



Meeting	PLANNING AND LICENSING COMMITTEE
Date	Tuesday 20 September 2016 (commencing at 10.30 am)

membership

Persons absent are marked with 'A'

COUNCILLORS

John Wilkinson (Chairman)
Sue Saddington (Vice-Chairman)

	Roy Allan	A	Rachel Madden
	Andrew Brown		Andy Sissons
	Steve Calvert		Keith Walker
A	Jim Creamer		Yvonne Woodhead
	Stan Heptinstall MBE		

OFFICERS IN ATTENDANCE

David Forster – Resources Department
Rachel Clack – Resources Department
Mike Hankin – Place Department
Joel Marshall - Place Department

MINUTES OF LAST MEETING HELD ON 19 JULY 2016

The minutes of the meeting held on 19 July 2016 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Jim Creamer (OCCB).

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

DECLARATIONS OF LOBBYING OF MEMBERS

Councillor Andy Sissons declared a non-pecuniary interest on agenda item 7 (Construction of a Digestate Storage Lagoon for an Anaerobic Digestion Plant Stud Farm Rufford) on the grounds that he had been approached by another Council member (not on the Planning and Licensing Committee) who informed him of his concerns about the application. The following members also declared an interest on the above grounds, Councillors Wilkinson, Mrs Saddington, Brown and Walker

ANNUAL REPORT APPROVED PREMISES FOR CIVIL CEREMONIES

Mr Fisher introduced the report and highlighted that three more venues had been licensed to perform Civil Ceremonies for 2016/17.

On a motion by the Chair seconded by the Vice-Chairman it was:-

RESOLVED 2016/053

That the contents of the report be noted and that further reports be presented to the Planning and Licensing Committee annually.

INSTALLATION OF COMBINED HEAT AND POWER (CHP) PLANT LAND AT SHERWOOD FOREST CENTRE PARCS

Mr Hankin introduced the report and gave a slide presentation and highlighted the following:-

- there was an amendment to paragraph 9 of the report the water tank should read 12m diameter and 3m high.
- The site was in the grounds of Centre Parcs within an existing clearance in the woods.
- There had been no objections from the District Council, Natural England or other technical consultees.
- There had been an objection from Rufford Parish Council and a resident on the grounds of noise, air quality and the heritage assets near to the application site.
- There is no impact on the highway around the area because the development would not increase vehicle movements.
- The operation of the site would be regulated by an Environment Permit issued by the Environment Agency, this would impose limits on the level of emissions from the plant.

Following the introductory remarks of Mr Hankin there were a number of speakers who were given an opportunity to speak and **summaries** of those speeches are set out below.

Mr Presslee, on behalf of the applicant, spoke in favour of the application and highlighted the following points:-

- The site is within Centre Parcs complex and will not be visible outside of the Parc area.
- The nearest property other than the onsite Villas is 740 metres away
- The Combined Heat and Power unit will help provide 85% of Centre Parcs heating needs.
- The ecology, noise and air quality issues have been addressed by the applicant and all statutory consultees are content the development would not give rise to any significant environmental issues.

- This is a highly sustainable development which will replace the Parcs gas boilers with renewable energy.

In response to a questions Mr Presslee responded that the site in question is occupied with plant equipment and and containers and there is sufficient room within the hardstanding compound to relocate the existing containers currently stored at the site.

Councillor Drane, representing Rufford Parish Council, spoke against the application and raised the following issues:-

- There are concerns about the unknown especially about exhaust fumes and noise.
- The fact that the development is situated amongst trees and sound can be enhanced especially during the Autumn and Winter months due to there being less foliage to supress the noise

There were no questions

In response to Members questions and comments Mr Hankin responded as follows:-

- There will not be any additional traffic due to the development as the gas will be piped directly onto the site.
- The acoustic fence is made of timber and is approximately 4 metres high
- Noise is not expected to be an issues to surrounding properties as the sound generated is likely to be below 30 decibels.

On a motion by the Chair seconded by the Vice-Chairman it was:-

RESOLVED 2016/054

That planning permission be granted subject to the conditions set out in Appendix 1 attached to the report.

CONTRUCTION OF A DIGESTATE STORAGE LAGOON FOR AN ANAEROBIC DIGESTION PLANT STUD FARM RUFFORD

Mr Hankin introduced the report and gave a slide presentation and highlighted the following:-

- The application will allow the storage of liquid by product which is produced by the AD plant until it is used for spreading on arable land.
- The application is for a lagoon which is 130 metres by 80 metres and will be protected by a specialised liner and cover with gas vents and a leak monitoring system
- The Environment Agency will regulate the facility as part of the Environmental Permit which will control the operation of the AD facility and they will be stringent in their authorisation of a leak detection system on the lagoon to ensure the ground water is not contaminated.

- The lagoon will provide important storage for digestate liquid waste from the Anaerobic Digestion (AD) plant.

In response to questions Mr Hankin responded as follows:-

- The leak detection system would identify leaks after they have occurred through a system of perforated pipes and boreholes around the lagoon.
- The capacity of the lagoon will be similar to that of the approved storage tanks from a previous application.
- The lagoon liner has a life of 20 years. The geomembrane beneath the liner would protect the liner from damage but would not provide a secondary waterproof layer to help prevent leaks.
- The detection system does not detect any odours that may be present.
- The application does not deal with the replacement of the lining in 20 years.

