grade heat). The facility would generate approximately 2MW of electricity which would be exported to the National Grid.
12. A cable would be laid to connect the facility to the National Grid. The applicant has confirmed that the cable would be installed by a Distribution Network Operator under [Part 15, Class B of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#).
13. The facility would operate for approximately 8 hours per day and would accept a maximum throughput of approximately 8,000 tonnes of wood waste per annum which is not suitable to be composted. The biomass boilers have a 'theoretical capacity' of 8,000 tonnes. The composting permission and the in-vessel permission both permit 20,000 tonnes per annum of compostable material to be delivered to the site (condition 8 of the in-vessel permission and condition 12 of the composting permission). There is a Section 106 legal agreement related to the in-vessel permission which restricts the site to a combined total of 20 heavy commercial vehicle or tractor loads per day (Monday to Saturday). This matter is discussed later in the report.

14. The biomass boilers would operate 24 hours a day and be fed once or twice a day, however deliveries to the biomass boiler would be undertaken in accordance with the in-vessel permission operating hours 07:30 to 18:00 (Monday to Friday), 07:30 to 13:00 (Saturdays) and deliveries only from Local Authority vehicles between 07:30 to 18:00 (Bank and Public Holidays). [Note: the preceding report to this Committee relates to an application to vary and regularise the operating hours for the composting permission to include deliveries on Sundays, Public and Bank Holidays from Household Waste Recycling Centres).
15. The vehicular access to the site would not change.
16. The application was accompanied by a Planning Supporting Statement which covers the Environmental Impact; Impact on Amenity and Impact on Highways. An Air Quality Assessment; Noise Note and Drainage Statement also accompanied the application.

The Applicant's Case

17. The applicant has indicated that the proposal would ensure that waste wood and woodchip which is produced as a by-product of the composting operations could be effectively managed in situ; and would provide a *“logical minor diversification”* of the existing operations, which would ensure that energy is recovered from waste material and would help to create a more comprehensive waste management facility.
18. The applicant contends that the proposal *“conforms to Government initiatives promoting the generation of renewable energy; ensuring that energy is recovered from waste, moving its disposal up the waste hierarchy”*. The applicant also contends that the proposal would not harm the purposes of the Green Belt and that very special circumstances for the proposal have been demonstrated.

Relevant Planning History

19. Relevant waste planning permissions include:
 - [L.01/00527](#) - On-farm composting facility to receive and compost green waste and organic waste. Temporary planning permission was granted on 29 November 2002.
 - [L.05/04/823 W](#) - Application not to comply with (to vary) conditions 8 (to make the permission permanent), 11 (to increase the number of loads from 6 to 20 per day) and 12 (to increase the quantity of compostable material from 6,000 to 20,000 tonnes per annum) of the composting permission. Planning permission was granted on 3 March 2006.
 - [L.07/15/823 W](#) - Development of an in-vessel composting facility associated with an existing windrow composting facility. Planning permission was granted on 19 November 2008 (the 'in-vessel permission'). The in-vessel permission allows composting operations to be carried from 07:30 to 18:00 Monday to Friday, 07:30 to 13:00 on Saturdays and the reception and storage of compostable materials from Local Authority vehicles only from 07:30 to 18:00 on Bank and Public

Holidays. A [Section 106 legal agreement](#) was signed on 13 November 2008 which restricts the combined total number of heavy commercial vehicle or tractor loads per day associated with composting permission and in-vessel permission to 20. The permission has been implemented with the 'laying of the concrete pad'.

- [L.12/01/823 W](#) - Application not to comply with (to vary) condition 2 of planning permission L.05/04/823 W to allow the export of woodchip from the site. Planning permission was granted on 7 June 2012 (the 'composting permission'). The most recent composting permission restricts the operations, other than the turning of windrows to 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays only.
- L.17/02/823 W - Application to vary condition 13 of the composting facility planning permission [L.12/01/823 W](#) to allow receipt of compostable green/organic waste from HWRCs on Sundays and Public/Bank Holidays. This application was the subject of the preceding report to this Committee.

20. To the south of Manor Farm, Lichfield District Council has granted planning permission for a 'commercial/business complex' (ref. [01/00788/FUL](#)). The 'commercial/business complex' has been constructed. Planning permission has also been granted for two buildings to provide office, studio and laboratory/workshop space (ref. [14/00395/OUTMEI](#) dated 23 December 2014) and varied in November 2016 (ref. [16/00589/FULMEI](#) dated 18 November 2016). An application to approve reserved matters was submitted to Lichfield District Council in December 2016 (ref. [16/01426/REMM](#)). This application has not yet been determined. The County Council raised no objection to the application (ref. [L.16/01426 WCA](#)).

Environmental Impact Assessment (EIA)

Screening Opinion: YES* **Environmental Statement:** NO

[*Note: In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the County Council issued a "Screening Opinion" on the proposals which concluded that the proposed development is not EIA development and therefore need not be supported by an Environmental Statement (ref: [SCE.230/823 W](#) dated 13 September 2016).]

Findings of Consultations

Internal

21. The Environment Advice Team (EAT) commented as follows:

Ecology – no objection subject to a condition requiring prior approval for the installation of external lighting.

Historic Environment – confirmed that the proposal covers an area previously investigated during the earlier archaeological watching brief. The proposal also includes a connection to the national electricity grid to be undertaken by statutory provider involving the removal of a bund and excavating a trench. The statutory

provider should be reminded of the demonstrable archaeological sensitivity of the area.

Landscape – a condition is recommended to require an updated scheme of landscaping and visual mitigation.

Rights of Way – request that the developer is reminded of the existence of a public bridleway (No 8 Wall) which is adjacent to the development site. The applicant should ensure that users of the path are still able to exercise their public right of way safely; the path is reinstated if any damage to the surface occurs as a result of the proposed development; the surface of the bridleway must be kept in a state of repair to allow the public right can be used safely and at all times; and pedestrians, horse riders and cyclists have a public right and vehicles need to give way.

22. The Highways Development Control Team (on behalf of the Highways Authority) has no objection subject to the provision of wheel cleaning/washing facilities and to continue to restrict the number of loads as per the S106 Legal Agreement.
23. The Staffordshire County Council Noise Engineer has no objection.
24. Flood Risk Management Team (on behalf of the Lead Local Flood Authority) has no objection subject to a condition to ensure the submitted drainage plan is adhered to.
25. The Planning Regulation Team has no objection and has indicated that three complaints have been received related to odours generated when moving the compost to the field stores (the last complaint was received in August 2012).

External

26. Lichfield District Council Environmental Health Officer (EHO) – no objections.
27. Environment Agency –no objection and commented that the operator has an Environmental Permit for the composting of green waste and also an exemption for clean wood storage and chipping (for export to other biomass facilities). The permit would need to be varied if oversize wood from the composting operation is proposed to be used in the biomass plant.
28. Natural England – no objection.
29. Network Rail – requested clarification concerning whether vehicles associated with the proposal would be travelling under the Network Rail bridge (Green Lane ALC” 11.1638 located on the Watling Street (C0350) and provided comments to ensure the protection of Network Rail operational land and structures.
30. Western Power Distribution and National Grid (Gas) – advised about the location of their apparatus and safe working practices in the vicinity of the proposed development.
31. South Staffordshire Water – no response

District/Parish Council

32. Lichfield District Council – no response.
33. Wall Parish Council – no response.
34. Lichfield City Council – no response.
35. Shenstone Parish Council indicated that its “primary concern” is that the application will ‘convert the original planning approval of an open and natural, biological composting site into a highly visible woodchip processing factory’ and the original approval of 35% woodchip production ratios should be adhered to [condition 2 of the composting permission states that “*This permission relates solely to the composting of green waste and organic waste material and the permission allows for the limited export of chipped waste wood provided that the quantity exported off site does not exceed 35% of the waste recycled as chipped wood product*”. The applicant has not applied to vary this condition.]
36. Shenstone Parish Council has also made the following additional comments:
- The submission does not consider the capacity of the proposed boilers to deliver the full 35% of woodchip production and increase the vehicular distribution implications and traffic flows. The applicant should contribute to existing highway junction signage and layout improvements.
 - Consideration should be given to the use of renewable materials in the construction of the external elevations of the proposed building.
 - Consideration should be given to reducing the ground level of the proposed building to reduce the negative vertical impact of all the high wall elevations on the surrounding landscape amenity.
37. Shenstone Parish Council has confirmed that its comments are not an objection to the proposal however they have “*serious concerns in relation to the potential for the site to steadily convert into a woodchip processing factory*”.

Publicity and Representations

38. Site notice: YES Press notice: YES
39. 15 neighbour notification letters were sent out and no representations have been received.

The development plan policies and other material planning policy considerations relevant to this decision

40. The relevant development plan policies are:
- a) [Staffordshire and Stoke on Trent Joint Waste Local Plan](#) (2010 -2026) (adopted 22 March 2013):
- Policy 1: Waste as a resource:

- Policy 1.1 General principles;
- Policy 1.5 Energy recovery;
- Policy 2: Targets and broad locations for waste management facilities:
 - Policy 2.1 Landfill diversion targets;
 - Policy 2.3 Broad locations;
- Policy 3: Criteria for the location of new and enhanced waste management facilities:
 - Policy 3.1 General requirements for new and enhanced facilities;
 - Policy 3.2 Exceptions criteria for organic treatment in farm locations close to the urban areas/ broad locations;
- Policy 4: Sustainable design and protection and improvement of environmental quality:
 - Policy 4.1 Sustainable design;
 - Policy 4.2 Protection of environmental quality.

b) [Lichfield District Local Plan](#) (2008 - 2029) (adopted 2015):

- Core Policy 2: Presumption in Favour of Sustainable Development;
- Core Policy 3: Delivering Sustainable Development;
- Policy SC2: Renewable Energy;
- Policy NR2: Development in the Green Belt;
- Policy NR4: Trees, Woodland & Hedgerows;
- Policy NR5: Natural & Historic Landscapes;
- Policy BE1: High Quality Development.

41. The other material planning policy considerations are:

a) [National Planning Policy Framework](#):

- Section 1: Building a strong, competitive economy;
- Section 4: Transport;
- Section 7: Requiring good design;
- Section 9: Protecting Green Belt land;
- Section 11 – Conserving and enhancing the natural environment;
- Section 12 – Conserving and enhancing the historic environment.

b) [Planning Practice Guidance](#) (last updated 28 July 2017)

- [Waste](#);
- [Noise](#);
- [Conserving and enhancing the historic environment](#);
- [Travel Plans, Transport Assessments and Statements](#);
- [Flood Risk and Coastal Change](#);
- [Natural Environment](#).

c) [National Planning Policy for Waste](#):

- Section 1: Key Planning Objectives;
- Section 6: Identifying Suitable Sites and Areas – Green Belt;
- Section 7: Determining Planning Applications.

- d) [The Waste \(England and Wales\) Regulations 2011](#)
- e) [Wall District Neighbourhood Local Plan](#) (designated April 2014).
- f) [Lichfield City Neighbourhood Local Plan](#) (submission consultation version June 2017).
- g) The [Staffordshire County-wide Renewable / Low Carbon Energy Study](#) (September 2010).

Observations

- 42. This is an application to construct a biomass boiler facility to replace the permitted in-vessel composting facility at Manor Farm, Wall.
- 43. Having given careful consideration to the application and supporting information, the relevant development plan policies other material considerations, the consultation responses, all referred to above, the key issues are considered to be:
 - Energy planning policy considerations;
 - The waste planning policy considerations:
 - the right type
 - the right place
 - the right time
 - The Green Belt considerations;
 - The potential effects on the environment and local amenity (specifically the operating hours and the landscape, visual, air quality, noise and traffic impacts);
 - Other Matters raised by Shenstone Parish Council; and,
 - The need for a new / supplemental Section 106 Legal Agreement.

Energy planning policy considerations

The UK Renewable Energy Strategy

- 44. The [UK Renewable Energy Strategy](#) (published by the Department for Energy and Climate Change in 2009) states that the Government's goal is to ensure that 15% of energy is generated from renewable sources by 2020. The Government also anticipated that 30% of our electricity (about 117 Terawatt-hour (TWh)) would be provided by renewables. This figure is up from 5.5 % in 2009.
- 45. The Strategy indicates that the planning system must enable renewable development in appropriate places, at the right time and in a way that gives business the confidence to invest (paragraph 3.6 (1) of the Executive Summary). There is also the need to ensure that 'we continue to protect our environment and natural heritage and respond to the legitimate concerns of local communities'. Box 1.2 (Renewable resources in the UK) of the Strategy states that:

'the UK biomass sector has the potential to expand without detrimental effects on food supplies and the environment if done in a sustainable manner'; and,

'better exploitation of the existing supply of organic waste materials, could make a significant contribution to our energy targets, particularly in the electricity and heat sectors'.

46. Paragraph 4.61 of the Strategy explains that the generation of renewable energy from waste biomass could provide a significant contribution to renewable energy targets and could also significantly reduce the total amount of waste that is landfilled in the UK. The paragraph also explains that some measures can bring impacts on the environment (e.g. by disturbing local habitats or causing local air pollution). Facilities should therefore comply with the existing safeguards to protect the environment and the wider and long-term context of reducing carbon emissions and improving the security of energy supply should be considered.
47. Chapter 7 of the Strategy identifies the benefits and impacts associated with renewable energy. These include climate change benefits and environmental impacts; security of supply, business benefits; impact on jobs; impact on economy; impact on energy prices and bills and impact on energy markets.

The UK Renewable Energy Roadmap (update 2013)

48. In November 2013, the Department for Energy and Climate Change published an updated [UK Renewable Energy Roadmap](#) (this is the second update to the 2011 Roadmap). The Roadmap sets out the progress made and the changes that have occurred in the renewable energy sector over the past year.
49. The Roadmap indicates that there was an increase of 24% in renewable electricity generated from renewable sources compared to the same period in the previous year (the period July 2012 to June 2013), reaching 47.5 TWh of renewable electricity; and biomass electricity increased by 1.6 Gigawatt (GW) in the same period with the total installed capacity reaching 4.9 GW.

The National Policy Statements for energy Infrastructure (2011)

50. The [National Policy Statements for Energy Infrastructure](#) (NPS) published in July 2011 sets out national policy for the energy infrastructure. This includes an [Overarching NPS](#) (EN-1) and five technology specific NPS for the energy sector. The National Planning Policy Framework (NPPF) specifically references the NPS for [Renewable Energy Infrastructure](#) (EN-3).
51. Although NPSs are specifically aimed at 'Nationally Significant Infrastructure Projects' (NSIPs) which are determined by the [Planning Inspectorate's National Infrastructure Directorate](#), paragraph 1.2.1 of NPS EN-1 published in July 2011 states that 'the NPS is likely to be a material consideration in decision making on applications..... Whether, and to what extent, this NPS is a material consideration will be judged on a case by case basis'.
52. Paragraph 1.7.2 (point 3) of NPS EN-1 indicates that 'the development of new energy infrastructure, at the scale and speed required to meet the current and future need, is likely to have some negative effects on biodiversity, landscape/visual

amenity and cultural heritage'. Paragraph 2.1.2 also indicates that 'energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy. Producing the energy the UK requires and getting it to where it is needed necessitates a significant amount of infrastructure, both large and small scale'.

53. One point included in paragraph 2.2.4 of NPS EN-1 is that not all aspects of Government energy and climate change policy will be relevant to planning decisions by local authorities, and the planning system is only one of a number of vehicles that helps to deliver Government energy and climate change policy. This paragraph also explains that it is important that the planning system ensures that when determining any applications the views of affected communities are taken in to account.
54. NPS EN-3, published in July 2011 relates specially to 'Renewable Energy Infrastructure'. Paragraph 1.1.1 states that 'Electricity generation from renewable sources of energy is an important element in the Government's development of a low-carbon economy'. Paragraph 2.4.2 makes the following statement 'Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology'. Paragraph 2.5.2 also confirms that 'the recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs. Where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets'.

