

# Public Document Pack



## PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

**Date:** Thursday, 26 October 2023

**Time:** 2.00 pm

**Venue:** The Council Chamber, Moorlands House, Stockwell Street, Leek

Please find below an additional report which was unavailable when the agenda was published.

### PART 1

4. Late Representations Report (circulated prior to the meeting i.e. any representations received since this agenda was published).

**MARK TRILLO**  
**EXECUTIVE DIRECTOR & MONITORING OFFICER**

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## PLANNING APPLICATIONS COMMITTEE

### Late Representations – 26<sup>th</sup> October 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2019/0646	<p>Moneystone Quarry (Reserved Matters)</p> <p><b><u>Additional Officer Recommendation</u></b></p> <p>1. That Condition 5 specify natural timber cladding for the elevations of the lodges for the avoidance of any doubt</p> <p>2. That Condition 25 (Bridge) also include for additional landscaping picking up advice from the Trees and Woodland Officer in his response dated 22/6/22</p> <p>3. Additional condition to secure means of enclosure to the gas compound</p> <p><b><u>Churnet Valley Conservation Society</u></b></p> <p>Five further letters of objection have been received from the Churnet valley Conservation Society raising the following additional points:-</p> <ul style="list-style-type: none"> <li>• Quarry 3 has been re designated as a reservoir. There is a requirement for LPAs to discuss their proposed site allocations with reservoir undertakers to:               <ul style="list-style-type: none"> <li>a) avoid an intensification of development within areas at risk from reservoir failure; and</li> <li>b) ensure that reservoir undertakers can assess the cost implications of any reservoir safety improvements required due to changes in land use downstream of their assets.</li> </ul> </li> </ul> <p>There is also a requirement for the owner/operator to have a Flood plan. No evidence is available that one is available</p> <ul style="list-style-type: none"> <li>• There is one very significant omission that, in the interest of balance and fairness, should be inserted in the introductory section of your report, (p 3 and 4) where you summarise the salient history of the application for the outline permission. You mention the approval of application SMD/2016/0378 but unfortunately you have omitted to mention at this point <u>the refusal of the full, no right turn application SMD/2016/0388 by the Council at the same meeting.</u> This is a serious omission in that its absence could lead the PAC members to be misinformed of the reality of what actually happened at the same meeting where the access in the outline approval (SMD/2016/0378) was given, but then, promptly 20 minutes later, was removed by the PAC's <u>refusal of the full permission on the grounds of road safety.</u></li> </ul> <ul style="list-style-type: none"> <li>•</li> <li>• Nothing has been done to address contamination concerns of the EA at the outline stage. No remedial work or monitoring of the site has taken place</li> <li>• There is no evidence on file of the Council questioning</li> </ul>	3-66

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 26<sup>th</sup> October 2023**

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	<p>the authority and appropriateness of the JBA expert hydrology report</p> <ul style="list-style-type: none"> <li>• Quarry 3 does not represent limited sensitive development</li> <li>• Few new jobs to be created.</li> <li>• The need for independent scrutiny of the controlled water before the hearing is essential. It has not been produced because you have neglected the problem for too long and now you cannot be said to have considered it properly when weighing the planning balance in order to compile your report to the PAC.</li> <li>• There is no evidence of nay reports on safety issues at the quarry that the applicant and its agent maintain have beeb carried out on a monthly basis by way of their re assuring public concerns (e-mail 19<sup>th</sup> Sept 2023)</li> <li>• In 2016 SCC had to issue a stopping order to prevent illicit dumping including that of toxic waste material in quarry 2</li> </ul> <p>by its agents Genesis and other associates like T W Frizell.</p> <ul style="list-style-type: none"> <li>• Since 2014 Laver Leisure has also allowed the illegal use of the quarry buildings as premises for an unauthorised scrap metal business despite <ul style="list-style-type: none"> <li>• continuous threats of enforcement by SCC.</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>•Car share proposals are impractical as singleton car use will undoubtedly prevail.</li> <li>•Public transport to the site is no longer available.</li> <li>•Poor specification for lodges. Not comparable to Centre Parcs or today’s expectations of luxury.</li> <li>•Potential for 100% private ownership of lodges, consistent with all other Laver Leisure sites</li> <li>•Lodges over water, danger from falls from decking.</li> <li>•Cold water shock kills swimmers/ and fallers.</li> <li>•Compromised safety, with a very deep lake in quarry 3 with deep water benches that will create difficulties climbing out of the cold water.</li> <li>•Only a single access road available for emergency services into such a large ‘conurbation’.</li> <li>•No plan at all to deal with unstable fill in Quarry 2 to protect hliiday makers.</li> <li>•There have been historic landslides. Slope and spillway/outfall instability due to reduced strength of wet rock.</li> <li>•Rock falls protection design parameters or their location(s) to prevent over topping of lake in quarry 3 due to rock falls have not been adequately provisioned in 0646.</li> <li>•Lack of consultation with emergency services.</li> <li>•Inadequate, time expired Environmental Impact Assessments.</li> </ul>	

