

Stanton Moor Mineral Liaison Group (SMMLG)

Minutes of meeting held on Wednesday 15 October.

Members Present

Prof Tony Crook – Chair

Paul Morris – Stanton in Peak Parish Council (PM)

Andy Tickle – Friends of the Peak District (AT)

Steve Boam – Stancliffe Stone Ltd (SB)

Howard Griffith – Stanton against the destruction of our environment (SADE) (HG)

Geoffrey Henson – Stanton Lees Action Group (SLAG) (GH)

Andrew Gregory – Blockstone Ltd (AG)

Adrian Davie-Thornhill – Thornhill Settlement (AD)

Bill Elliott – Birchover Parish Council (BE)

In attendance

Jane Newman – PDNPA Senior Minerals Planner (JN)

John Scott – PDNPA Director of Planning, (JRS)

Karen Beresford – PDNPA Minerals Technician (acting as minutes clerk)

1. Apologies

Apologies had been received from the following members:-

Cllr Kath Potter – Rowsley Parish Council

The following members did not attend:

Haddon Estates

Roger Caisley – Birchover Stone Ltd

2. Declarations of Interest

There were no declarations of interest at this meeting.

3. Chair's Report

The Chair reported verbally to the group that he had made a site visit to Dale View and New Pilhough. Those who had accompanied him (PM and GH) agreed that the visits were well worth while and they had learned a lot. Thanks were expressed to those who had arranged and hosted the visits. He had also had a meeting with Jane Newman and John Scott for an update on mineral issues on Stanton Moor and had separately met John Scott to discuss other planning issues more widely.

4. Approval of minutes of last meeting

Minutes taken from the previous meeting on 30 June 2014 were reported to the planning committee on 12 September 2014.

HG had concerns that the minutes noted the topics discussed rather than the actual points made. It was **agreed** that a summary of views expressed in addition to the subject could be included in the minutes in future.

HG also asked that the minutes be amended to note that members did not receive the terms of reference of the group prior to its first meeting¹.

Subject to the above the minutes were agreed as an accurate record

Action – The chair noted that the amended and agreed minutes would go to the November Planning Committee.

5. Matters Arising

The chair reported that he had written, as requested, to Birchover Stone Ltd asking them to reconsider their decision not to be members of the Group. He was pleased to report that it had agreed to accept membership but were not (in the light of attendance) attending this meeting.

HG had questions regarding the Authority's consultation procedure on planning applications. The group discussed 'statutory' consultees and the circumstances when other councils and organisations are consulted.

HG referred to a 2006 press release from the Authority regarding Dale View Quarry, which referred to various parish councils and other bodies as 'statutory consultees'. JRS & JN clarified that the press release was incorrect and that the only 'statutory consultee' is the parish in which the site lies, which in this case was Stanton parish council.

PM had concerns that in the case of mineral applications, parishes on the haulage routes were not automatically consulted. He expressed the view that some applications can impact on adjacent parishes. JRS made the point that additional consultations are 'discretionary' and are consideration needs to be given to whether they are 'proportionate' to the application. JN expressed concerns that consultations other than those which are 'statutory' can set a precedent for other planning applications.

HG expressed the view that we should notify groups and individuals when further information is submitted on planning applications. JN informed the group that there are not enough resources to ensure that this takes place on all applications. AT was concerned that this process would further the length of time that some already long term applications take to be considered.

¹ Post meeting note: following a check on the paperwork after the meeting PDNPA staff informed the Chair that ToR were sent out to all members with the invitation to the initial 4 June meeting of the group, including to the then known representative of SADE, but were not sent to its current representative when PDNPA were notified of the change of representative as it was assumed that paperwork has been sent on to him by SADE.

The group **agreed** to **note** the points made, including the way the Authority has discretion about consultation, and also that information about applications were updated on a regular basis on the Authority's web site to which all Parish Council clerks and most members have access via the internet.

7. Timescale for any recommendations or issues that are raised by the Minerals Liaison group to be considered by planning committee.

