

APPENDIX 2

MINUTE FROM 30 JANUARY 2009 NATIONAL PARK AUTHORITY SPECIAL MEETING

AGENDA ITEM No. 3

MINUTES

<u>Meeting:</u>	National Park Authority Special Meeting
<u>Date:</u>	30 th January 2009
<u>Venue:</u>	The Conference Room, Agricultural Business Centre, Bakewell
<u>Chair:</u>	Mr N Balaria
<u>Present:</u>	Mrs A Ashe, Clr T Bagshaw, Miss P Beswick, Clr Mrs J Bevan, Mr C J Bowell, Ms P Coleman, Clr Mrs T Critchlow, Clr A Favell, Prof J Herbert, Clr A Marchington, Clr J Muir, Mr G Nickolds, Mrs K Potter, Mr R Priestley, Clr Mrs I Ratcliffe, Clr Mrs J A Twigg, Clr Mrs D Ward, Clr Mrs D Wilde.
<u>Apologies for absence:</u>	Mr C Carr, Clr Mrs H M Gaddum, Mr C Pennell, Mr L Rix, Mrs L C Roberts, Clr Mrs S Roberts, Clr Mrs B J Wilson.

STRATEGY & DEVELOPMENT

1/09 4.1. FULL APPLICATION – PROPOSED EXTRACTION OF FLUORSPAR ORE AND ASSOCIATED VEIN MINERAL BY OPEN PIT METHODS FROM AN EXTENSION TO THE WORKINGS AT TEARSALL, SOUTH DARLEY – GLEBE MINES (NP/DDD/0208/0104, M10213, 30/01/2008, 426201/360188 RJB)

The following Members declared personal interests in this item:

Mr N Balaria	Member of English Heritage Urban Panel
Ms P Beswick	Member of English Heritage
Clr Mrs T Critchlow	Member of Derbyshire County Council and English Heritage
Prof J Herbert	E-mail correspondence on Backdale in 2007 with SLEG one of the objectors, but had retained an open mind on this application.
Mrs K Potter	Member of CPRE and English Heritage; an accommodation provider. She had not discussed the application at Parish Council meetings.
Clr Mrs I Ratcliffe	Member of Derbyshire County Council Bonsall Division.
Clr Mrs J Twigg	Member of Derbyshire County Council

It was reported that some Members had received e-mail correspondence about the application.

This application was considered by the Planning Committee on 12 December 2008 and referred to the Authority Meeting to allow for consideration of the policy issues and for further outstanding information to be received and considered.

The key issues raised in the report were:

- Whether the application can be safely worked as proposed;
- The need for the mineral;
- The impacts on the environment and amenities of the locality;
- Is there compliance with the Development Plan;
- Are there exceptional circumstances that justify departure.

Officers now considered that the previously outstanding technical matters relating to method of working and stability can be resolved. Further information has been submitted on noise and dust impacts and it was considered that these can be adequately controlled through the imposition of conditions. Further landscape and visual assessment has also been undertaken and it was considered that there was some opportunity for mitigation although the impacts remain. However, on balance, it was advised that, because the planning gain offered provides significant overall environmental benefit to the National Park, approval of the application was recommended. The application was, however, an exception to policy and if approved by the Authority, the development should be referred to the Secretary of State, to assess whether she wishes to 'call in' the proposal.

A Supplementary report was tabled that detailed the representations that had been received since publication of the main report.

The Minerals Team Manager gave a detailed summary of the application. The Head of Planning explained the main policy issues and the circumstances that needed to be considered in determining the application.

The following made representations to the meeting under the Public Participation Scheme:

Mr S Barton, objector.

Mr K Taylor, objector.

Mr B Cunningham, objector.

Ms J Wayman, resident and objector.

Mr D Gregory, resident and objector.

Mr T Fox, resident and objector.

Mr D Maguire, resident and objector.

Ms J Limmack, resident and objector.

Ms S Dakin, resident and objector.

Mrs M Gadsby, resident and objector.

Mr P Chambers, Save Wensley Hillside Action Group, objector.

Mr J Lambert, Chairman of Save Longstone Edge Group (SLEG), objector.

Mr H Folkard, British Mountaineering Council, objector.

Dr Furness, Independent Ecological Consultant, objector.

Dr A Tickle, Friends of the Peak District, objector.

Ms C House Wardell Armstrong on behalf of the applicants.

Mr D Price, INEOS Fluor applicants.

Mr G Goodyear, Glebe Mines supporting the application.

Mr C White, Glebe Mines supporting the application.

Mr S Nuttall, resident supporting the application.

Mr P Southby, East Midland's Confederation of British Industry supporting the application.

Mr C Broom, North West Development Agency supporting the application.

The meeting adjourned at 1.00 pm and reconvened at 1.35 pm.

Chair: Mr N Balaria

Present: Mrs A Ashe, Clr T Bagshaw, Miss P Beswick, Clr Mrs J Bevan, Ms P Coleman, Clr Mrs T Critchlow, Clr A Favell, Prof J Herbert, Clr A Marchington, Clr J Muir, Mr G Nickolds, Mrs K Potter, Mr R Priestley, Clr Mrs I Ratcliffe, Clr Mrs J A Twigg, Clr Mrs D Ward, Clr Mrs D Wilde.

The officers responded to detailed questions and concerns from Members. This was followed by a debate on a full range of issues regarding the application including the "exceptional circumstances" that would justify a departure from policy; the national need for the minerals; the extent and benefit of the planning gain offered in respect of Peak Pastures" by the S.106 Agreement; the impact on the historic landscape and future restoration; employment and traffic issues and the impact on tourism to the area.

Motion

A Motion to defer determination of the application to enable the terms of the S.106 Agreement to be reconsidered was moved and seconded.

On being put to the vote the Motion was lost.

Motion

A Motion to approve the application as set out in the report was moved and seconded.

A further debate followed on this Motion.

On being put to the vote the Motion was carried.

RESOLVED

1. That the application be **APPROVED** subject to the following:

A. That the Secretary of State (DCLG) be informed that the Authority is minded to approve the application as a Departure from the Development Plan on the basis outlined in resolution B.

B. That subject to the prior completion of a Section 106 legal agreement whereby the applicant (and successors in title) formally agree:

- not to work the mineral rights it owns (the vein mineral and the limestone disturbed) on the eastern end of Longstone Edge for a minimum period of 4 years & whilst extraction at Tearsall is being carried out under permission ref NP/DDD/0208/0104.
- to achieve a minimum of 15% level of production by volume feed into Cavendish Mill from underground sources by end of 2011.
- to offer a 5 year extended aftercare agreement at Tearsall
- a bond to secure restoration
- to pay for the annual inspection of the highway and repair to the highway margins necessary due to damage caused by lorries associated with the development.

C. The approved application ref NP/DDD/0208/0104 is subject to conditions covering the following broad matters:

- duration
- hours of operation
- haulage (lorry numbers)
- phasing of work
- output
- stability
- cut-off grade
- site access
- planting
- landscaping
- ecology
- archaeology
- noise
- dust
- progressive restoration
- 5 year aftercare

D. Footnotes: protected species, diversion of public right of ways; waste management.

2. That authority is delegated to the Head of Planning and Head of Law jointly to determine the details of the S106 agreement.
3. That authority is delegated to the Head of Planning in consultation with the Chair to approve the final details of the conditions.

The following Members requested that their vote against approval of the application be recorded in the Minutes:

Mr N Bajaria
Ms P Coleman
Prof J Herbert
Mrs K Potter
Clr Mrs I Ratcliffe

The meeting closed at 2.50 pm.