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**Late Representations – 26<sup>th</sup> October 2023**

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	<p>•Increased water flow will potentially damage SSSI.                      •Inadequate search for and assessment of Historic Assets.                      •Inadequate wildlife and landscape assessments for vulnerable species.</p> <p>•Ignoring SMDC PAC decision to refuse (SMD/2016/0388) the requested no-right-turn out of Moneystone Park onto Eaves Lane.                      •No statement regarding Sat-Nav directions from (and to) Alton Towers from Moneystone Park.                      •Inadequate sports and leisure facilities for the number of visitors the site is intended for.                      •Major deviation from both the Churnet Valley Masterplan and the outline planning permission.                      •Does not meet SMDC’s own policies for reducing global warming impact.</p> <p><b><u>41 further letters of Objections received since the report was written – summarised as follows:-</u></b></p> <ul style="list-style-type: none"> <li>• Unlawful waste is buried at the quarry.</li> <li>• The Council is required to abide by the Statement of Community involvement. It has not done so.</li> <li>• Noise</li> <li>• Pollution</li> <li>• Loss of biodiversity and harm to the environment</li> <li>• instability of the ground</li> <li>• Concerned about the safety of reservoir in quarry 3 due to no overflow system</li> <li>• Concerned that the development would expose a carcinogenic risk from disturbance of the silica sand</li> <li>• Access and traffic – particularly the Eaves Lane/A52 Junction</li> <li>• Strain on local services and infrastructure due to private ownership of lodges</li> <li>• Concerns regarding drainage of the site in relation to the Churnet River and silica sand deposits</li> <li>• Concerns with competing with local businesses</li> <li>• Concerns about subsidence</li> <li>• Concerns about safe working practices</li> <li>• Concerns about road safety on Farley Road</li> <li>• Concerns that car reliance is at odds with SMDC policy to reduce CO2 emissions</li> <li>• Concerns about tsunamis</li> <li>• Concerns about the stability of jobs created</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Concerns that the development goes against Policy SS1 – locally distinctive</li> <li>• Concerns about capacity of local sewers</li> <li>• Concerns regarding impact on local SSSI's and Ancient Woodland</li> <li>• Lack of EV charging points and green energy</li> <li>• No public transport to the site</li> <li>• Concerns about flooding</li> <li>• Concerns the development does not conform with SMDC Policy SS11 – scale, design, quality</li> <li>• Concerns the development does not conform with SMDC Policy E4 – Scale, character</li> <li>• Concerns the development does not conform with SMDC Policy DC1 - high-quality, add value</li> <li>• Concerns about general safety in a disused quarry</li> <li>• Unsustainable development</li> </ul>	
SMD/2019/0716	<p>Moneystone Quarry (Retention and change of use of lab building)</p> <p><b><u>Churnet Valley Conservation Society</u></b></p> <p>Five further letters of objection have been received from the Churnet valley Conservation Society raising the following additional points:-</p> <ul style="list-style-type: none"> <li>• Quarry 3 has been re designated as a reservoir. There is a requirement for LPAs to discuss their proposed site allocations with reservoir undertakers to:               <ol style="list-style-type: none"> <li>a)avoid an intensification of development within areas at risk from reservoir failure; and</li> <li>b)ensure that reservoir undertakers can assess the cost implications of any reservoir safety improvements required due to changes in land use downstream of their assets.</li> </ol> </li> </ul> <p>There is also a requirement for the owner/operator to have a Flood plan. No evidence is available that one is available</p> <ul style="list-style-type: none"> <li>• Nothing has been done to address contamination concerns of the EA at the outline stage. No remedial work or monitoring of the site has taken place</li> <li>• There is no evidence on file of the Council questioning the authority and appropriateness of the JBA expert hydrology report</li> <li>• Quarry 3 does not represent limited sensitive development</li> </ul>	67-88