UK Bioenergy Strategy

55. The UK Bioenergy Strategy for England ([UK Bioenergy Strategy](#)) published in 2012 sets out the Government's approach to achieving sustainable, low-carbon bioenergy deployment by defining a framework of principles that will govern future policies.
56. Paragraph 1.4 of the UK Bioenergy Strategy states that 'bioenergy is one of the most versatile forms of low carbon and renewable energy as it can contribute towards energy generation across the energy spectrum of electricity, heat and transport.... biomass can also provide a continuous and constant flow of energy with less variability than some renewable energy sources'. Paragraph 1.7 of the UK Bioenergy Strategy also states that 'if waste is used as a feedstock for bioenergy, quantities of waste being sent to landfill can be reduced.....'.

The Staffordshire and Stoke on Trent Waste Local Plan (2013)

57. Paragraph 5.23 of the [Staffordshire and Stoke-on-Trent Joint Waste Local Plan](#) indicates that 'energy from waste and waste derived fuels has an important role to play alongside recycling and composting in a system of integrated sustainable waste management'.
58. Policy 1.5 states energy recovery proposals should demonstrate that they:
 - are consistent and comply with the requirements of Policy 4 (Sustainable design and protection and improvement of environmental quality);

- will not undermine the provision of waste management facilities operating further up the waste hierarchy (the waste to be treated cannot practically be suitable for reuse, recycling or processing to recover materials);
- are in close proximity to the source of waste in order to obtain reliable and regular supply of feedstock and minimise transport emissions;
- maximise energy recovery, either by combined heat and power (CHP) or electricity generation, or be CHP ready, with a realistic prospect of a market for the energy in the area; and,
- meet the locational approach set out in Policy 2 (Targets and broad locations for waste management facilities).

The Lichfield District Local Plan (2015)

59. Paragraph 5.22 of the [Lichfield District Local Plan](#) indicates that utilising renewable energy from a variety of sources within Lichfield District will contribute to reducing carbon emissions and makes reference to the [Staffordshire County-wide Renewable / Low Carbon Energy Study](#) which has estimated that Lichfield District is capable of meeting around 10% of its energy demand through renewable energy sources by 2020 and states that achieving this target relies on development of significant wind and biomass energy projects.
60. [Policy SC2 of the Lichfield District Local Plan](#) provides details of how renewable energy developments will be assessed including the impact on local amenity, including residential amenity; the impact of the historic environment and the proximity to, and impact on the transport network. A number of criteria for the assessment of Biomass Energy Development are also included such as preference should be to utilise brownfield sites or be co-located with other wood processing industries; located and scaled to avoid adverse off-site impacts, including any visual intrusion of plant, such as chimney or biomass storage facility; located close to the point of demand or adjacent to existing transport corridors; located so as to enable locally derived wood fuel/biomass to be utilised, from sustainably managed local woodlands such as the National Forest, Cannock Chase and the Forest of Mercia; minimise pollution from noise, emissions and odours; minimise emissions and waste products, including airborne emissions, emissions to watercourses and ash; and minimise any adverse impacts on amenity and on existing residential development.
61. *Conclusion:* It is reasonable to conclude that the proposals accord with the relevant Government energy strategies and guidance and the energy related planning policies in the Local Plans which support renewable energy or low carbon energy and specifically bio-energy developments. The acceptability of the development from a waste planning policy point of view are considered below.

The waste planning policy considerations

62. The '[Waste Management Plan for England](#)' sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and waste management and highlights the importance of putting in place the right waste management infrastructure at the right time and in the right location. The Plan sets out the need to drive waste management up the waste hierarchy, ensuring that

waste is considered alongside other spatial planning concerns, to provide a framework in which communities and businesses are engaged to take more responsibility of their own waste, helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment, and in ensuring design and layout complements sustainable waste management.

63. The [National Planning Policy Framework](#) (NPPF) does not contain specific policies about waste. Waste planning policy is provided in the [National Planning Policy for Waste](#) and in the [Staffordshire and Stoke-on-Trent Joint Waste Local Plan](#). These documents promote the principles of sustainable waste management and also offer guidance on the provision of waste management facilities that are *the right type, in the right place and at the right time*. The proposals are now assessed against this general guidance before the site specific considerations are discussed later.

The right type

64. Staffordshire and Stoke on Trent Waste Local Plan Policy 1.1 recognises waste as a resource in its aim to divert waste away from landfill, and in supporting waste development which would manage waste higher in the 'waste hierarchy'.
65. Planning permission was granted to allow the export of woodchip from the site. The applicant has indicated that woodchip is a by-product of the permitted operations; however not all the by-product is required for the farm. The surplus chipped wood which is currently exported from the site to be used elsewhere either as biofuel or as animal bedding on other agricultural units would instead be used to fuel the biomass boilers to generate electricity.
66. It is considered that the use of woodchip at Manor Farm in a biomass boiler would provide an alternative method of managing the by-product of the compost facility and would reduce the transport of the woodchip.
67. *Conclusion:* The proposals are the right type as they would allow the over-size wood brought to the site as part of the existing composting operation, which is currently chipped and taken off site, to be used in a biomass facility on site.

The right place

68. The National Planning Policy for Waste provides criteria and guidance for determining whether proposals are in the right place. The relevant national criteria refer to the protection of water quality and resources and flood risk management; land instability; landscape and visual impact; nature conservation; conserving the historic environment; traffic and access; air emissions, including dust; odours; noise, light and vibration; litter and potential land use conflict) and the locational implications of any advice on health from the relevant health bodies [Note: the national guidance warns against Waste Planning Authorities undertaking their own detailed assessment of epidemiological and other health studies]. The national guidance also refers to the design of waste management facilities to ensure that they contribute positively to the character and quality of the area in which they are located.
69. Staffordshire and Stoke on Trent Waste Local Plan Policy 4.2 similarly requires consideration to be given to the potential impacts of the proposed development on:

people, local communities and the highway network; the historic environment; the natural environment; the landscape; the Green Belt; the countryside; trees, hedgerows and woodland; agricultural land; open space; air, soil and water; flood risk; and, any other interests or acknowledged importance.

[Note: National guidance reminds Waste Planning Authorities to base their decisions on implementing the planning strategy in the Local Plan and not to concern themselves with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should also work on the assumption that the relevant pollution control regime will be properly applied and enforced].

70. The applicant contends that:

- the proposed development would facilitate the management of the waste in the most sustainable manner and aligns with national policy that promotes the generation of renewable energy.
- the proposed development would ensure that the waste would be managed further up the waste hierarchy, by recovering energy from the waste, reducing the amount of waste leaving the site in accordance with the waste management principles outlined within the National Planning Policy for Waste, Policy 1.1, 1.5 and 2.3 of the Waste Local Plan and Policy SC2 and NR1 of the Local Strategy;
- the proposed development would not undermine the provision of any other waste management facilities further up the waste hierarchy given that it will be managing waste that is produced at the site; and,
- the proposed development would maximise the amount of electricity that could be generated from the material with the excess heat used to dry the woodchip which is used in the process.

71. No adverse comments have been received from the Environment Agency who would control the site through the Environmental Permitting regime or from the Lichfield District Council's Environmental Health Officer who confirmed that he was satisfied with the air quality assessment. Further consideration is given to the potential site specific landscape and visual impacts; noise; odour/bio-aerosols and traffic implications later in the report.

72. No adverse comments have been received from the County Council's Environmental Advice Team or the Planning Regulation Team.

73. The Staffordshire and Stoke on Trent Waste Local Plan also contains criteria to help determine whether proposals are in the right place. Policy 2.3 refers to the broad location. Policy 2.3 seeks to encourage a network of sustainable waste management facilities which enable the movement of waste to be minimised, ensure that waste is being dealt with as close as possible to where it arises, and aims to reduce the need to transport waste over great distances. The policy states that preference will be given to such developments on general industrial land (including urban and rural general industrial estates (alongside B2& B8 uses)), previously developed (provided that it is not of high environmental value) land and existing waste management sites, within or close to the hierarchy of urban areas defined and shown on the Policy Map. The biomass boiler facility would be located on an existing waste management

facility, close to Lichfield.

74. Policy 3.1 of the Staffordshire and Stoke on Trent Waste Local Plan refers to the general requirements for new and enhanced facilities; Policy 4.1 refers to the measures to support sustainable design; and, Policy 4.2 identifies the considerations that should be given to protect environmental quality. The biomass boiler facility would be contained within a purpose built structure and would also be expected to operate to high environmental standards in accordance with an Environmental Permit regulated by the Environment Agency. The biomass boiler facility would also be compatible with and complement the existing nearby composting operation and replace the permitted in-vessel composting facility.
75. *Conclusion:* It is reasonable to conclude that the waste management facility is in the right place. The development would be compatible with and complement the existing composting operations. No objections have been received from statutory consultees and for the reasons explained below there are also no reasons to consider that the site does not accord with the national and local waste locational planning policy criteria.

The right time

76. Planning Practice Guidance explains that sustainable waste management facilities must be delivered at the right time to support a strong, responsive and competitive economy; to support strong, vibrant and healthy communities; to provide an environmental role in minimising waste; and, that planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.
77. The proposals would allow the recycling of wood waste reducing the transport associated with the removal of chipped wood waste from Manor Farm, Wall.
78. *Conclusion:* There is a need for the additional capacity; there is also no cap on provision; and, the proposals would support the aims of sustainable waste management and the drive to generate more renewable energy.
79. *Overall Conclusion waste planning policy considerations:* Having regard to the policies, guidance, consultation responses, and other material considerations, all referred to above, it is reasonable to conclude that the proposals would provide a facility to deal with the waste wood that is not composted at the adjacent composting facility. The proposals are therefore in general terms the right type, in the right place and at the right time. However it is also important to have regard to the site specific considerations discussed below.

Green Belt considerations

80. The site lies within the Southern Staffordshire Green Belt. It is therefore necessary to assess the proposed development against the [National Planning Policy Framework \(Section 9\)](#), the [National Planning Policy for Waste](#) and the relevant Local Plan policies (the [Staffordshire and Stoke on Trent Waste Local Plan](#) (Policy 4.2 (viii)) and the [Lichfield District Local Plan \(policy NR2\);](#) which all seek to protect the Green Belt from inappropriate development and to preserve its openness.

81. The National Planning Policy Framework (the NPPF) (paragraph 80) explains that the five purposes of the Green Belt are:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and,
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
82. The NPPF (paragraph 87) states that 'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Paragraph 88, states that 'there will be harm to the Green Belt if inappropriateness and any harm are not clearly outweighed by other considerations'.
83. Paragraph 89 of the NPPF states that 'new buildings should be regarded as inappropriate in the Green Belt unless they fall within one of the listed exceptions'. One of the exceptions is: 'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'. Paragraph 91 states that 'When located in the Green Belt, elements of many renewable energy projects will compromise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources'.
84. The National Planning Policy for Waste (Section 6), states that 'Green Belts have special protection in respect to development. In preparing Local Plans, waste planning authorities, working collaboratively with other planning authorities, should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development. Local planning authorities should also recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan'.
85. The applicant contends that the proposed development would have 'a similar, albeit marginally lesser impact, on the openness of the Green Belt compared to the previously accepted in-vessel composting building.
86. The applicant has also provided an assessment of the proposal against the five purposes of the Green Belt referred to above, namely that:
- the proposed development will be located in the centre of an operational site, in a location away from any built up area;
 - the proposed development will not result in the expansion of the operational site;
 - the proposed development will not adversely impact the setting and special character of any historic towns; and,

- whilst the site is not urban land, it will co-locate waste operations within an existing site avoiding the need to further encroach upon the Green Belt.

87. When determining the application for the in-vessel composting facility in 2008, the impact on the Green Belt was an important consideration. The Planning Committee accepted the following 'very special circumstances':

- The proposed development would be integrated with the existing permitted and operational composting facility.
- The compost product would be used within the farm holding.
- The co-location of the permitted open windrow facility and the in-vessel facility would reduce the environmental impact of the need to transport materials between the two operations which would otherwise potentially need to be transported to sites outside Staffordshire for treatment.
- In-vessel composting systems have the potential to improve the process control of composting organic material, restrict access to vermin and birds and ultimately deliver a more consistent higher quality compost which complies with the Animal By-product Regulations and reduces malodours associated with kerbside collected waste.
- There would be an increase in the level of visual intrusion in the locality as a result of the new building, areas of hardstanding and external storage of plant/equipment. However, the building would be located adjacent to the existing composting site and would be largely screened from views by the extension of landscaping bunds, existing mature hedgerows along the A5127 and additional tree planting in and around the site. The external materials of the building would also be treated in a recessive colour so as to minimise any visual intrusion.
- The proposals would make a significant contribution toward meeting regional and local composting and recycling targets and help to achieve self-sufficiency in the management of local waste.

88. In this case, it is considered that the proposed biomass boiler facility would constitute inappropriate development in the Green Belt and should therefore not be approved except in very special circumstances. However, it is considered that very special circumstances do exist in this case for the reasons explained below:

- The smaller biomass boiler facility would replace the permitted in-vessel facility ;
- The biomass boiler facility would be integrated with the existing composting facility and utilise chipped wood;
- The biomass boiler facility would maximise the use of waste as a resource, and would reduce the environmental impact of the management of different waste streams and remove need to transport woodchip and animal bedding to other sites in the local area which accords with Staffordshire and Stoke on Trent Waste Local Plan policies 1.1, 1.5, 3.1 and 4.1;
- The facility would generate 2 MW of bio-energy thereby making a contribution to

the targets for energy generation from 'renewable' sources which accords with government policy; and,

- The biomass boiler facility would be screened from views by bunds and mature trees. The external materials of the building would also be a recessive colour (dark brown) so as to minimise any visual intrusion which accords with Waste Local Plan policies 4.1 and 4.2.

89. When considering inappropriate development in Green Belt land, it is necessary to have regard to the [Town and Country Planning \(Consultation\) \(England\) Direction 2009](#). The Direction requires the Waste Planning Authority to consult the Secretary of State for Communities and Local Government on inappropriate developments in the Green Belt, where it intends to approve a building or buildings where the floor space to be created by the development is 1,000 square metres or more or the site area is 1 hectare or more; or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.
90. In this case, the building for the proposed biomass boiler facility would have a floor space in excess of the 1,000 square metres (1,312 square metres) and the site area is 2.7 hectare; and, by reason of scale or nature or location would have a significant impact on the openness of the Green Belt. Given the recommendation below is to approve the development it would be necessary to refer the decision to the Secretary of State for Communities and Local Government c/o the National Planning Casework Unit before planning permission can be issued.
91. *Conclusion:* Having regard to policies and guidance referred to above, it is reasonable to conclude that the proposals do constitute inappropriate development in the Green Belt, and that 'very special circumstances' exist that outweigh the harm to the openness of the Green Belt. However, before planning permission can be issued it would be necessary to refer this case to the Secretary of State c/o the National Planning Casework Unit.

The potential effects on the environment and local amenity (specifically the operating hours and the landscape, visual, air quality, noise and traffic impacts)

92. The documents submitted in support of the application considered the effects of the proposal on landscape and visual amenity; air quality and noise, ecological features, water resources and traffic. The potential effects on the environment and local amenity are discussed below.

The operating hours

93. The applicant has indicated that the biomass boilers would be operational 24/7 and the operations to feed and maintain them would be carried out during the same times as those currently allowed under the in-vessel permission, namely: 07:30 to 18:00 (Monday to Friday); 07:30 to 13:00 (Saturdays); and, deliveries only from Local Authority vehicles between 07:30 to 18:00 (Bank and Public Holidays). However the adjacent composting permission currently restricts the operational hours to 08:00 to 18:00 (Monday to Friday) and 09:00 to 13:00 (Saturdays) [Note: the preceding report on the agenda to this Committee recommended the approval of changes to the

composting permission operating hours to include 09:00 to 18:00 on Sundays and Public/Bank Holidays.] Therefore, for the same reasons as stated in the preceding report, namely, having regard to: the HWRC operating hours); the very limited impact on local amenity in this location that allowing up to 4 deliveries on Sunday and 10 deliveries on a Public/Bank Holiday; and, for the sake of consistency and enforceability; it is recommended that the biomass facility operating hours should also be 08:00 to 18:00 (Monday to Friday), 09:00 to 13:00 (Saturdays) and 09:00 to 18:00 (Sundays and Public/Bank Holidays).