HG expressed the view that he would like to see minutes go to the Authority's planning committee sooner. JN and JRS expressed that this is workload and committee cycle dependent. The Chair **requested** (and JRS **agreed**) that draft minutes (as 'signed off' by him) be taken to the next available meeting, noting upon presentation to the Committee that they had yet to be formally agreed by this group.

8. The context for making decisions on planning applications – presentation by Director of Planning.

The chair opened the discussion with a brief explanation on the history of how planning applications are dealt with in local planning authorities, including the way national planning policy, planning authorities' adopted plans (e.g. Core Strategies) and other material considerations are all factors in decisions (including by the Secretary of State on appeal) . He reminded the group that there is a national policy presumption in favour of development which accords with adopted plans.

JRS gave a presentation to the group based upon a tabled 'hand out'. The presentation put forward the key planning points to be considered when deciding mineral planning applications. The term 'exceptional circumstances' was discussed and that an example of this could be a 'swap' in an area. The Stanton Moor principles were discussed as examples of exceptional circumstances. JRS made the point that occasionally allegations are made that officers are too close to developers. However, officers need to liaise with developers and giving what is called 'pre application advice' is considered to be good practice by the government and saves time in most circumstances (and also deters applications which have no chance of being agreed, saving costs and time to authorities and developers). Pre application advice must be in accordance with policy and if not should be transparent to the committee when applications are formally decided by it.

PM expressed a view that the public often question why permission was given because they do not understand the basis of a decision. He noted that that it is public opinion that Stanton Moor Quarry should not be developed. JN explained that a permission already exists on Stanton Moor but also that an exchange would be a 'balance of advantage' in the circumstances.

HG expressed a concern that communities are not involved in discussions about planning applications. AG explained that discussions involving developers and communities have proved difficult in the past and that was why the liaison group was useful.

HG argued that locals are concerned that in the case of Dale View the company are not meeting their planning conditions and that there is a general lack of confidence in companies about future applications. JN assured the group that monitoring does take place but that sometimes the objective behind a condition can be achieved by another route

The group **thanked** JRS for his presentation and concluded that it was useful. It was **agreed** that at the next meeting there should be a presentation by JRS and JN on planning conditions, the policy and legal authority for their use, how conditions are agreed when permissions are granted and how compliance is monitored.

9. Dale View Quarry

- a) HG **commented** that there have been amendments to 17 conditions on planning permission NP/DDD/0606/0316. JN explained that the authority was awaiting further information from the company before the decision is formally issued. JRS explained to the group how legal agreements are sometimes issued with planning permissions. PM asked questions regarding the process. JRS/JN assured the group that everything is transparent and the correct process is applied. The decision is in accordance with the development plan.
- b) JRS **advised** HG on the time frame for a possible appeal and advised that anyone who had made representations on the application would be notified if an appeal was submitted
- c) SB **gave an update** on Dale View Quarry. Some work has been done to restore the tip. The entrance will shortly have new gates and the building is to be painted. Over the next 6 months a further soil strip is to take place and work is to commence to reduce the height of stock. Also, some further restoration works are to be carried out.

10. Stanton Moor ROMP/New Pilhough

JN **advised** that additional information on the Stanton Moor ROMP had been received but that some consultations were still outstanding. The Planning Committee would probably be making a decision and that would hopefully be at the end of November. A determination or extension of time should be agreed by the end of the calendar year.

AT asked if Stanton Moor quarry could now be worked. At that time JN could not confirm that the information is complete. JN **confirmed** that as soon as the information is complete, suspension will be lifted.

11. Delegation to PDNPA officers: Review of mineral permissions

JRS **explained** that 'Periodic Reviews' are a way of periodically reviewing existing conditions on permissions for specific developments. This is a technical matter and is therefore delegated.

The chair closed the meeting and thanked all for their attendance and for contributing helpfully to the Group's core role of improving information flow and understanding. The group **agreed** to meet in 3 months unless any issues need attention before then