

PUBLIC

**MINUTES** of a meeting of **REGULATORY - PLANNING COMMITTEE** held on Monday, 15 July 2024 at Committee Room 1, County Hall, Matlock, DE4 3AG.

**PRESENT**

Councillor M Ford (in the Chair)

Councillors R Ashton, L Grooby, R Mihaly, D Murphy, P Niblock, and M Yates.

Apologies for absence were submitted for Councillors G Hickton, R Parkinson and D Wilson.

**23/24     DECLARATIONS OF INTEREST**

There were no declarations of interest.

**24/24     DECLARATIONS OF SIGNIFICANT LOBBYING**

There were no declarations of significant lobbying.

**25/24     PETITIONS**

No petitions had been received.

**26/24     MINUTES**

**RESOLVED** that the minutes of the meeting of the Committee held on 17 June 2024 be confirmed as a correct record.

**27/24     ERECTION AND OPERATION OF A MATERIAL RECYCLING FACILITY AT ERIN LANDFILL, MARKHAM LANE, DUCKMANTON**  
**APPLICANT: VALENCIA WASTE MANAGEMENT LTD**  
**PLANNING APPLICATION CODE NO. CW2/0623/14**

An application had been received from Valencia Waste Management Ltd for planning permission for the erection and operation of a Material Recycling Facility at Erin Landfill, Markham Lane, Duckmanton.

A report on the application by the Executive Director – Place, had been published with the agenda and included details of the site, planning history and the proposed works.

The report also included details of the consultation process, publicity, objections, observations, comments received and commentary on the planning considerations. The application was considered to be appropriate within the context of the site and be in accordance with

National and Local Planning Policy Framework, the National Planning Policy for Waste and the relevant development plans, and was recommended for approval subject to conditions.

Members of the Committee had under undertaken a site visit prior to the meeting.

J Burgin - Smith, the planning case officer, gave an oral summary of the main aspects of the proposal, including a presentation of slides showing plans and views of the site.

Councillor Yates sought clarity on a number of details including the number of hours a day that would be worked, the number of additional HGV vehicles and the hours of movements and restrictions for these vehicles. Officers responded by stating that the number of vehicles should not increase and that the hours of work and movement of vehicles were the same as were currently in place now and were governed by conditions.

Councillor Mihaly was conscious that there was a lot of electricity consuming equipment in the building and asked if the possibility of solar panels being fitted could be looked into. Officers confirmed that although the current application did not specify any panels, it would be possible for installation of panels to be permitted development through approval submission.

Councillor Mihaly also understood that there had been complaints from residents with regards to the effectiveness of the existing Liaison Group with the company.

Mr R Kevan, Planning Consultant acting on behalf of the applicant, gave a 3 minute presentation in support of the officer recommendations contained in the report. In response to the enquiry on solar panels raised earlier, he stated that the applicant would be happy to explore fitting solar panels to the building. Although he did not sit on the Liaison Group he was aware that it had met in March 2024 and was aware that 1200 leaflets had been circulated in the local area with regard to the application.

Councillor A Hayes, Local Member, attended the meeting and gave a 3 minute presentation in objection to the application. She explained that she had received many complaints since Valencia Ltd took over the site and the public perception was that the company had an historic lack of respect for the conditions. She raised particular concerns with regard to litter, smell, and noise from the site and out of hours working including Sundays. She believed that there would be an increase in traffic, and the

air quality would be damaged, which could cause health problems for local residents, and that they had suffered long enough.

Mrs J Blackwell, local resident attended the meeting and gave a 3 minute presentation in objection to the application. She made particular reference to increased pollution and that more rubbish would increase the number of gases being formed underground, leading to health concerns for residents. She raised similar concerns to those previously mentioned by Councillor Hayes in relation to litter, noise and smell and also to working outside permitted hours and increased vehicle movements.

After hearing the representations a number of members raised particular concerns over the alleged out of hours working. Planning officers confirmed that this would be an enforcement issue, rather than a matter affecting the acceptability of the current application. The Planning Enforcement team, would therefore investigate the concern.

Councillor Mihaly asked about the proposed hours of working during the erection phase. Officers responded by stating that this would be governed by a Construction Management Plan that would be put in place.

**RESOLVED** that planning permission for the development proposed under Application Code No. CW2/0623/14 be granted subject to conditions as detailed in the Executive Director's report.

**28/24**      **CURRENT ENFORCEMENT ACTION**

**RESOLVED** To receive the report on current enforcement action.

**29/24**      **OUTSTANDING APPLICATION LIST**

**RESOLVED** to receive the list of decisions outstanding on 4 July 2024 relating to eia applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

**30/24**      **CURRENT APPEALS/CALLED IN APPLICATIONS**

There were no current appeals/called in applications.

**31/24**      **MATTERS DETERMINED BY THE EXECUTIVE DIRECTOR - PLACE UNDER DELEGATED POWERS**

**RESOLVED** to note the applications that had been approved by the Executive Director – Place under delegated powers as detailed in the report.

The meeting finished at 1.45 pm