Landscape and visual impacts

94. Government policy (the [UK Renewable Strategy](#), National Policy Statements [EN-1](#) and [EN-3](#), and also the [NPPF](#)) and local plan policies (Lichfield District Local Plan (policies NR2, NR4 and BE1); and Staffordshire and Stoke on Trent Waste Local Plan Policy 4.2) all seek to protect and / or enhance the landscape and visual amenity and ensure that development is informed by, or sympathetic to, the character and qualities of its surroundings, its location, scale and design.
95. Shenstone Parish Council commented that the use of renewable materials in the construction of the building and lowering the ground level to reduce the overall height of the building should be considered.
96. The applicant has stated that the proposal has been designed to complement the existing operations at the site and that consideration was given to its rural location.
97. The proposed development would be slightly smaller but similar in appearance to the previously permitted in-vessel building benefits from the existing landscape mitigation measures, including screening bunds, which would be retained throughout the lifetime of the development.
98. The Environmental Advice Team has no objections subject to the provision of an updated scheme of landscaping and visual mitigation.
99. *Conclusion:* Having regard to the policies, guidance, other material considerations and consultation responses, referred to above, it is reasonable to conclude that, subject to the recommended conditions, the biomass boiler facility would not give rise to any unacceptable adverse landscape or visual impact.

Air quality and noise

100. [Paragraph 123 of the NPPF](#) requires that local planning authorities make decisions that:
 - *“avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development”;*
 - *“mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions”;* and,
 - *“recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have*

unreasonable restrictions put on them because of changes in nearby land uses since they were established.”

101. The [Staffordshire and Stoke on Trent Waste Local Plan policy 4.2](#) and the [National Planning Policy for Waste](#) explain that consideration should be given to the likely impact on the local environment and on amenity including air emissions including noise and odour.
102. Planning Practice Guidance on [Noise and Air quality](#) explains that the planning system controls the development and use of land in the public interest. The guidance also explains, as mentioned earlier, that these matters are covered by other regulatory regimes and waste planning authorities should assume that these regimes will operate effectively.
103. The applicant provided a ‘Noise Note’ which concluded that the predicted levels at the nearest sensitive receptors are considered to be low, and ‘given the receptors’ close proximity to existing sources of noise (including Parker Hannifin UK PLC, One Lichfield South Wall Island, Birmingham Road; Holiday Inn Express, One Lichfield South Wall Island, Birmingham Road and Harehurst House, Birmingham Road), it is unlikely that noise from the site would be perceptible’.
104. An air quality assessment has also been provided which states that biomass boiler is capable of smokeless operation. The assessment concludes that there would be no exceedances of the relevant air quality objectives. The assessment (Table 4) states that the proposed fuel does not fall under the Waste Incineration Directive and the plant size is below 20MWth and therefore not covered by a permit; and would not require Clean Air Act Approval.
105. The air quality assessment also indicates that the plant must meet requirements set by CAA (Clean Air Act) ‘grit and dust’ provisions, and that the Local Authority are required to approve the chimney height.
106. Since the composting permission and the in-vessel permission were determined in 2002 and 2008 respectively, Lichfield District Council has permitted development to the south of the Manor Farm site. Planning permission was granted for the erection of two buildings to provide office, studio and laboratory/workshop space (ref. [14/00395/OUTMEI](#) dated 23 December 2014) [varied in Nov 2016 (ref. [16/00589/FULMEI](#) dated 18 November 2016)]. The location of the composting facility was taken into account by the District Council when approving the adjacent development. The District Council report explains that:

‘the impact on the occupiers of the proposal would not be significantly affected by the adjacent land use, due to the indicative building designs and the applicants intention to be BREAMM compliant, subject to conditions as recommended to mitigate any air quality and odour issues’.
107. The Environment Agency raised no objections to the proposals with regard to odour and bio-aerosols from the adjacent site. The Environment Agency has also commented that the operator has an exemption for clean wood storage and chipping (for export to other biomass facilities) and that a permit would be needed, if the proposed biomass plant is to use oversize wood from the composting operation. The County Council’s Noise Engineer and Lichfield District Council Environmental Health

Officer also raised no objections.

108. *Conclusion:* Having regard to the above mentioned policies and guidance, consultee comments, and to the conditions recommended below, it is reasonable to conclude that the biomass boiler facility would not give rise to any unacceptable adverse air quality or noise impacts.

Traffic impacts

109. Government guidance (the NPPF paragraphs 32 and 144 and the National Planning Policy for Waste) and local plan policies (the Staffordshire and Stoke on Trent Waste Local Plan policy 4.2) aim to protect the local highway network and the safety of residents.
110. Highways Development Control has no objections to the proposal subject to a condition concerning the provision of wheel cleaning/washing facilities. Highways Development Control also recommended that the restriction on the number of deliveries should continue to minimise the impact of the development on the highway network. This limitation on the new permission would need to be secured by a new / supplemental Section 106 Legal Agreement (see 'The need for a new / supplemental Section 106 Legal Agreement' below).
111. Network Rail requested clarification concerning the possibility of vehicles entering the site via an underpass beneath the adjacent railway. The applicant has confirmed that vehicles would continue to access the site from the side road leading to the Birmingham Road.
112. *Conclusion:* Having regard to the policies, guidance, other material considerations and consultee responses, referred to above, it is reasonable to conclude that, subject to the imposition of the recommended conditions and a new / supplemental Section 106 Legal Agreement, the proposed development would not give rise to any unacceptable adverse impact on the highway network or in terms of highway safety.

Other matters raised by Shenstone Parish Council

Processing of woodchip

113. Concerns have been raised by Shenstone Parish Council that the planning application does not contain confirmation that the production and export of woodchip will remain inside the existing planning approval which sets a 35% threshold.
114. The planning permission allowing the limited export of chipped waste wood restricted the quantity of 'chipped waste wood' exported off site to 35% of the waste recycled (condition 2 of the composting permission). The woodchip was considered to be a 'by-product' of the permitted composting operations and is currently re-used on the farm with any surplus chipped wood exported and used as either as biofuel or as animal bedding on other agricultural units.
115. The applicant has explained that the current arrangement to the export the waste woodchip is inefficient and it would be more efficient to use it to fuel a biomass boiler on site.

116. The applicant has not proposed to amend the amount of chipped wood exported and therefore the amount of chipped wood 'exported' to the biomass boiler facility would continue to be restricted to 35% of the total amount of waste brought to the site for composting (20,000 tonnes per annum), which equates to 7,000 tonnes per annum being processed to produce wood chip to fuel the boilers.

Height of the biomass boiler facility

117. Shenstone Parish Council has also indicated that consideration should be given to reducing 'the negative vertical impact' of the building and the ground level should be lowered.
118. As previously indicated, the biomass boiler facility would be located on an area of land that has planning permission for an in-vessel composting facility and the existing concrete pad (slab) would be utilised in the construction of the biomass boiler facility. The applicant has confirmed that the foundation works have been carried out in accordance with the previous permission.
119. It is considered that the height of the biomass boiler facility (11.85 metres to the ridge of the building) would be similar to the height of the in-vessel composting facility building (12 metres in height). The only difference is the new facility requires two steel stacks measuring 3.5 metres higher than the roof ridge height.
120. No objection has been raised by the County Council's Environmental Advice Team subject to the provision of an updated scheme of landscaping and visual mitigation.
121. As concluded earlier, it is considered that the change would not give rise to any unacceptable adverse visual impact.

The need for a new / supplemental 106 Legal Agreement

122. There is currently a Section 106 Legal Agreement (S106) which relates to the composting permissions (ref. [L.05/04/823 W](#) and also [L.12/01/823 W](#)) and the 'in-vessel permission' (ref. [L.07/15/823 W](#)). The S106 secures an undertaking that the combined total number of loads of compostable green / organic waste delivered to the site should not exceed 20 per day (Monday to Saturday).
123. It is therefore necessary to consider whether the recommended undertakings listed below meet the tests in the NPPF and should be secured as part of a new / supplemental S106:
- the existing undertaking to limit the combined total number of loads to 20 (Monday to Saturday)
 - an amendment to the existing undertaking to reduce the number of loads on a Saturday to take account of the shorter operating hours;
 - an additional undertaking to include the deliveries on Sundays, Public and Bank Holidays from HWRCs; and,
 - an additional undertaking not to further implemented the in-vessel planning permission.

124. The tests set out in [paragraph 204 of the NPPF](#) are that undertakings should be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

[Note: These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010 ([Part 11, Regulation 122 and 123](#)) (as amended by the [2011](#), [2013](#) and [2014](#) Regulations). The Planning Practice Guidance ([Community Infrastructure Levy, Do the planning obligations restrictions apply to neighbourhood funds?](#)) indicates that the [Community Infrastructure Levy \(Amendment\) Regulations 2014](#) prevents section 106 planning obligations being used in relation to those things (infrastructure) that are intended to be funded through the levy (Community Infrastructure Levy) by the charging authority. In this case, a [CIL](#) was adopted by Lichfield District Council on 19 April 2016 and came into effect on 13 June 2016. This type of development is not included in the Charging Schedule.

125. It is considered that the existing undertaking, as amended, and the additional undertakings would meet the tests referred to above for the reason discussed below:

1. *The existing undertaking to limit the number of loads; the amendment for Saturdays and the additional loads on Sundays, Public and Bank Holidays*

126. It is considered that the existing undertaking, which would continue to restrict the combined total number of HCVs delivering waste to the whole site (i.e. associated with the composting facility and the biomass facility), is applicable to the biomass facility: for the sake of consistency (it was recommended in the preceding report on the agenda to this Committee); enforceability; and, as it was recommended by the Highway Authority to minimise the impact on the highway network. For the same reasons, it is also considered opportune to amend the number of loads on a Saturday to 8, to reflect the shorter operating hours (09:00 to 13:00 (4 hrs)) compared to 20 loads per day from Monday to Friday (08:00 to 18:00 (10 hours)) and to add to the undertaking to accept loads from HWRCs on Sundays (4) and on Public/Bank Holidays (10).

127. This undertaking, as amended, accords with the [Staffordshire and Stoke on Trent Waste Local Plan](#) (policy 4.2); the [National Planning Policy Framework](#) (section 4); Planning Practice Guidance ([Planning obligations](#)); and, [the National Planning Policy for Waste \(paragraph 7 and Appendix B\)](#).

2. *A requirement that the in-vessel planning permission should not be further implemented.*

128. This undertaking would require the applicant to agree not to further implement the in-vessel permission (ref. [L.07/15/823 W](#)) to:

- ensure that the new building is developed in accordance with the new permission and no redundant elements of the in-vessel building remain on site;

- avoid any potential unacceptable adverse effects that might arise if the applicant decided to revert back to the in-vessel permission (e.g. there are differences in the design, size and use of the buildings);
 - assist the Planning Regulation Team in the effective monitoring and enforcement of the site; and,
 - ensure that the site operates to high environmental standards.
129. This undertaking accords with the [Staffordshire and Stoke on Trent Waste Local Plan](#) (policy 4.2); the [National Planning Policy Framework](#) (section 4); Planning Practice Guidance ([Planning obligations](#)) and, the [National Planning Policy for Waste](#).
130. *Conclusion:* It is reasonable to conclude that the undertakings described above are necessary, relevant and fairly and reasonably related in scale and kind to the development and should be secured as part of a new / supplemental S106.

Overall Conclusion

131. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given careful consideration to application and supporting information the consultee responses and the other material considerations, all referred to above, it is reasonable to conclude that the proposed development is acceptable and should be permitted subject to a new / supplemental S106 Legal Agreement and planning conditions.

RECOMMENDATION

As the proposal is inappropriate development on land in the Southern Staffordshire Green Belt the recommendation is....

.....to consult the Secretary of State for Communities and Local Government (c/o the National Planning Casework Unit) to advise that having regard to the matters referred to in the report, the County Council is **MINDED TO PERMIT** the proposed development, subject to the conditions recommended below and subject to the applicant and all other persons with an interest in the land first signing a new / supplemental Section 106 Legal Agreement and subject to planning conditions (the heads of terms are listed below).

[Note: the additional terms of the new / supplemental Section 106 Legal Agreement are highlighted in **bold**]

The new / supplemental Section 106 Legal Agreement - heads of terms to include the following:

1. The combined total number of loads of compostable green/organic waste delivered to the site shall not exceed the following:-
 - Monday to Friday (20 loads / 40 movements per day);
 - **Saturdays (8 loads / 16 movements);**

- **Sundays (4 loads / 8 movements from Household Waste Recycling Centres; and,**
- **Public and Bank Holidays (10 loads / 20 movements per day) from Household Waste Recycling Centres.**

2. That the applicant agrees not to further implement the in-vessel permission ref. [L.07/15/823 W.](#)

The planning conditions to include the following:

Definition of Permission

1. To define the permission with reference to approved documents and plans;
2. To define the commencement of the development;

Cessation of Operations

3. To require a site clearance scheme in the event that the use of the site should cease;
4. To define cessation;

Waste Types and Waste Quantity

5. To define waste types - green waste or organic waste;
6. To limit the tonnage of waste wood to- 7,000 tonnes per annum;
7. To require record keeping of the quantity of waste wood used to fuel the boilers; and, records of the electricity generated and exported from the site.
8. To require a copy of the permission and all associated documents to be available to the person person/s responsible for the operations on site;

Noise and dust

9. To limit noise c generated by the operations on the Site to 65 dB LAeq, (1 hour), Freefield;
10. To require best practicable means to be employed to minimise noise generated by the permitted operations;
11. To require best practicable means to be employed to minimise dust generated by the permitted operations;

General Environmental Protection

12. To require the site to be maintained in good condition and fit for purpose;

13. To require that redundant vehicles, plant or machinery are not stored or parked at the site;
14. To require that no materials are burnt on the site other than in the biomass boilers;
15. To require the site to be secured outside the working hours;
16. To require the removal of non-conforming wastes;
17. To require that no import of waste to the site takes place other than between the following hours:
 - 08.00 to 18.00 Monday to Fridays; and,
 - 09.00 to 13.00 on Saturdays;
 - 09.00 to 18.00 Sundays, Public or Bank Holidays;
18. To require the submission of a written record of any emergency event shall be provided to the Waste Planning Authority within 3 days of the emergency event.
19. To define the entrance and exit to the site;
20. To require of the submission of details of the wheel cleaning/washing facility;
21. To require that all loads of waste or recycled materials imported to the site are covered;
22. To require that no mud or deleterious material are deposited on the public highway from vehicles leaving this site;
23. To ensure safe storage of oils, fuels and chemicals;
24. To require that any lighting including site security lighting required on-site for safe working outside of daylight hours is directed to minimise light spillage;
25. To require the submission of an updated Landscaping and Visual Mitigation Scheme;
26. To limit the use of the site to the uses hereby permitted and to restrict permitted development rights;
27. To ensure that the permission expires after the Waste Planning Authority has confirmed that the site has been restored and subject to aftercare.

INFORMATIVES

1. Section 106 Legal Agreement

To reminded the applicant about the terms of the Section 106 Legal Agreement.

2. Staffordshire Council County – Principal Archaeologist

To inform the applicant and statutory undertaker in relation to the installation of the underground cable from the biomass boiler facility to the National Grid, of the demonstrable archaeological sensitivity of the area.

3. Staffordshire Council County - Rights of Way Team

To inform the applicant about the advice from the Rights of Way Team about the possibility of the existence of a right of way in common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980.