Mr Hankin also read out comments from Councillor John Peck, local Member, who wished the Committee to know:

- Conditions should call for a stipulation that the proposed storage lagoon be of a closed steel or concrete storage tank and not an open lagoon.
- The storage lagoon meets the most stringent health and safety considerations to make it as secure as possible
- There are justified concerns about the potential for unpleasant odours, flies and most importantly, the danger of accidents leading to pollution of the surrounding area and water course and effluent running off down into the brook below.
- This is a commercial operation and it is essential local residents are satisfied that everything possible has been done at this planning stage to ensure the health and safety of local residents and protection of the local environment. I strongly

Mr Presslee, on behalf of the applicant, spoke in favour of the application and highlighted the following points:-

- The lower cost of a lagoon in comparison to providing digestate storage in a tank is the main factor behind the applicant's decision to alter the storage arrangements. L
- Liquid digestate is a high quality fertiliser by-product of the Anaerobic Digestion process.
- The lagoon will be situated close to the AD and will have a flexible cover with controlled ventilation.
- The leak detection system will be agreed with the Environment Agency prior to installation.
- All statutory consultees are content with the development subject to all the conditions that would be attached.

In response to a questions Mr Presslee and Mr Scott-Kerr responded as follows:-

- The lagoon will be lined and also sits on a clay base so the leak detection will allow a quick response to fix any problem that could occur, the material is innocuous waste that is for spreading on the land anyway.
- If a leak did occur then the liquid would have to travel over 100 metres to reach the ground water and natural filtration would happen.
- Tanks are considered a safer method of storage however they have been known to collapse.
- If there was a leak then the lagoon would be emptied as quickly as possible, via containers and stored in other established lagoons within a 5 mile radius, for the breach to be fixed.
- It is felt by the applicant that this is a better solution for the storage of the liquid waste on visual grounds as the tanks would be up to 8 metres in height.

Councillor Drane, representing Rufford Parish Council, spoke against the application and raised the following issues:-

- Why when approval has been given recently for storage tanks are we going back to Victoria ways of storage?
- Reduction of cost is not a valid reason for planning issues
- If a leak is detected what happens in the depth of winter when there is 2-3 inches of snow on the cover how the waste will be moved quickly?
- With this type of storage the odour issues can be significantly worse than that of storage tanks.

Mr Hankin responded to issues raised in the presentation

- The Environment Agency have not raised any issues over the storage method of the waste liquid regarding the lining and cover.
- The development would have a lower visual impact than the storage tank that is currently approved which has a height of 8m. The recommended planning conditions incorporate
- Odour controls and regulate the risk of liquid leaks from the lagoon.
- Odour and drainage would also be regulated through the Environmental Permit.

Members asked questions and made comments as follows:-

- There are many variables on this application with regard to safety and the containment of odours from the surrounding villages.
- There are possibilities that the covers could be breached especially at times of inclement weather.
- Other nearby Parish Councils do not have the same concerns as the only objection is from Rufford Parish Council.
- The Environment Agency have no objections to the development
- The application should be taken on its own merits as there are no objections from professional bodies.

- Is the fact the site has had previous planning approval for storage tanks material consideration that can be taken into account on this application?

Following a request from the Chair

Mrs Clack, Legal Advisor, informed members that their duty is to consider the application before them on its own merits. In our system of 'plan led' development, their decision should be in accordance with relevant policies in the development plan unless material considerations indicate otherwise. Although the planning history of the site was capable of being a material consideration, this was relevant to the extent that the principle of an AD Plant on this site had been established by the previous planning permissions. Members must consider whether the current application for a storage lagoon is acceptable in planning terms. The advice of the planning officer is that this application is acceptable in planning terms and so members must either determine this application in accordance with officer's recommendation to approve subject to conditions or determine contrary to officer's recommendation, although the reasons for refusal must be based on relevant planning grounds.

On a motion by the Chair and duly seconded it was:-

RESOLVED 2016/055

That planning permission be granted subject to the conditions set out in Appendix 1 attached to the report.

**TO VARY CONDITION 46 OF PLANNING PERMISSION 3/14/91/1237
REVISION TO APPROVED RESTORATION SCHEME STAPLE LANDFILL
GRANGE LANE COTHAM**

Mr Hankin introduced the report and gave a slide presentation and highlighted the following:-

- Staple landfill site was first approved in 1992 for restoration to be completed by 2025.
- Waste imports into the site are anticipated to be completed by 2018/19, Following restoration the land would be returned to agricultural with some peripheral tree/shrub planting.
- Alterations to the approved restoration scheme are sought to allow the retention of the haul road and lagoon and alterations to the western profile of the restored site
- A total of around 232,000 tonnes of soils would need to be imported to complete the restoration of the site.
- Mr Hankin confirmed that the report identifies that the alterations to the restoration of the site are comparatively minor and would not result in any extension to the life of the site beyond the existing consented timetable. The modifications to the landform would not increase the overall height of the restored tip and visual impacts are minor.

- Opportunities have been taken to amend the planting proposals to ensure species appropriate to the local landscape character are used.

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/057

1. That the Corporate Director – Place be instructed to enter into a legal agreement under section 106 of the town and country planning act Section 106 of the Town and Country Planning Act 1990 (as amended by Planning and Compensation Act 1991 Section 12) to cover lorry routeing.
2. that subject to the completion of the legal agreement before the 20 December 2016 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of the report. In the event that the legal agreement is not signed by the 20 December 2016, or within any subsequent extension of decision time agreed with the Waste Planning Authority, the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time.

DEVELOPMENT MANAGEMENT PROGRESS REPORT

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/057

That the Development Management Report be noted.

WORK PROGRAMME

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/058

That the Work Programme be noted

The meeting closed at 12.20 am.

CHAIRMAN