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	<ul style="list-style-type: none"> <li>• Few new jobs to be created.</li> <li>• The need for independent scrutiny of the controlled water before the hearing is essential. It has not been produced because you have neglected the problem for too long and now you cannot be said to have considered it properly when weighing the planning balance in order to compile your report to the PAC.</li> <li>• There is no evidence of nay reports on safety issues at the quarry that the applicant and its agent maintain have beeb carried out on a monthly basis by way of their re assuring public concerns (e-mail 19<sup>th</sup> Sept 2023)</li> <li>• In 2016 SCC had to issue a stopping order to prevent illicit dumping including that of toxic waste material in quarry 2</li> </ul> <p>by its agents Genesis and other associates like T W Frizell.</p> <ul style="list-style-type: none"> <li>• Since 2014 Laver Leisure has also allowed the illegal use of the quarry buildings as premises for an unauthorised scrap metal business despite</li> </ul> <ul style="list-style-type: none"> <li>• There is one very significant omission that, in the interest of balance and fairness, should be inserted In the introductory section of your report, (p 3 and 4) where you summarise the salient history of the application for the outline permission. You mention the approval of application SMD/2016/0378 but unfortunately you have omitted to mention at this point <u>the refusal of the full, no right turn application SMD/2016/0388 by the Council at the same meeting.</u> This is a serious omission in that its absence could lead the PAC members to be misinformed of the reality of what actually happened at the same meeting where the access in the outline approval (SMD/2016/0378) was given, but then, promptly 20 minutes later, was removed by the PAC's <u>refusal of the full permission on the grounds of road safety.</u></li> </ul> <ul style="list-style-type: none"> <li>•</li> <li>• Continuous threats of enforcement by SCC.</li> </ul> <ul style="list-style-type: none"> <li>•Car share proposals are impractical as singleton car use will undoubtedly prevail.</li> <li>•Public transport to the site is no longer available.</li> <li>•Poor specification for lodges. Not comparable to Centre Parcs or today's expectations of luxury.</li> <li>•Potential for 100% private ownership of lodges, consistent with all other Laver Leisure sites</li> <li>•Lodges over water, danger from falls from decking.</li> <li>•Cold water shock kills swimmers/ and fallers.</li> <li>•Compromised safety, with a very deep lake in quarry 3 with</li> </ul>	

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	<p>deep water benches that will create difficulties climbing out of the cold water.</p> <ul style="list-style-type: none"> <li>•Only a single access road available for emergency services into such a large 'conurbation'.</li> <li>•No plan at all to deal with unstable fill in Quarry 2 to protect holiday makers.</li> <li>•There have been historic landslides. Slope and spillway/outfall instability due to reduced strength of wet rock.</li> <li>•Rock falls protection design parameters or their location(s) to prevent over topping of lake in quarry 3 due to rock falls have not been adequately provisioned in 0646.</li> <li>•Lack of consultation with emergency services.</li> <li>•Inadequate, time expired Environmental Impact Assessments.</li> <li>•Increased water flow will potentially damage SSSI.</li> <li>•Inadequate search for and assessment of Historic Assets.</li> <li>•Inadequate wildlife and landscape assessments for vulnerable species.</li> <li>•Ignoring SMDC PAC decision to refuse (SMD/2016/0388) the requested no-right-turn out of Moneystone Park onto Eaves Lane.</li> <li>•No statement regarding Sat-Nav directions from (and to) Alton Towers from Moneystone Park.</li> <li>•Inadequate sports and leisure facilities for the number of visitors the site is intended for.</li> <li>•Major deviation from both the Churnet Valley Masterplan and the outline planning permission.</li> <li>•Does not meet SMDC's own policies for reducing global warming impact.</li> </ul> <p><b><u>8 Further letters of Objections received since the report was written – summarised as follows:-</u></b></p> <ul style="list-style-type: none"> <li>• Unlawful waste is buried at the quarry.</li> <li>• The Council is required to abide by the Statement of Community involvement. It has not done so.</li> <li>• Noise</li> <li>• Pollution</li> <li>• Loss of biodiversity and harm to the environment</li> <li>• instability of the ground</li> <li>• Concerned about the safety of reservoir in quarry 3 due to no overflow system</li> <li>• Concerned that the development would expose a carcinogenic risk from disturbance of the silica sand</li> <li>• Access and traffic – particularly the Eaves Lane/A52 Junction</li> <li>• Strain on local services and infrastructure due to private ownership of lodges</li> </ul>	



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SMD/2022/0014	<p>Moneystone Quarry (Surface water outfall)</p> <p><b><u>Churnet Valley Conservation Society</u></b>            Five further letters of objection have been received from the Churnet valley Conservation Society raising the following additional points:-</p> <ul style="list-style-type: none"> <li>• Quarry 3 has been re designated as a reservoir. There is a requirement for LPAs to discuss their proposed site</li> </ul>	89-108

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	<p>Churnet River and silica sand deposits</p> <ul style="list-style-type: none"><li>• Concerns with competing with local businesses</li><li>• Concerns about subsidence</li><li>• Concerns about safe working practices</li><li>• Concerns about road safety on Farley Road</li><li>• Concerns that car reliance is at odds with SMDC policy to reduce CO2 emissions</li><li>• Concerns about tsunamis</li><li>• Concerns about the stability of jobs created</li><li>• Concerns that the development goes against Policy SS1 – locally distinctive</li><li>• Concerns about capacity of local sewers</li><li>• Concerns regarding impact on local SSSI's and Ancient Woodland</li><li>• Lack of EV charging points and green energy</li><li>• No public transport to the site</li><li>• Concerns about flooding</li><li>• Concerns the development does not conform with SMDC Policy SS11 – scale, design, quality</li><li>• Concerns the development does not conform with SMDC Policy E4 – Scale, character</li><li>• Concerns the development does not conform with SMDC Policy DC1 - high-quality, add value</li> <li>• Concerns about general safety in a disused quarry</li><li>• Unsustainable development</li></ul>	