4. Western Power Distribution and National Grid/ Cadent Gas Ltd

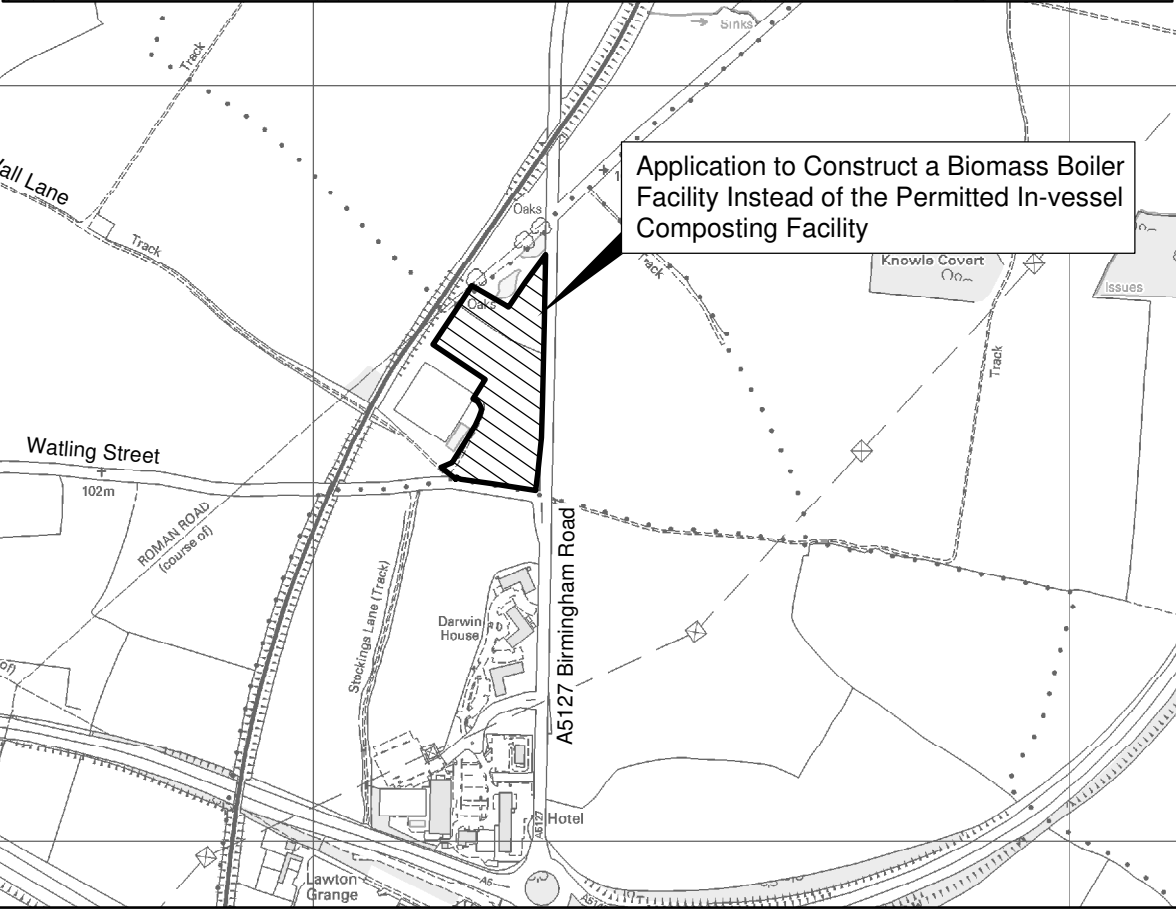
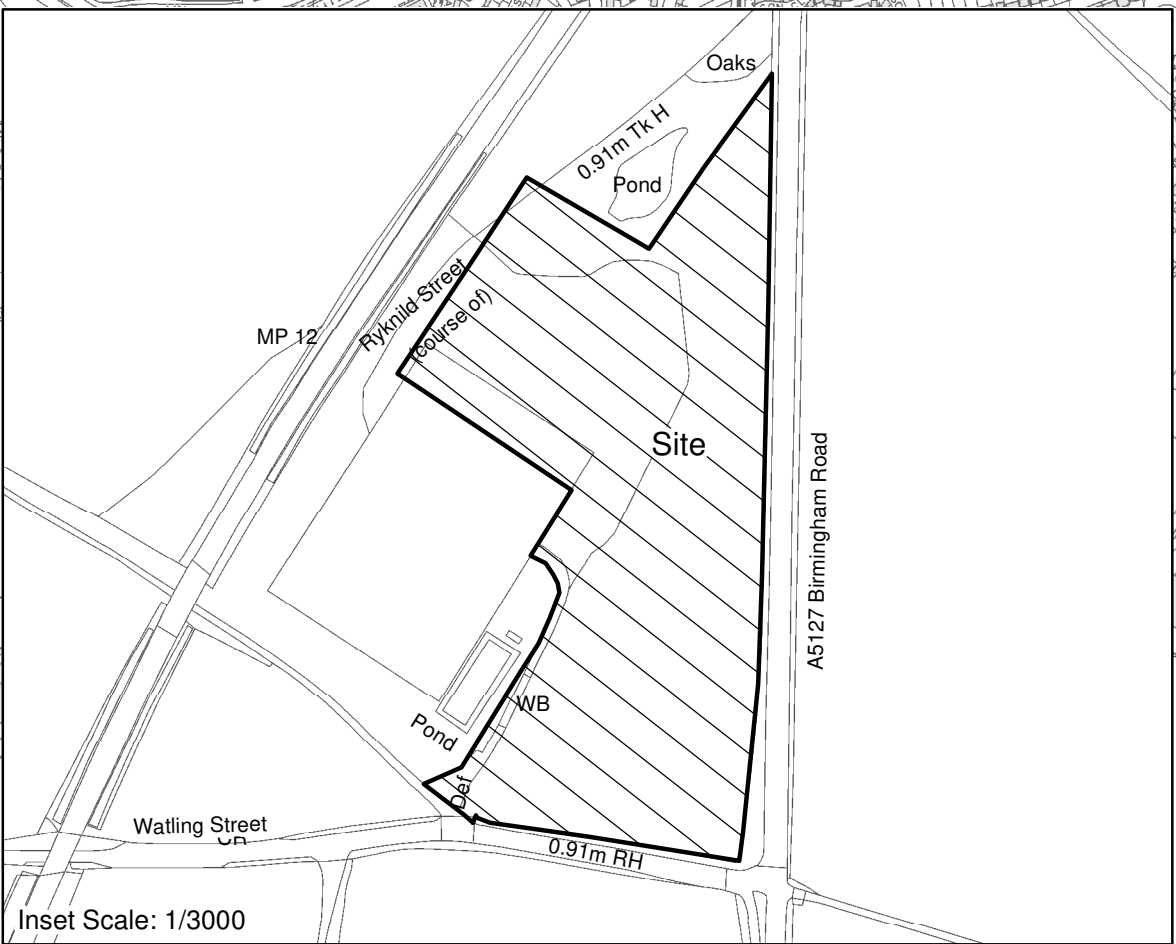
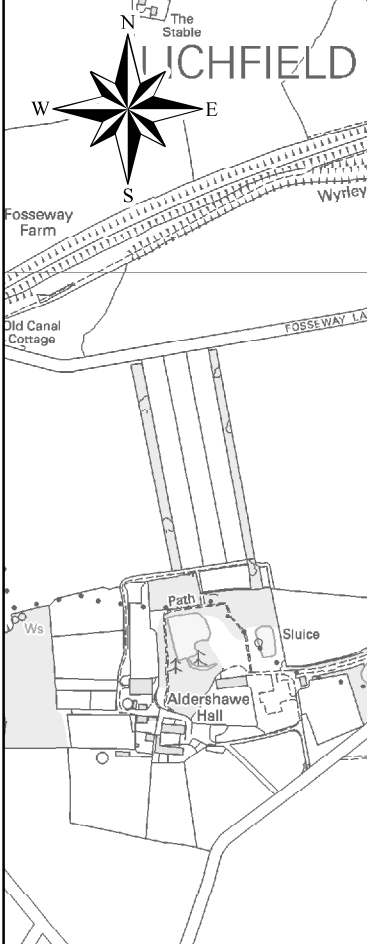
To inform the applicant about the advice provided by Western Power Distribution and Cadent Gas Ltd about their apparatus in the vicinity of the site.

5. Network Rail

To remind the applicant about the advice given by Network Rail to ensure that the proposal, both during construction, after completion of works on site does not affect the safety, operation or integrity of the operational railway / Network Rail land and our infrastructure. The works on site must not undermine or damage or adversely impact any railway land and structures.

Case Officer: David Bray - Tel: (01785) 277273
email: david.bray@staffordshire.gov.uk

A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).



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Staffordshire
County Council

Planning, Policy & Development Control,
 Staffordshire County Council,
 No.1 Staffordshire Place,
 Stafford, ST16 2LP.
 Telephone 0300 123 8000

Greener Composting. Application to construct a biomass boiler facility instead of the permitted in-vessel composting facility, Watling Street, Wall, Lichfield.

Local Members' Interest	
Mr. P. E. B. Atkins	Uttoxeter Rural

PLANNING COMMITTEE – 5 October 2017

MINERAL COUNTY MATTER

District: Application No. Staffordshire Moorlands - [ES.17/01/511 MW](#)

Date Received: 11 January 2017

Date Revised/Further Details Received: 21 February 2017, 22 March 2017, 27 March 2017, 28 April 2017, 11 July 2017 and 20 July 2017

J. C. Bamford Excavators Ltd. for the construction of a demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works at Kevin Quarry, Ramshorn, Oakamoor, Stoke-on-Trent.

Background/Introduction

1. The first planning permissions for Kevin Quarry were granted in the early 1960's. Limestone has been extracted from the quarry; however the site was 'mothballed' in 2000's by the quarry operators and mineral extraction operations were temporarily suspended.
2. Operations at the quarry re-commenced in December 2013 when JCB purchased the site from Tarmac (formerly Lafarge Tarmac). JCB have explained that they intend to continue to use the site for '*low-key quarrying and related operations, under the Interim Strategy principally to operate, monitor and demonstrate the performance of machinery within the quarry environment in a controlled manner*'.
3. Planning permission granted in December 2013 (the 'December 2013 planning permission') for the operation of the quarry (ref. [ES.07/16/511 MW](#)) includes two operational strategies for the quarry: an 'Interim Strategy' (i.e. limited mineral operations); and, a 'Working Strategy' (i.e. a return to a fully operational quarry).

Site and Surroundings

4. Kevin Quarry occupies undulating land on the south western flanks of the Weaver Hills, adjacent to Wredon Quarry (to the north). Ramshorn village lies about 600 metres to the south of the site and Wootton village is about 2 kilometres to the south. The proposed development is located within East Staffordshire Borough Council's administrative area and the boundary with Staffordshire Moorlands District Council's administrative area lies between Kevin Quarry and Wredon Quarry (approximately 850 metres to the north of the proposal).
5. The demonstration facility would be located towards the southern boundary of Kevin Quarry and the covered grandstand would be located in centre of the quarry linked

by an internal haul road (see Plan 1).

6. Access to the demonstration facility and covered grandstand would be from the existing entrance on Ellastone Road (C0003).

Summary of Proposals

7. The application relates to the construction of a demonstration facility separate covered grandstand in association with the approved use of the site for low key quarrying to enable to the operation, monitoring and demonstration of JCB machines within a quarry environment in accordance with the 'Interim Strategy' referred to earlier.
8. The demonstration facility would be 'T' shaped and would measure approximately 50.2 metres in length; the upper part of the 'T' would 27.5 metres by 14.9 metres. The lower part of the 'T' would measure 35.4 metres by 17.7 metres.
9. The walls and roof of the demonstration facility would be constructed using khaki green coloured composite wall/roof panels. There would be windows and curtain walling on the western elevation; external doors including the vehicle doors on the north and southern elevations; a cantilevered entrance canopy; and, the coping/flashing/gutting/downpipes would be a merlin grey in colour. Two 'JCB' non-illumination signs would be located on the western and southern elevations. 124 photovoltaic panels would be mounted to the demonstration facility roof. Concrete hardstanding would be provided around the demonstration facility (see Plan 2).
10. Inside the demonstration facility there would be a double height 'Customer Welcome Area & Machine 'walk round' Zone'; a 25 seat theatre; a double height 4 bay demonstration maintenance workshop and a single storey parts area; drying room; a demonstration office/live link area; a kitchen; an entrance lobby; male and female W.C./shower; WC and disabled W.C; PPE changing area; store room and lift to the first floor. The first floor includes a demonstration welfare area and three meeting rooms.
11. The grandstand would measure approximately 25 metres (including roof overhang on the south western elevation) by 23.2 metres. The roof would slope from north east to south east (7.4 metres to 5.6 metres). A canopy/lobby measuring 4 metres by 4 metres and 4 metres in height would be located to the south east.
12. The walls and roof of the grandstand would be constructed using khaki green coloured composite wall/roof panels. The windows would be a frameless glazing system on the south western elevation; there would be a canopy/lobby; a sliding vehicle door on the south eastern elevation to access the hospitality exhibition area; and, again the coping/flashing/gutting/downpipes would be a merlin grey in colour. Two 'JCB' non-illumination signs would be located on the north eastern and south eastern elevations (see Plan 3).
13. The grandstand building would consist of a glass fronted tiered seating area (332 seats) including an office; hospitality exhibition area; lobby area; kitchen; male and female/disabled W.C and store room. A plant area would be located to the north of the building and a vehicle drop off area would be sited to the east of the building.

14. The proposal also includes 44 car park spaces provided adjacent to the demonstration facility (to the east) and grandstand (to the north east) and a vehicle wash bay to the south of the demonstration facility.

The Applicant's Case

15. The applicant has indicated the demonstration facility and covered grandstand at Kevin Quarry South would be used to support the JCB's existing activities on the site which entail the demonstration of construction equipment to JCB dealers and customers. JCB intend to continue to use the Kevin Quarry South for low key quarrying operations and related operations, in accordance with the approved 'Interim Strategy'.
16. The demonstration facility and covered grandstand would allow customers to see machines working in a 'truly impressive environment, which would inevitably increase machine sales and 'allow JCB to consider expanding its factory infrastructure elsewhere in the county, creating the potential for new jobs'.
17. The demonstration facility and covered grandstand would form a part of the "JCB Experience" delivered at its World Headquarters in Rocester which would provide a 'world class demonstration facility and hospitality suite to showcase its world class products and to enable JCB to compete with its global competitors who have first rate demonstrating facilities'.
18. JCB currently have a demonstration arena near their World HQ (Woodseat, Rocester) which is now within the bounds of JCB's golf course and which is currently under construction. The applicant has explained that the existing arena site is outdated and not suitable to demonstrate the latest generation and emerging product range (including the larger machines) effectively in a working environment.
19. The applicant considers the technical reports submitted conclude that no significant environmental effects or other unacceptable adverse impacts would be caused as a result of the development which would significantly and demonstrably outweigh the benefits of the development. The proposal is also compatible with the existing quarry and would not sterilise the working of any valuable mineral reserves.

Relevant Planning History

20. Planning permission was granted in July 2001, subject to a Section 106 Legal Agreement, for an extension and revised restoration scheme (ref. [ES.16711/03](#)).
21. Planning permission was granted in December 2013, subject to a supplemental to the Section 106 Legal Agreement, to vary conditions 8, 14, 47 and 48 of planning permission ES.16711/03 to extend the dates for submission of details relating to soil stripping, noise monitoring and restoration (ref. [ES.07/16/511 MW](#)) [the 'December 2013 planning permission'].
22. In June 2017 an Interim Strategy (condition 11), an Interim Restoration and Landscaping Scheme (condition 16), wheel cleaning facilities (condition 30a), nature conservation measures (condition 34) and an Interim Noise Monitoring Scheme (condition 45) were approved (ref. [ES.07/16/511 MW D1](#) and [ES.07/16/511 MW D2](#)).

23. Two non-material amendments were approved to extend the dates for the submission of the above details (ref. [ES.07/16/511 MW NMA1](#) and [ES.07/16/511 MW NMA2](#)).
24. Planning permission was also granted in May 2010 to regularise the importation of stone to the coating plant operated by Tarmac (ref. [ES.09/23/511 MW](#)).

Environmental Impact Assessment (EIA)

Screening Opinion: YES* **Environmental Statement:** NO

[* Note: In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the County Council issued a “Screening Opinion” on the proposals which concluded that the proposed development is not EIA development and therefore need not be supported by an Environmental Statement (ref: [SCE.237/ES.17/01/511 MW](#) dated 28 March 2017).].

Findings of Consultations

Internal

25. The Environmental Advice Team (EAT) commented as follows:

Ecology – the revised Preliminary Ecological Appraisal is appropriate and conditions are recommended to ensure ecological protection and enhancement in accordance with the [Minerals Local Plan for Staffordshire](#) policy 4. The County Ecologist has indicated that the potential for impacts is considered negligible given the inclusion of the mitigation proposals. The following conditions are recommended to require:

- the submission of a plan showing the tree and woodland protection and compensation and watercourse protection described in Preliminary Ecological Appraisal;
- the submission of a Himalayan balsam control implementation plan covering the measures advised in Preliminary Ecological Appraisal;
- the submission of a pre-clearance and construction Precautionary Working Method Statement for protection of species in accordance with Preliminary Ecological Appraisal; to include measures for badger, breeding birds and great crested newt protection;
- the submission of drainage plans to include ecological assessment and mitigation; and,
- the submission of an ecological enhancement plan;

Landscape – the Landscape and Visual Impact Assessment demonstrates that the impact of development on landscape character would not be significant, and from most viewpoints visual effects would be negligible or nil. A condition is recommended to require planting details of the vegetated landscape bund to the south of the development to be submitted. The Environmental Advice Team have

also advised that the Staffordshire Wildlife Trust is keen to work with the quarry manager on low-cost creation, by green hay strewing or local seed spreading, of species-rich grassland on non-operational areas such as bunds

Archaeology and Historic Environment – the site appears to have been substantially impacted by previous extraction and quarry workings and therefore archaeological mitigation would not be appropriate in this instance.

Rights of Way - the County Council's Definitive Map of Public Rights of Way shows that no rights of way cross the proposed application site.

26. Highways Development Control (on behalf of the Highways Authority) has no objection to the proposal subject to the submission of an Events Management Plan (i.e. for large events over 100 attendees the plan to include details of the routing of vehicles including coaches; the management of all traffic entering and leaving the site; the methods for reducing single occupancy journeys to the event; the parking arrangements throughout the event and provisions for review and updates to the Plan); and, details of a low-loader HGV route to and from the site.
27. County Council's Noise Engineer has commented that based on the additional information submitted and knowledge of the location, it is accepted that the proposals is likely to be acceptable on noise grounds and conditions are recommend to controls on hours, frequency, quantity of mineral to be extracted/processed to ensure there is no opportunity to intensify the proposals with the potential of causing unacceptable levels of noise.
28. Planning Regulation Team has no objection.
29. Flood Risk Management Team (on behalf of the Lead Local Flood Authority) has no comments to make.

External

30. Severn Trent (Asset Protection Team) – no objection subject to a condition to require the submission of drainage plans for the disposal of four and surface water flows and their implementation.
31. Natural England – considers that the proposed development would not have significant adverse impacts on designated sites and has no objection.
32. Environment Agency – no objection.
33. East Staffordshire Borough Council Environmental Health Officer (EHO) – is satisfied that the proposal would not have an unacceptable noise impact and have recommended the inclusion of an informative concerning contaminated land.
34. Staffordshire Moorlands District Council Environmental Health Officer (EHO) – no response.

District/Parish Council

35. East Staffordshire Borough Council - no objection.

36. Staffordshire Moorlands District Council – no response.
37. Ramshorn Parish Council - no response.
38. Wootton Parish Council - no response.
39. Farley Parish Council - no response.

Publicity and Representations

40. Site notice: YES Press notice: YES
41. Notification letters were sent to 9 neighbours and no representations have been received.

The development plan policies and other material planning policy considerations relevant to this decision

42. The relevant development plan policies are:

- a) [Minerals Local Plan for Staffordshire \(2015 - 2030\)](#) (adopted February 2017):

- Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure;
- Policy 4: Minimising the impact of mineral development;
- Policy 4.5: Higher environmental standards; and
- Policy 4.6: Ancillary development;
- Policy 6: Restoration of Mineral Sites.

- b) The [East Staffordshire Borough Council Local Plan](#) (October 2015)

- Principle 1 - Presumption in Favour of Sustainable Development;
- Policy SP14 - Rural Economy;
- Policy SP24 - High Quality Design;
- Policy SP27 - Climate Change, Water Body Management and Flooding;
- Policy SP28 - Renewable and Low Carbon Energy Generation;
- Policy SP29 - Biodiversity and Geodiversity;
- Policy SP30 - Locally Significant Landscape;
- Policy SP35 – Accessibility and Sustainable Transport;
- Detailed Policy 1 - Design of New Development;
- Detailed Policy 2 – Designing in Sustainable Construction;
- Detailed Policy 7 - Pollution and Contamination; and,
- Detailed Policy 8 – Tree Protection.

43. The other material planning policy considerations are:

- a) [The National Planning Policy Framework](#) (the NPPF) (27 March 2012)

- Section 1: Building a strong, competitive economy
- Section 4: Transport

- Section 7: Requiring good design
- Section 10: Meeting the challenge of climate change, flooding and coastal change;
- Section 11: Conserving and enhancing the natural environment;
- Section 12: Conserving and enhancing the historic environment
- Section 13: Minerals

b) [Planning Practice Guidance](#) (last updated 28 July 2017)

- [Design](#);
- [Flood risk and coastal change](#);
- [Health and wellbeing](#);
- [Minerals](#);
- [Natural environment](#);
- [Transport evidence bases in plan making and decision taking](#);
- [Travel Plans, Transport Assessments and Statements](#);
- [Use of planning conditions](#);
- [Waste](#);
- [Water supply, wastewater and water quality](#).

Observations

44. This is an application for the construction of demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works at Kevin Quarry, Ramshorn, Oakamoor, Stoke-on-Trent.
45. Having given careful consideration to the application and supporting information, the relevant development plan policies other material considerations, and the consultation responses received, all referred to above, the key issues are considered to be:
- The planning policy considerations (specifically the presumption in favour of sustainable development and design);
 - The minerals planning policy considerations (specifically mineral sterilisation and ancillary development);
 - The environmental considerations (specifically the impacts on the landscape and visual amenity, ecology, and the noise and traffic impacts); and,
 - The need for a new / supplemental Section 106 Legal Agreement.

The planning policy considerations

The presumption in favour of sustainable development

46. Government guidance in the [National Planning Policy Framework](#) refers to the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14). Furthermore, the National Planning Practice Guidance explains that:

'Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development' [ref. Determining a planning application; [How must decisions on applications for planning permission be made?](#), Paragraph: 006].

47. This presumption is re-stated in the local planning policies including paragraph 1.3 of the [Minerals Local Plan for Staffordshire](#) and in Principle 1 of the [East Staffordshire Borough Council Local Plan](#), which also refer to the positive approach in favour of sustainable development when considering proposals.
48. *Conclusion:* For the reasons discussed below with regard to the up to date, planning policies related to design, minerals and the environment, it is concluded that the proposals do represent sustainable development, hence the recommendation is to permit the proposed development.

Design

49. The [National Planning Policy Framework](#) and the [East Staffordshire Borough Council Local Plan](#) set out the general planning policies and detailed development management policies that should be considered when determining planning applications. Of particular relevance in this case are the design considerations and the relevant guidance in the [National Planning Policy Framework \(Section 7: Design\)](#) and the relevant policies in the [East Staffordshire Borough Council Local Plan](#) (policy SP24 and Detailed Policy 1 (Design of New Development) and Detailed Policy 2 (Designing in Sustainable Construction)).
50. The demonstration facility would be located on an area that has previously been worked and existing landscaping would screen the building. Quarry infrastructure ('plant site') is located to the east of the demonstration facility. The demonstration facility would be finished using green panels and tinted grey curtain glass walling with photovoltaic roof mounted panels. The covered grandstand would be located within the confines of the quarry void and therefore would be screened. The covered grandstand would also be finished using green panels with tinted grey curtain glass walling. Disabled access/ disabled WC would be provided. The car park associated with the demonstration facility would be permeable ('hydropave block paving').
51. The application is accompanied by a Design and Access Statement, a Landscape and Visual Assessment, a Noise Assessment, a Transport Statement, an Ecological Appraisal, and, a Planning and Sustainability Statement. No objections to the design of the proposals by consultees including the County Council's Environmental Advice Team and East Staffordshire Borough Council. It is therefore reasonable to accept the applicant's contention that *'The design of the buildings, their massing and siting are well related to and appropriate to the location and proposed use.'*
52. *Conclusion:* Having regard to the application supporting information, policies, guidance, other material considerations and consultee comments, all referred to above, it is reasonable to conclude that the proposed development would be acceptable in design terms.
53. *Overall Conclusion:* Having regard to the relevant general planning policy considerations, it is reasonable to conclude that the proposals are acceptable in

principle. The site specific mineral and environmental planning policy considerations are discussed below.

The minerals planning policy considerations

Mineral sterilisation

54. Both national and local planning policies recognise the importance of minerals for sustainable economic growth. The [National Planning Policy Framework](#) (NPPF) contains specific mineral planning policy guidance (Section 13) and the [Minerals Local Plan for Staffordshire](#) (Vision and Strategic Objective 1).
55. In this case, the proposal does not involve mineral extraction, albeit that limestone extracted at Kevin Quarry would be used in the demonstration of machinery. A key consideration in this case is mineral sterilisation, i.e. whether the proposed development would permanently sterilise the underlying permitted mineral reserves.
56. The NPPF advises that:
- ‘Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation’ (ref. NPPF paragraph 142).*
57. The implications of the location of the demonstration facility and grandstand at Kevin Quarry and the implications relating to the continued mineral extraction therefore need to be assessed.
58. Reference is made in paragraph 2.22 of the Mineral Local Plan to the provision of limestone reserves from quarries in Staffordshire such as Kevin Quarry over the plan period:
- ‘Limestone reserves used for crushed rock are more than sufficient to meet the anticipated requirements for crushed rock aggregate over the Plan period’.*
59. Specific reference is also made to the use of Kevin Quarry by JCB (paragraph 2.24 of the plan):
- ‘JCB has taken a long term interest in the complex of quarries known as Wardlow/ Wredon and Kevin to assist them with the development of new vehicles. As a result, it is anticipated that the permitted minerals will remain as a long term reserve. In the event that the quarries are re-activated then we will also encourage Tarmac, who have retained an option to work the minerals, to consider the benefits of co-ordinated working and restoration here’.*
60. It should be noted that although JCB has a long term interest in the quarry to ‘assist them with the development of new vehicles’, the permitted mineral remains a long term reserve. The construction of the demonstration facility and covered grandstand would therefore have a potential impact on the continuation of mineral extraction at the site.

61. Policy 3.2 of the [Minerals Local Plan for Staffordshire](#) states that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations should not unduly restrict the mineral operations.
62. JCB have confirmed that the site is currently operating in accordance with the approved 'Interim Strategy' and approved 'Interim Restoration and Advanced Landscaping Scheme' (ref. [ES.07/16/511 MW D1](#)).
63. The definitions of 'interim' and 'working' operations are set out in condition 4 which states that:
- a) *'interim operations' are defined as any operations resulting in the export of mineral from the Site of less than 1000 tonnes in a 12 month period.*
 - b) *'working operations' are defined as any operations resulting in the export of mineral from the Site of 1000 tonnes or more in a 12 month period'.*
64. The permission also includes a requirement for a Working Strategy (condition 12) if it is intended that 'working operations' re-commence.
65. The applicant has indicated that there would be no loss, temporary or permanent of the permitted reserve and has confirmed that the demonstration building and car park area would have no impact on the resumption of mineral working as these are located outside the permitted extraction areas (the permitted extraction areas are shown on approved phasing plans ref. [ES.16711/03](#)) and the grandstand would be removed before the commencement of the 'Working Strategy' and would not have an effect on the resumption of mineral extraction.
66. The applicant has also confirmed that Tarmac have 'retained the rights to continue with its coating process at the site' and the proposals would have no impact on the coating and power plant operation as the development has been designed to allow both operations to take place concurrently in different parts of the quarry and access arrangements for the coating and powder plant operations will also be unaffected by the development.
67. Based on these assurances, the proposal is not considered to be contrary to Policy 3.5 of the [Minerals Local Plan for Staffordshire](#) that aims to safeguard minerals infrastructure sites but the provision for stockpiling areas should be reviewed.

Ancillary development

68. [Minerals Local Plan for Staffordshire](#) Policy 4.6 requires ancillary development such as this proposal to be limited to the life of the mineral site. Paragraph 7.45 of the Mineral Local Plan states that:

'...Any proposals will be regarded as ancillary development where the principal purpose of the ancillary development would be any purpose in connection with the operation of the mineral site; the treatment, preparation for sale, consumption or utilisation of minerals won or brought to the surface at that mineral site, or the storage or removal from the mineral site of such minerals, their products or waste materials derived from them. Policy 4 requires that

ancillary development should be limited to the duration of the mineral site and that the impacts of proposed development will be assessed in accordance with Policy 4'.

[Note: The relevant Policy 4 environmental considerations are discussed later in the report].

69. Conditions 6 and 7 of the December 2013 planning permission define the relevant dates as follows:
- The winning and working of minerals within the Site and importation of mineral waste to the Site shall cease no later than 31 December 2028 ('the cessation date') [Condition 6].
 - 'The Site shall be restored no later than 31 December 2029 or within 12 months of the cessation date, whichever is the sooner' [Condition 7].
70. As the proposed development would be temporary it would be necessary to include conditions to require the site to be restored in accordance with the restoration and aftercare requirements in the December 2013 planning permission.
71. *Conclusion: (mineral safeguarding and ancillary development:* Having regard to the relevant policies and guidance it is reasonable to conclude that a temporary planning permission should be issued with a condition to require the removal of the grandstand prior to the re-commencement of the 'working operations' and the removal of the demonstration building in accordance with the restoration requirements for the mineral site.

The environmental considerations (specifically the impacts on the landscape and visual amenity, ecology and the noise and traffic impacts)

Landscape and visual amenity

72. Government policy in the [NPPF](#) and local plan policies in the [East Staffordshire Local Plan](#) (policy SP30) and in the [Minerals Local Plan for Staffordshire](#) (policy 4) all seek to protect and / or enhance the landscape and visual amenity and ensure that development is informed by, or sympathetic to, the character and qualities of its surroundings, its location, scale and design.
73. The applicant has provided a revised Landscape and Visual Impact Assessment which concludes that the visual impacts on Public Rights of Way, roads and residential properties would be limited to locations at a medium-distance from the quarry and there would be very limited long-distance views of the quarry from public vantage points, including from the Peak District National Park, however these are generally screened by intervening vegetation and topography.
74. The Landscape and Visual Impact Assessment states that where possible, the existing hedgerows and hedgerow trees on the site boundaries would be retained and enhanced and that the existing vegetated landscape bund located to the south of the proposed demonstration building site would be retained and would continue to provide screening.

75. The Environmental Advice Team has commented that the Landscape and Visual Impact Assessment demonstrates the impact of development on landscape character would not be significant, and from most viewpoints the visual effects would be negligible or nil. The assessment states that properties on the northern fringes of Ramshorn would experience glimpsed views of the development. The Environmental Advice Team has also stated that a condition should be included requiring planting details of the vegetated landscape bund to the south of the development to be submitted.
76. *Conclusion:* Having regard to the policies, guidance, other material considerations consultation responses, referred to above, it is reasonable to conclude that, subject to the recommended condition, the proposals would not give rise to any unacceptable adverse impact on the landscape or visual amenity.

Ecology

77. Section 11 of the [NPPF](#) indicates that proposals should aim to conserve and enhance biodiversity. Local planning policies in the [East Staffordshire Local Plan](#) (policy SP29) and in the [Minerals Local Plan for Staffordshire](#) (policy 4.1 (ii)) all support development that restores landscape character provided that environmental interests such as flora and fauna of acknowledged importance and existing landscape character are protected, conserved or enhanced.
78. A revised Preliminary Ecological Appraisal was submitted to address matters raised by the Environmental Advice Team. The Environmental Advice Team has recommended a number of conditions to protect flora and fauna.
79. *Conclusion:* Having regard to the above mentioned policies and other material considerations, consultee comments, referred to above, it is reasonable to conclude that subject to the recommended conditions, the proposals would not give rise to an unacceptable adverse impact on the ecology of the site or the surroundings.

Traffic

80. Government guidance (NPPF paragraphs 32 and 144) and local plan policies in the East Staffordshire Local Plan (policies SP1, SP35 and DP1) and in the [Minerals Local Plan for Staffordshire](#) (policy 4) aim to protect the local highway network and the safety of residents.
81. The applicant has submitted a Transport Statement which indicates that visitors (typically about 20 and for an annual large event over 100) who would arrive by car, coach or minibus and concludes that the existing access is safe and suitable to cater for the traffic associated with the proposed development; the traffic generated would be relatively low; and, groups of visitors would be taken to quarry site by minibus/coach from the JCB headquarters in Rocester.
82. No objections have been raised by the Highways Development Control Team subject to the submission of a Large Events Management Plan and details of the low-loader HGV route to and from the site to be approved. As these details would involve off-site measures the requirements would need to be secured by a Section 106 Legal Agreement – see later.]

83. *Conclusion:* Having regard to the policies, guidance, other material considerations and, consultation response, referred to above, it is reasonable to conclude that, subject to the recommended undertakings secured by a Section 106 Legal Agreement), the proposals would not give rise to any unacceptable adverse impact on the transport network.

Noise

84. Paragraph 144 of the [NPPF](#) explains that local authorities should ensure that any unavoidable noise, dust and particle emissions.....are controlled, mitigated or removed at source and appropriate noise limits set for extraction in close proximity to noise sensitive properties. Guidance concerning noise can also be found in the Planning Practice Guidance ([Noise and Minerals; Assessing environmental impacts from minerals extraction; What are the environmental issues of minerals working that should be addressed by mineral planning authorities?; Noise Emission](#)). The [Minerals Local Plan for Staffordshire](#) (policy 4.1) also seeks to ensure that developments should not cause unacceptable adverse impacts.
85. The applicant submitted a Noise Assessment which concluded that the operation of the site would not give rise to adverse noise effects for the closest potentially noise sensitive residential receptors located hundreds of metres to the south and south-west of the facility and that no additional noise mitigation measures are considered to be necessary.
86. A Technical Memorandum was also submitted which states that it is “*reasonable to conclude that the proposals would produce less noise than the existing Tarmac stone crushing activities; as these appear to be operating without causing disturbance to the nearest residents, it seems reasonable to conclude that JCB’s proposals can be permitted without undue concern for local residential amenity.*”
87. The ‘December 2013 planning permission’ includes conditions concerning the submission of noise monitoring schemes for Interim Strategy and also Working Strategy (Conditions 45 and 46). A noise monitoring scheme for Interim Strategy submitted to comply with condition 45 was approved in June 2017 (ref. [ES.07/16/511 MW D2](#)).
88. The County Council’s Noise Engineer advised that based on the additional information and knowledge of the location, it is broadly accepted that the proposals are likely to be acceptable on noise grounds and that conditions are recommended to controls on hours, frequency, quantity of mineral to be extracted/processed to ensure there is no opportunity to intensify the proposals with the potential of causing unacceptable levels of noise.
89. *Conclusion:* Having regard to the above mentioned policies and guidance, consultee comments received, and the conditions recommended below, it is reasonable to conclude that the proposals can be controlled such that they would not give rise to any unacceptable adverse noise impacts.
90. *Overall Conclusion - the environmental considerations:* Having regard to the policies, guidance, other material considerations, consultation responses, all referred to above, it is reasonable to conclude that, subject to the recommended conditions and undertakings secured by a Section 106 Legal Agreement, the proposals would not

give rise to any unacceptable adverse impact on the environment.

The need for a new / supplemental Section 106 Legal Agreement

91. Before a new / supplemental Section 106 Legal Agreement (S106) can be taken into account as a material consideration in deciding whether or not to grant planning permission, it is first necessary to determine whether or not the undertaking(s) meet the tests set out in the NPPF paragraph 204. The 3 tests are that the undertakings should be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

[Note: These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010 [[Part 11, Regulation 122 and 123](#)] (as amended by the [2011](#), [2013](#) and [2014](#) Regulations). The Planning Practice Guidance ([Community Infrastructure Levy, Do the planning obligations restrictions apply to neighbourhood funds?](#)) indicates that the [Community Infrastructure Levy \(Amendment\) Regulations 2014](#) prevents section 106 planning obligations being used in relation to those things (infrastructure) that are intended to be funded through the levy (Community Infrastructure Levy) by the charging authority. East Staffordshire District Council has not yet adopted a CIL for their area].

92. It is considered that the recommended undertakings to require the submission of a Large Events Management Plan and a Low-loader HGV Routing Plan would meet the tests referred to above as it is considered that the undertakings are necessary, directly related and fair and reasonable to minimise the impact on the highway network in accordance with the [Minerals Local Plan for Staffordshire](#) (policy 4); the [East Staffordshire Borough Council Local Plan](#) (policies SP1, SP35, DP1) and the [National Planning Policy Framework](#) (section 4).

93. *Conclusion:* It is reasonable to conclude that the undertakings described above are necessary, relevant and fairly and reasonably related in scale and kind to the development and should be secured as part of a new / supplemental S106.

Overall Conclusion

94. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given careful consideration to application and supporting information, the consultation responses and the other material considerations, all referred to above, it is reasonable to conclude that planning permission should be granted, subject to a new / supplemental S106 and planning conditions.

RECOMMENDATION

PERMIT the proposed development for the construction of demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works at Kevin Quarry, Ramshorn, Oakamoor, Stoke-on-Trent subject to the applicant and all other persons

with an interest in the land first signing a new / supplemental Section 106 Legal Agreement and subject to planning conditions (the heads of terms are listed below).

The new / supplemental Section 106 Legal Agreement – the heads of terms to include the following:

1. Prior to the first large event* to submit a Large Events Management Plan for approval. The Plan shall include details the following matters:
 - a) Routing of vehicles including coaches
 - b) Management of all traffic entering and leaving the site
 - c) Methods for reducing single occupancy journeys to the event
 - d) Parking arrangements throughout the event
 - e) Provisions for review and updates to the Plan

(* Note: a large event shall be an event that attracts by more than 100 attendees)

2. Prior to the development being brought into use to submit a Low-loader HGV Routing Plan for approval.

The planning conditions - the heads of terms to include the following:

Definition of Permission

1. To define the permission with reference to all the approved documents and plans;

Commencement

2. To define the commencement of the development;

Cessation of Operations

3. To require the removal of the grandstand prior to the commencement of the 'working operations' defined in the mineral planning permission;
4. To require the removal of the demonstration facility in accordance with the approved restoration and aftercare scheme for the mineral site;
5. To define the expiry of the permission;

Hours of Operation

6. To limit the operating hours to 08:00 and 17:30 Monday to Fridays only and no such operations on Bank or Public Holidays;

Landscaping

7. To require the submission of planting details for the landscape bund to the south of the proposed demonstration building;

Ecology

8. To require the submission of a Tree and Watercourse Protection Plan;
9. To require the submission of a Himalayan Balsam Control Implementation Plan;
10. To require the submission of a pre-clearance and construction Precautionary Working Method Statement for protected species;
11. To require the submission of an Ecological Enhancement Plan;

Access and Transportation

12. To define the vehicular access to the site;
13. To require the access road to be maintained in a good state of repair;
14. To require that no mud or deleterious material is deposited on the public highway from vehicles leaving the site;

Environmental Protection

Maintenance

15. To require the site and buildings to be maintained in good condition and fit for purpose;

Drainage

16. To require the submission of a detailed foul and surface water drainage scheme
17. To require the safe storage of oils, fuels and chemicals;

Noise

18. To require the development to be carried out in accordance with the approved Interim Noise Monitoring Scheme (ref. [ES.07/16/511 MW D2](#) approved 15 June 2017);

Dust

19. To require the development to be carried out in accordance with the dust mitigation measures described in the Environmental Statement (section 10.7) of planning permission [ES.07/16/511 MW](#);

Lighting

20. To require that any lighting, including site security lighting, required on-site for safe working outside of daylight hours to be directed to minimise light spillage;

Burning of material

21. To require that no materials are burnt on the site;

Site Security

22. To require the site to be secured outside of the operating hours;

Knowledge of the Permission

23. To require a copy of the permission and all associated documents to be available to the person/persons responsible for the operations on site.

INFORMATIVES

1. The Section 106 Legal Agreements

To remind the applicant about the terms of the Section 106 Legal Agreements.

2. The County Council's Environmental Advice Team

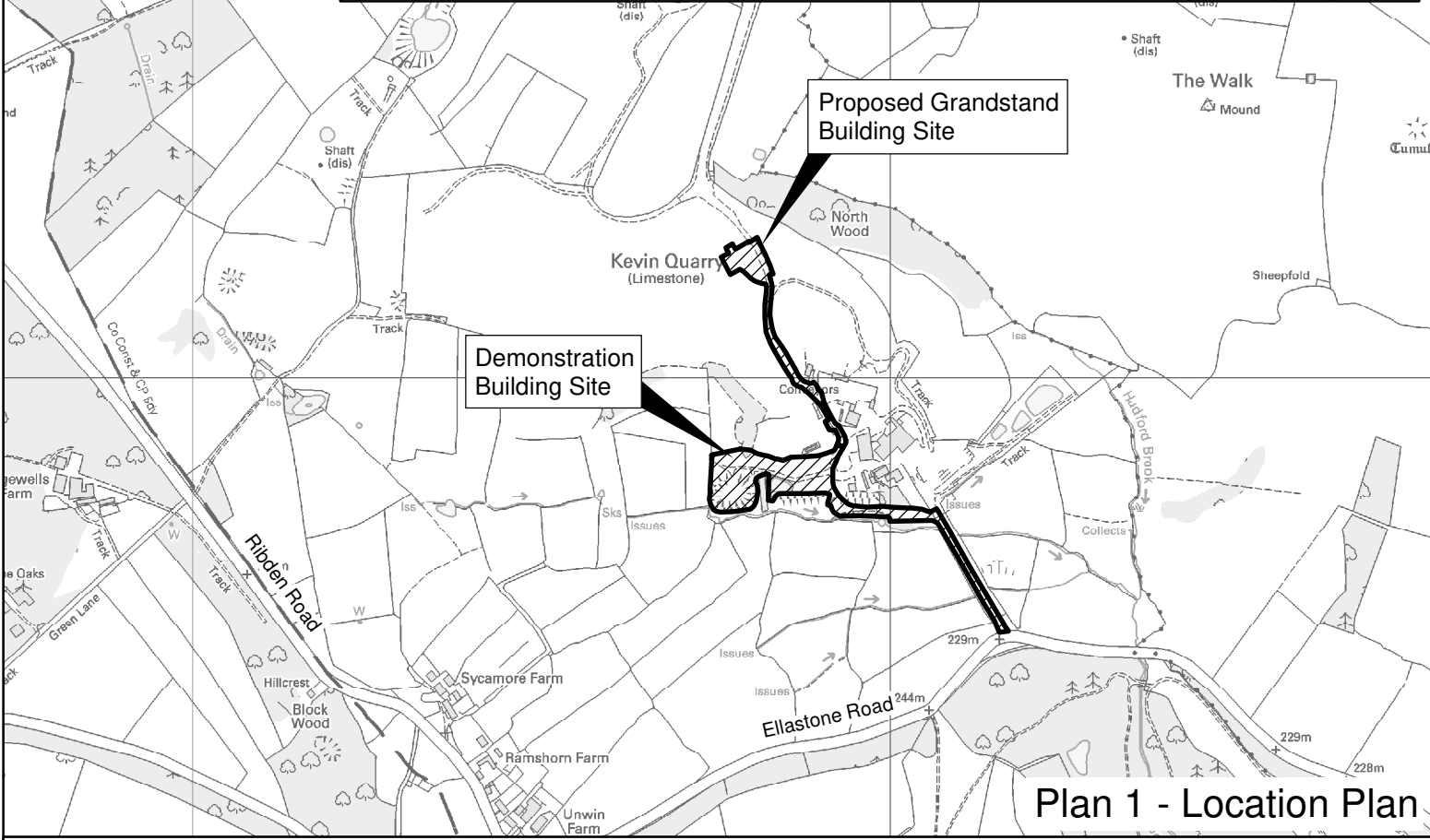
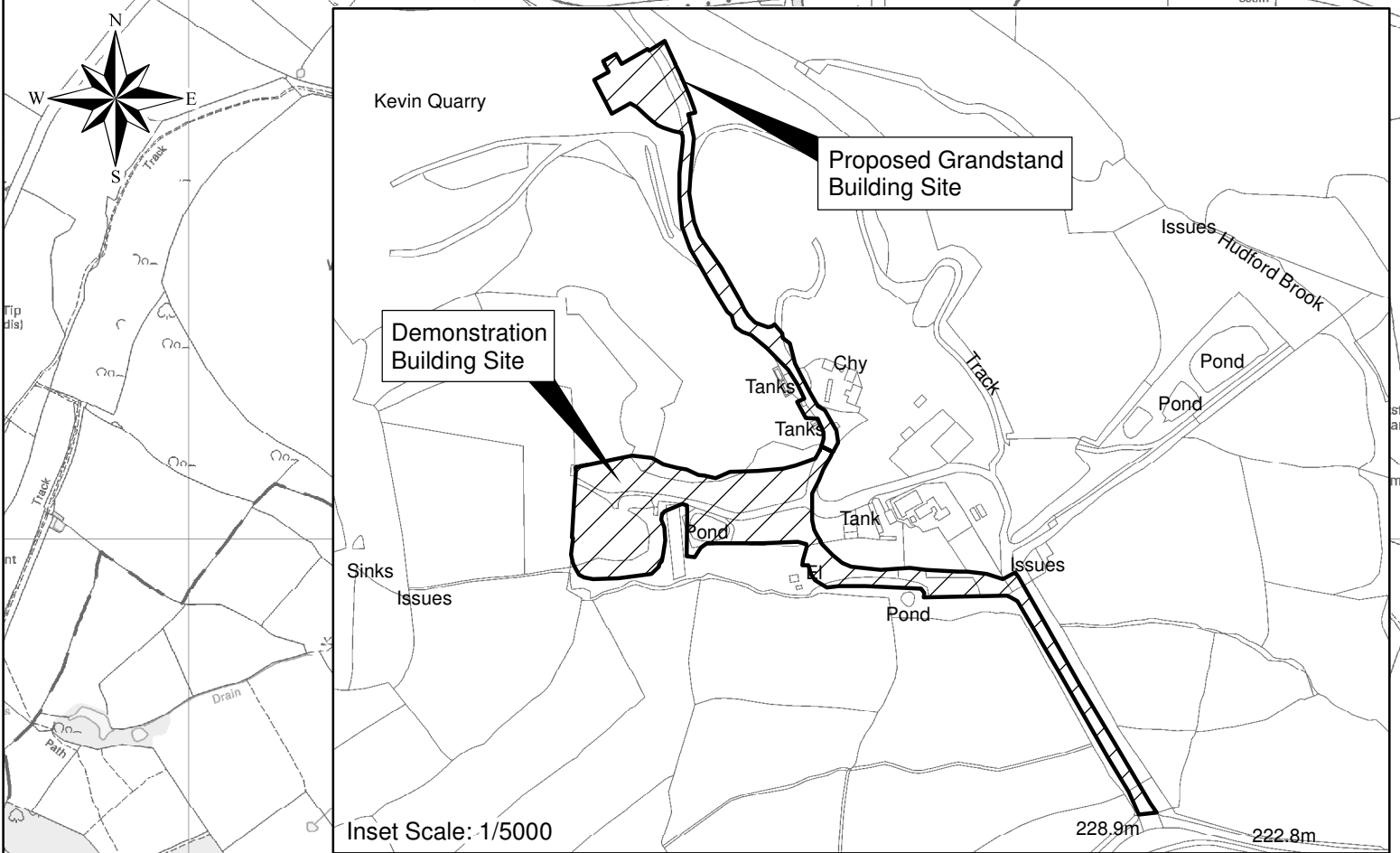
To inform the applicant that the Staffordshire Wildlife Trust is keen to work with JCB on low-cost creation, by green hay strewing or local seed spreading, of species-rich grassland on non-operational areas such as bunds.

3. East Staffordshire Borough Council Environmental Health Officer (EHO)


To advise the applicant that the proposed development is situated within a "Radon Affected Area".

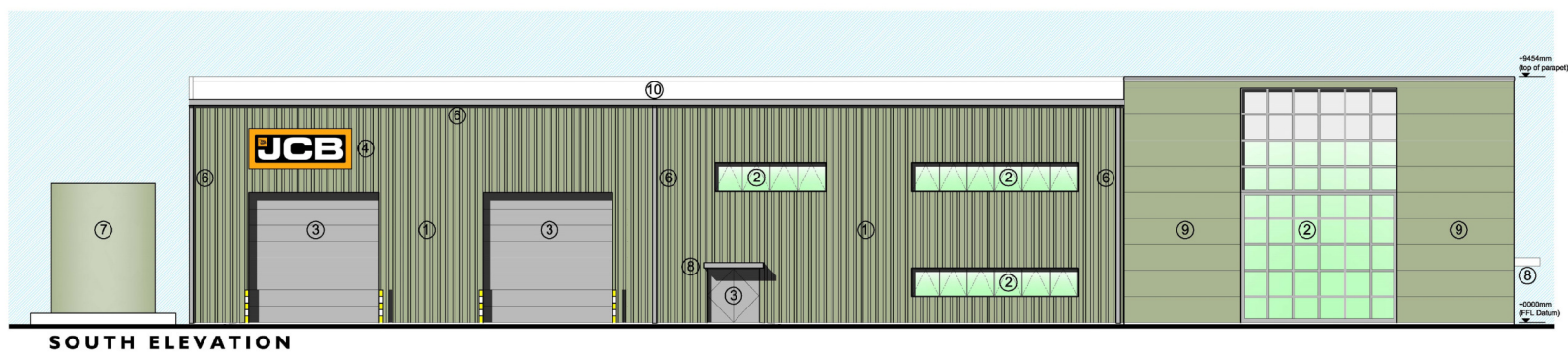
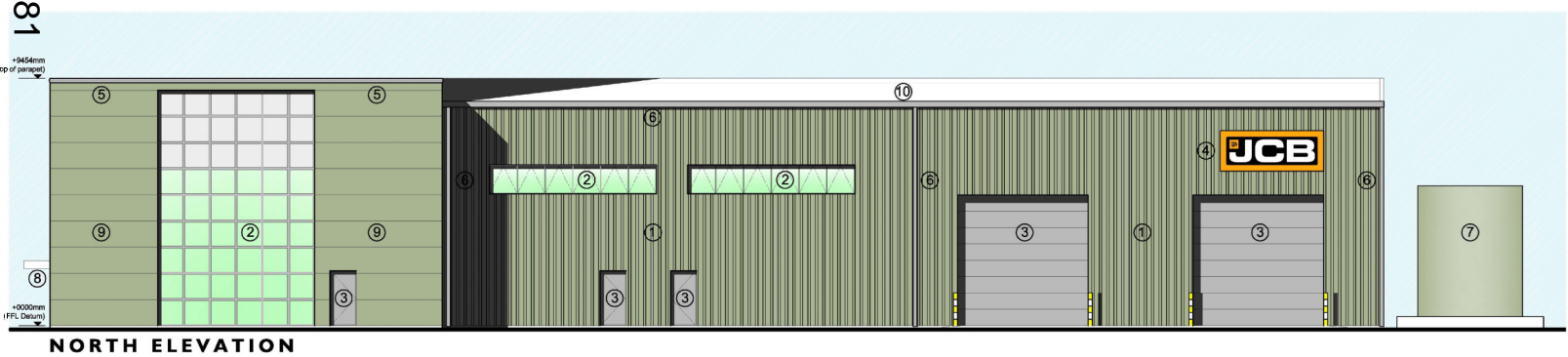
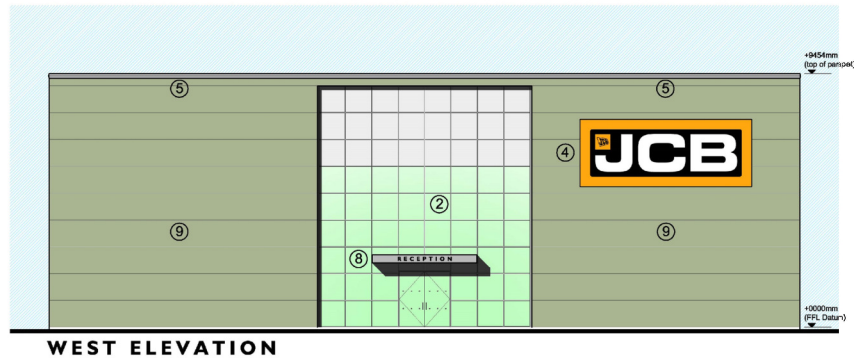
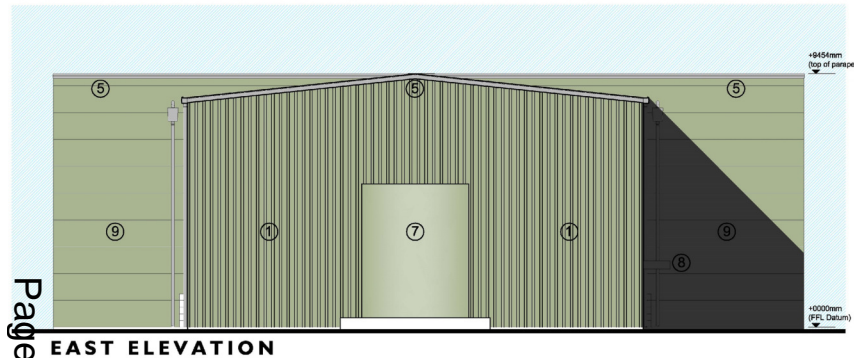
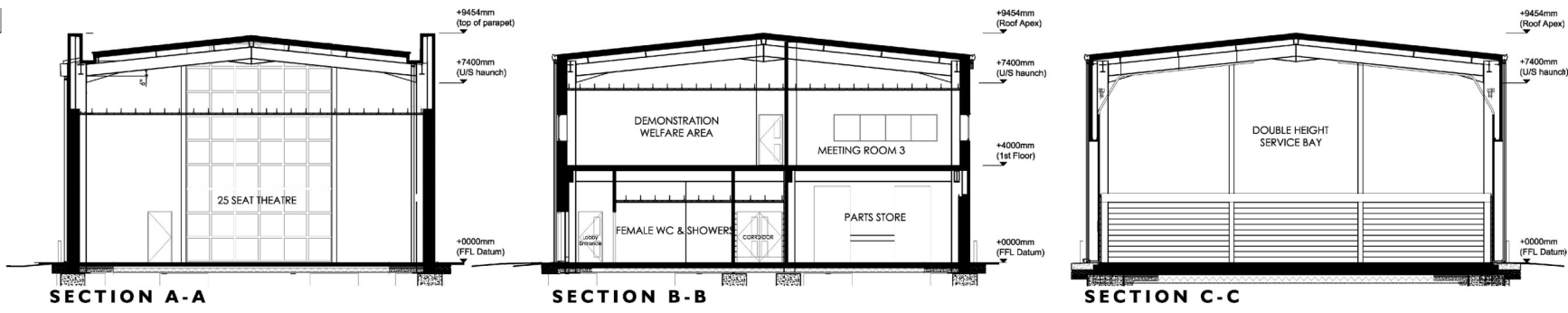
Case Officer: David Bray - Tel: (01785) 277273
email: david.bray@staffordshire.gov.uk

A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).



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 <p>Staffordshire County Council</p>	<p>Planning, Policy & Development Control, Staffordshire County Council, No.1 Staffordshire Place, Stafford, ST16 2LP. Telephone 0300 123 8000</p>	<p>J. C. Bamford Excavators Ltd. Construction of demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works, Kevin Quarry South, Ramshorn, Oakamoor, Stoke-on-Trent.</p>	
<p>Date : 15/03/17</p>		<p>O. S. Grid Ref : SK.087 458</p>	<p>Scale at A4 : 1/10000</p>



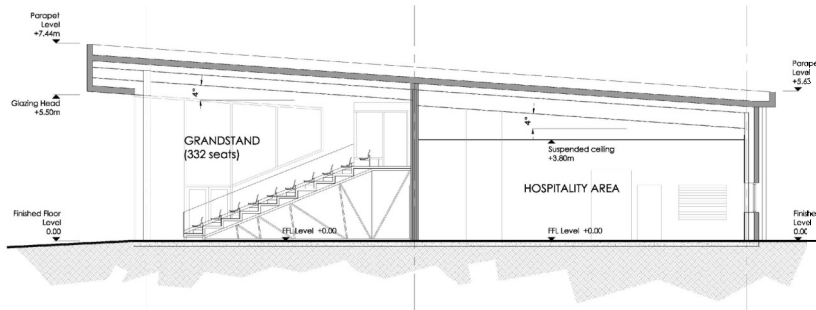
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Plan 2 - Demonstration Building Elevations

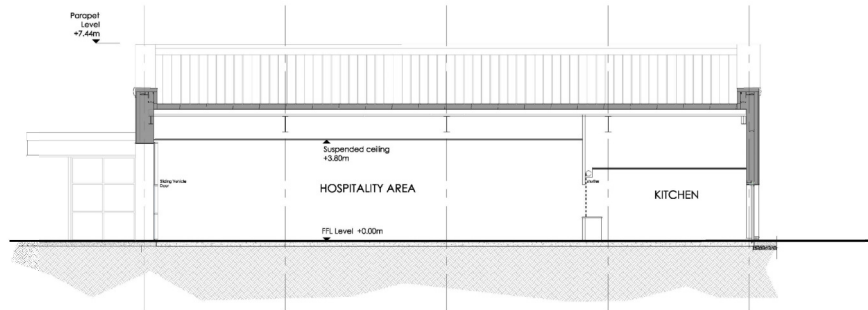


J. C. Bamford Excavators Ltd. Construction of demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works, Kevin Quarry South, Ramshorn, Oakamoor, Stoke-on-Trent.

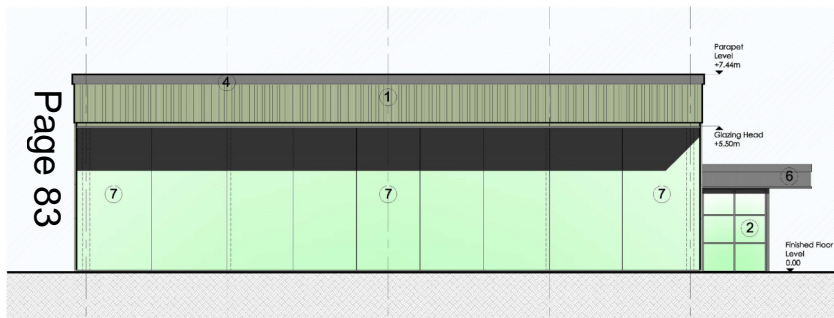
Date : 25/09/17	Scale at A4 : Not to Scale
O.S. Grid Ref : SK.087 458	File : ES.17/01/511 MW



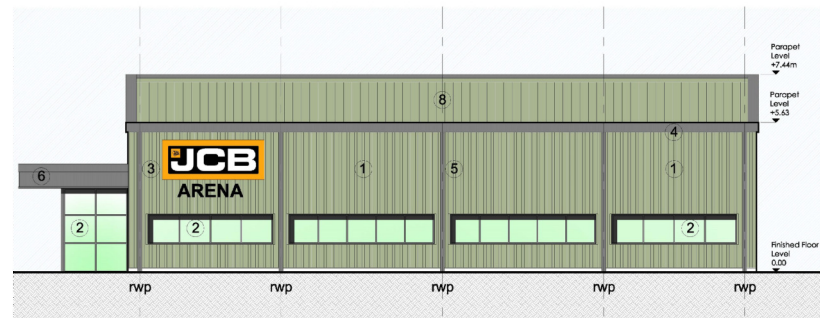
TYPICAL SECTION A-A (1:100)



TYPICAL SECTION B-B (1:100)



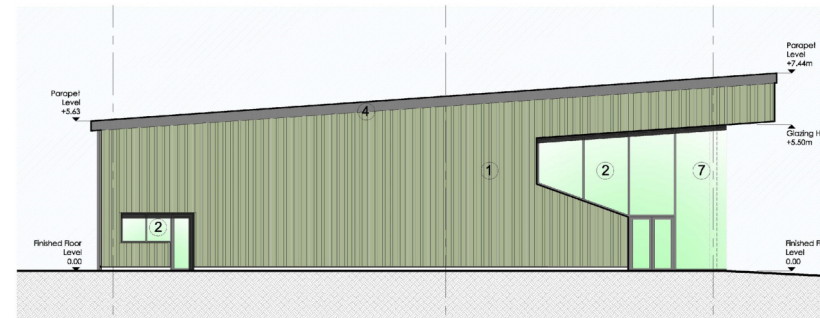
SOUTH WEST ELEVATION (1:100)



NORTH EAST ELEVATION (1:100)

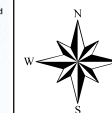


SOUTH EAST ELEVATION (1:100)



NORTH WEST ELEVATION (1:100)

Plan 3 - Grandstand Building Elevations



Staffordshire
County Council

J. C. Bamford Excavators Ltd. Construction of demonstration facility to incorporate workshops, welfare and customer hospitality and changing rooms together with separate covered grandstand and associated works, Kevin Quarry South, Ramshorn, Oakamoor, Stoke-on-Trent.

Date : 25/09/17	Scale at A4 : Not to Scale
O.S. Grid Ref : SK.087 458	File : ES.17/01/511 MW



Planning applications dealt with under the 'Scheme of Delegation to Officers'

Categories

AA	Adjoining Authority	MC	Mineral Consultation	SU	Statutory Undertakers
CC	Affects County Council land	MCM	Mineral County Matter	TC	(Tipping Consultation) affects waste disposal land
CD	County Development	MEM	Mineral Enforcement Matter	WC	Waste Policy Consultation
CDW	County Development Waste	SO (5)	Screening Opinion	WCM	Waste County Matter
CLU	Certificate of Lawful Use on Development	SO (10)	Scoping Opinion	WDLC	Waste Disposal Licence Consultation
DC	District Council proposal	SP	Strategic Planning	WEM	Waste Enforcement Matter
GPDO	Prior Approval for Permitted Development				

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken
						Decision date
L.02/09/805-808 MW D9	25-Mar-2013	MCM	Tarmac Central Ltd	Submission of details in compliance with condition 11 of planning permission L.02/09/805-808 MW relating to 2012 topographical survey	Hopwas Quarry	Not Approved - 06/09/2017
L.02/09/805-808 MW D8	18-Aug-2011	MCM	Tarmac Central Ltd	Submission of details in compliance with condition 11 of planning permission L.02/09/805-808 MW relating to 2011 topographical survey	Hints Quarry	Not Approved - 06/09/2017
SS.07/03/604 MW D2	17-Dec-2014	MCM	Hanson UK	Submission of details in compliance with condition 17 of planning permission SS.07/03/604 MW relating to a topographical survey	Pottal Pool Quarry	Not Approved - 29/06/2017
CH.446/88 PWA 4 D1	17-Jun-2014	WCM	Biffa Waste Services Limited	Submission of details in compliance with approval reference CH.446/88 PWA 4 relating to 2 year restoration programme	Poplars Landfill Site, Cannock	Approve details - 24/07/2017

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Agenda Item 6

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
N.17/00405 OC	08-Jun-2017	OC	Mr & Mrs C Lea	Consultation from Newcastle under Lyme Borough Council in connection with an application to them for a Certificate of Appropriate Alternative Development	Fairfield House Bar Hill Road Onneley	No Objections -	29/06/2017
CH.17/236 MSA	13-Jun-2017	MSA	Taylor Wimpey Developments Ltd	Consultation from Cannock Chase Council in connection with an application to them for planning permission for Residential Development	Land at Hednesford Town Football Club, Keys Park Road, Hednesford, Cannock	No Objections -	08/09/2017
SS.16/02/613 W D2	19-Jun-2017	WCM	Bloomfield Composting Ltd	Submission of details in compliance with condition 2a of planning permission SS.16/02/613 W relating to commencement of the development	Cocksparrow Lane, Huntington	Acknowledgement of information required by condition -	28/06/2017
ES.16/07 NMA1	14-Mar-2017	CD	The Cabinet (Staffordshire County Council)	Non-material amendment to condition 1 (approved plans) of planning permission ES.16/07 to reconfigure building	Burton Dementia Centre, Outwoods Close, Burton on Trent	Non-Material Amendment -	03/05/2017
SM.15/08/171 M D4	20-Jul-2017	MCM	Dalecrete Ltd	Submission of details in compliance with Condition 11 of planning permission SM.15/08/171 M relating to site layout and progress report	Captains Barn Farm Quarry, Leek Road, Weston Coyney	Approve details -	19/09/2017
SMD/2017/0298 MSA	28-Jul-2017	MSA	HLW Developments Ltd	Consultation from Staffordshire Moorlands District Council in connection with an application to them for planning permission for Residential development of 11 no. Dwellings	Land Off Ashbourne Road The Old Copperworks, Whiston	Holding objection -	03/08/2017
17/00858/HAZ AA	04-Sep-2017	AA	Pinxton Energy Limited	Consultation from Derbyshire Dales District Council in connection with an application to them for hazardous substances consent for the storage of liquefied natural gas at proposed electricity generation facility	Land east of Twin Oaks Farm, Yelt Lane, Doveridge	No Objections -	21/09/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken
						Decision date
SMD/2017/0497 MSA	13-Sep-2017	MSA	Vital Construction Limited	Consultation from Staffordshire Moorlands District Council in connection with an application to them for planning permission to demolish Ivy Cottage and erect 1 replacement dwelling and 10 new dwellings with construction of a new road access	Ivy Cottage, Tythe Barn, Alton	No Objections - 22/09/2017
ES.16/07 D3	05-Jun-2017	CD	The Cabinet (Staffordshire County Council)	Submission of details in compliance with condition 10 of planning permission ES.16/07 relating to materials	Former Margaret Stanhope Centre, Outwoods Close, Burton on Trent	Approve details - 19/07/2017
SMD/2017/0398 MSA	13-Jul-2017	MSA	Mr Peter Wilkinson	Consultation from Staffordshire Moorlands District Council in connection with an application to them for alterations and extensions at The Raddle Inn and erection of 3 holiday lodges	The Raddle Inn, Quarry Bank, Hollington	Holding objection - 24/07/2017
CH/17/279 MSA	09-Aug-2017	MSA	U+I Group/Rioja Developments	Consultation from Cannock Chase Council in connection with an application to them (under Section 73 of the Town and Country Planning Act 1990 (as amended)) to vary conditions 33 (control of mezzanine floorspace), 36 (control of A1 & A3 floorspace) & 44 (approved plans) to permit minor material amendments to Phase 1 in terms of elevation treatment, place-making, layout, form and services provision and Addendum to Environmental Statement of planning permission CH/15/0048	Mill Green, Eastern Way, Cannock	No Objections - 09/08/2017
SMD/2017/0510 MSA	09-Aug-2017	MSA	Mr Cliff Critchlow	Consultation from Staffordshire Moorlands District Council in connection with an application to them for demolition of existing dwelling and associated outbuildings, erection of 6 No. detached dwellings	121 Tunstall Road, Knypersley	No Objections - 25/08/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
SS.17/00774 MSA	25-Aug-2017	MSA	Litty Wood Farm Ltd.	Consultation from South Staffordshire Council in connection with an application for Retrospective application for soft fruit production under Spanish polytunnels	Land adj. Swan Inn, Whiston Road, Whiston	No Objections -	11/09/2017
SS.17/00781 MSA	29-Aug-2017	MSA	Litty Wood Farm Ltd.	Consultation from South Staffordshire Council in connection with an application to them for Retrospective application for soft fruit production under spanish polytunnels	Land at Wolverhampton Road, Gailey	No Objections -	11/09/2017
SMD/2017/0494 MSA	04-Sep-2017	MSA	Mr & Mrs S Carding	Consultation from Staffordshire Moorlands Council in connection with an application to them for planning permission to erect two detached dwellings	Gorseysdale, Cheddleton Heath Road, Leek	No Objections -	13/09/2017
S.17/03	12-Jun-2017	CD	The Cabinet (Staffordshire County Council)	Single storey extension to provide an additional 4 no. classrooms, storage, toilets, car parking and associated works	Walton Priory Middle School, Beacon Rise, Walton, Stone	Grant - with conditions -	01/09/2017
M.17/03	09-Jun-2017	CD	The Cabinet (Staffordshire County Council)	Formation of free flow external spaces with shelter and perimeter wall/fence	St. Anne's CE(C) Primary School, St Annes Vale, Brown Edge, Stoke-on-Trent	Grant - with conditions -	04/08/2017
SCE.302/Lichfield South	20-Jun-2017	ScrO	The Cabinet (Staffordshire County Council)	Request for an EIA Screening Opinion in connection with proposals for the Lichfield Southern Bypass	Lichfield Southern Bypass	Screening opinion - Not EIA development -	08/08/2017
SS.07/03/604 MW NMA1	24-Jul-2017	MCM	Hanson Quarry Products Europe Ltd	Non material amendment to Condition 16 of planning permission SS.07/03/604 MW for retention of fuel storage tanks originally erected with the roadstone coating plant shown on Dwg. Nos. P21fc/179 and P21fc/180) in place of the proposed facilities shown on Dwg. Nos. P21fc/127 and P21fc/134	Pottal Pool Quarry	Non-Material Amendment -	14/08/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
S.16/09/403 W D1	13-Jul-2017	WCM	Biffa Waste Services (Wigan)	Submission of details in compliance with condition 3a of planning permission S.16/09/403 W relating to commencement of development	Meece Landfill Site	Approve details -	20/07/2017
L.17/00776 WCA	17-Jul-2017	WCA	Mrs Simpson	Consultation from Lichfield District Council in connection with an application to them for planning permission for redevelopment of existing waste transfer station by way of the erection of 3 no. dwelling houses with associated works including the alteration of the existing site access	Land Adjacent Lingfield Bungalow Drayton Lane Drayton Bassett Tamworth	No Objections -	03/08/2017
SMD/2017/0478 MSA	04-Aug-2017	MSA	Mr G Lovatt	Consultation from Staffordshire Moorlands District Council in connection with an application to them for planning permission for Proposed new dwelling adjacent to 76 Tean Road	Croxton 76 Tean Road, Cheadle	No comment reply -	
SMD/2017/0512 MSA	16-Aug-2017	MSA	St Modwen	Consultation from Staffordshire Moorlands District Council in connection with an application to them for planning permission for the development of 118 dwellings	Land South East Of A521 A50 BLYTHE BRIDGE BYE PASS	No Objections -	01/09/2017
61494/OUT AA	18-Aug-2017	AA	Stoke on Trent City Council	Consultation from Stoke on Trent City Council in connection with an application to them for outline planning permission (all matters reserved) for employment development of B1? Light Industrial, B2 General Industrial, B8 Storage and Distribution, and ancillary offices	Etruria Valley, Forge Lane, Etruria, Stoke-on-Trent	No Objections -	08/09/2017
ES.16/01 NMA2	25-Jul-2017	CD	The Cabinet (Staffordshire County Council)	Non-material amendment to Condition 1 of planning permission ES.16/01 relating to window design to school building and additional windows to sports hall	Proposed new primary school, Henhurst Ridge, Burton on Trent	Non-Material Amendment -	24/08/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken
						Decision date
CH/17/323 MSA	23-Aug-2017	MSA	Gestamp Tallent	Consultation from Cannock Chase Council in connection with an application to them for planning permission for Demolition of existing factory and offices and erection of up to 180 dwellings and up to 30,000 square foot of employment floor space (B1 and B8 Use Class), access and associated works	Gestamp Tallent, Wolverhampton Road, CANNOCK	No Objections - 13/09/2017
SS.17/00772 MSA	29-Aug-2017	MSA	Litty Wood Farm Ltd.	Consultation from South Staffordshire Council in connection with an application to them for Retrospective application for soft fruit production under spanish polytunnels	Longnor Hall Farm, Wheaton Aston Road, Longnor	No Objections - 11/09/2017
L.17/00977 OC	30-Aug-2017	OC	Fosseway Investments Ltd.	Consultation from Lichfield District Council in connection with an application to them for planning permission for outline application for a flexible commercial development	Land off Birmingham Road, Lichfield	No Objections - 18/09/2017
SM/D/2017/0444 MSA	31-Aug-2017	MSA	Mr Prince	Consultation from Staffordshire Moorlands District Council in connection with an application to them for planning permission for erection of a detached cottage and formation of access	Land At Horse Road, Alton	No Objections - 11/09/2017
SCE.303/4121 W	04-Sep-2017	ScrO	Boultons Skip Hire Limited	Screening opinion for an application for a change in the use of land, consisting of the development of a waste transfer station, construction of a building for the sorting and treatment of waste and the creation of concrete perimeter walls	Moorfields Industrial Estate, Cotes Heath, Stafford	Screening opinion - Not EIA development - 07/09/2017
ES.17/04	20-Jun-2017	CD	The Cabinet (Staffordshire County Council)	Demolition and replacement of existing environmental studies modular building	Paget High School, Burton Road, Branston, Burton-on-Trent	Grant - with conditions - 14/08/2017

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Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
SCE.301/Whiston Hall G	25-May-2017	ScrO	Pegasus Group	Request for EIA Screening Opinion - proposed development comprising the re-modelling of existing golf site involving the importation of between 225,000 and 300,000 tonnes of inert waste material	Whiston Hall Golf Club, Whiston	Screening opinion - Not EIA development -	27/06/2017
SS.16/13/629 W D1	19-Jun-2017	WCM	Severn Trent Water Limited	Submission of details in compliance with condition 2(a) of planning permission SS.16/13/629 W relating to commencement of development	Roundhill Sewage Treatment Works	Approve details -	12/07/2017
S.14/13 D2	07-Jul-2017	CD	The Cabinet (Staffordshire County Council)	Submission of details in compliance with condition 7 of planning permission S.14/13 relating to cycle store provision	Parkside Primary, Bradshaw Way, Stafford	Approve details -	12/07/2017
CH.446/88/721 MW D10	17-Jun-2014	WCM	Biffa Waste Services Limited	Submission of details in compliance with condition 23 of planning permission CH.446/88 relating to restoration, landscaping and aftercare	Poplars Landfill Site, Cannock	Approve details -	24/07/2017
CW9-0717-33 AA	07-Aug-2017	AA	Nestles UK	Consultation from Derbyshire County Council in connection with an application to them for planning permission for construction of an effluent treatment plant	Nestles Company Ltd, Marston Lane, Hatton, Derby	No Objections -	21/08/2017
ES.16/10/505 W D1	10-Aug-2017	WCM	G D Golding Skip Hire Ltd	Submission of details in compliance with condition 2 of planning permission ES.16/10/505 W relating to notification of commencement	Goldings Skip Hire, Nicolson Way, Burton	Acknowledgement of information required by condition -	24/08/2017
ES.16/11/505 W D1	10-Aug-2017	WCM	G D Golding Skip Hire Ltd	Submission of details in compliance with condition 2 of planning permission ES.16/11/505 W relating to notification of commencement	Goldings Skip Hire, Nicolson Way, Burton	Acknowledgement of information required by condition -	24/08/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
ES.16/03 M/D MOU-2	23-Aug-2017	CD	The Cabinet (Staffordshire County Council)	Modification to Schedule 3, Section 2.1 of the Memorandum of Understanding (MoU) in connection with planning permission ES.16/03 relating to off-site highway and other related works (substantially as shown on Plan CDX8621/MOU/01/P1, 02/P1 and 03/P1)	Branston Road High School, Branston Road Burton upon Trent	Approve modification -	20/09/2017
SS.17/00780 MSA	25-Aug-2017	MSA	Litty Wood Farm Ltd.	Consultation from South Staffordshire Council in connection with an application to them for planning permission for soft fruit production under spanish polytunnels	Upper Mitton Farm, Wheaton Aston Road, Mitton, Stafford	No Objections -	11/09/2017
CH.00/0577 & S.40018 D	25-May-2017	MCM	Cemex UK Materials Limited	Submission of details in compliance with condition 25 of planning permission CH.00/0577 & S.400/18 relating to Noise Monitoring Survey	Rugeley Quarry	Approve details -	14/07/2017
L.17/00514 MSA	14-Jul-2017	MSA	Madeley Heath Development Ltd	Consultation from Newcastle Borough Council in connection with an application to them for planning permission for outline planning permission for up to 35 dwellings including associated infrastructure	Land South Of Honeywall Lane Newcastle Under Lyme Staffordshire	No Objections -	24/08/2017
L.14/00790/DISCH7 OC	03-Aug-2017	OC	Tango Real Estate	Consultation from Lichfield District Council for submission of details relating to Industrial and Warehouse Development (Use Class B1, B2, B8) with ancillary offices, associated gatehouses, car parking and servicing, landscaping, roads and footpaths	Land at Easthill Farm, Wood End Lane, Fradley, Staffordshire	No Objections -	24/08/2017
SMD/2017/0434 MSA	11-Aug-2017	MSA	Land Designation Ltd	Consultation from Staffordshire Moorlands District Council for Outline planning application for residential development, including access, with all other matters reserved for future approval	Land South Of Thorncliffe Road, Leek	Holding objection -	01/09/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
S.16/02/4119 W D1	17-Aug-2017	WCM	Blancomet Recycling UK	Notification of commencement relating to Condition 2, and submission of details relating to Condition 15 (Dust Management Plan) of planning permission S.16/02/4119 W	Blancomet Recycling UK, Stone Business Park, Opal Way, Stone	Approve details -	12/09/2017
ES.16/25 D3	05-Jun-2017	CD	The Cabinet (Staffordshire County Council)	Submission of details in compliance with conditions 11 (External Finishes), 12 (part approval) (Boundary Treatment), 16 (Noise), 18 (Cycle Store) and 24 (MUGA) of planning permission ES.16/25	Branston Road High School, Burton	Approve details -	16/08/2017
SS.17/00773 MSA	25-Aug-2017	MSA	Litty Wood Farm Ltd.	Consultation from South Staffordshire Council in connection with an application to them for Retrospective application for soft fruit production under spanish polytunnels	Lower Drayton Farm, Stafford Road, Penkridge	No Objections -	11/09/2017
SS.17/01191 OC	01-Sep-2017	OC	The Deanslade Park Consortium	Consultation from Lichfield District Council in connection with an application to them for planning permission for construction of a sustainable mixed use urban extension	Land at Deanslade Farm, Lichfield	No Objections -	20/09/2017
SS.17/07/620 W	08-Jun-2017	WCM	Veolia Environmental Services (UK)	Variation of conditions 9 and 10 of planning permission SS.07/15/620 W to increase the permitted annual tonnage and the number of movements permitted during 1900 - 0700 hours	Four Ashes Materials Recovery Facility, Station Road, Four Ashes	Grant - with conditions -	07/09/2017
SMD/2017/0396 OC	24-Jul-2017	OC	Mr Kiril Kirilov	Consultation from Staffordshire Moorlands District Council in connection with an application to them for lawful use of Land to the West of Akesmore Lane, Biddulph for the storage of shipping containers	Land West of Akesmore Lane, Biddulph	No Objections -	14/08/2017
SCE.240/Molson Coors	23-Aug-2017	ScrO	Molson Coors Brewing Company	Screening opinion for proposed anaerobic digester and biogas Combined Heat and Power facility	Molson Coors Brewery Site, Burton	Screening opinion - Not EIA development -	13/09/2017

Application No	Received	CAT	Applicant	Proposal	Location	Decision Taken	Decision date
SOT.61315 AA	30-Aug-2017	AA	Land Recovery Limited	Consultation from Stoke City Council in connection with an application to them for planning permission for Redevelopment of Former Esso Depot including change of use to accept waste ballast, stone and hard core (including those contaminated with hazardous substances) for the purpose of re-cycling, erection of a re-cycling facility including waste containment and transfer buildings.	Land at Chemical Lane, Tunstall, Stoke on Trent	No Objections -	15/09/2017
L.14/03/817 MW D4	01-Sep-2017	MCM	Tarmac plc	Submission of details in compliance with condition 3a of planning permission L.14/03/817 MW relating to notification of soil stripping	Alrewas Quarry	Acknowledgement of information required by condition -	18/09/2017

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of Part 1 of Schedule 12A
of the Local Government Act 1972

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