

Meeting PLANNING AND LICENSING COMMITTEE

Date Tuesday 24 March 2015 (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
Jim Creamer		Yvonne Woodhead
A Stan Heptinstall MBE		

OFFICERS IN ATTENDANCE

David Forster – Democratic Services Officer
Jerry Smith – Team Manager, Development Management
Sally Gill – Group Manager Planning
David Kerfoot – Solicitor
Oliver Meek – Senior Planning Officer
Pete Evans – Principal Officer Highways Development Control
Tim Turner – Senior Practitioner Monitoring and Enforcement
Eddie Brennan - Definitive Map Officer
Neil Lewis – Team Manager Countryside Access
Angus Trundle – Definitive Map Officer

MINUTES OF LAST MEETING HELD ON 24 FEBRUARY 2015

The minutes of the meeting held on 24 February 2015 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stan Heptinstall MBE (Personal) and Rachel Madden (Personal)

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

Councillor Sissons declared a private interest in agenda item 6 Replacement school at Former Sherwood Hall School site Stuart Avenue Mansfield due to his wife working as a midday supervisor at the Abbey Primary School

DECLARATIONS OF LOBBYING OF MEMBERS

There were no declarations of lobbying

APPLICATION TO ADD A BRIDLEWAY TO THE NOTTINGHAMSHIRE COUNTY COUNCIL (AREA 3) DEFINITIVE MAP AND STATEMENT

Mr Brennan introduced the report and took members through the various maps and plans showing evidence of the routes in question. He also reported that all the footpaths marked on appendix one, except A1-B are already designated footpaths.

Following Mr Brennan's introduction Mr Morgan-Smith, agent for the estate, spoke against the amendment to the definitive Map and highlighted the following:-

- The estate is not against public access, however these routes are not open for public access
- Individuals have been given permission from the estate owners to ride on this land
- Those seen using the route who have not had permission have been challenged and informed that it is not open to the public
- It is felt that changing use to a bridleway will invite unauthorised motor cyclists to use the paths.

There were no questions

Following the speaker Members discussed the application and asked questions and made comments

- Part of the claim for A1, A2 to C is on user evidence 5 users were interviewed and 4 users completed additional questionnaires and therefore it can be reasonably alleged there has been use over 20 years. This of course would be further investigated through a public Inquiry.
- Footpath No3 runs through an area of trees and it is accessible so in legal terms it is available for use as a path

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

RESOLVED 2015/012

1. That the claim for route A1-B-C-D be accepted and that officers be authorised to make a Definitive Map Modification Order seeking to record it as a public bridleway
2. that the additional user evidence be accepted for route A2-B and that approval be given to make Definitive Map Modification Order seeking to record it as a public bridleway

3. that the additional historic evidence for the route C-E-F-G be accepted and officers be authorised to make a Definitive Map Modification Order seeking to record it as a public bridleway.

REPLACEMENT SCHOOL AT FORMER SHERWOOD HALL SCHOOL SITE STUART AVENUE MANSFIELD

Mr Smith introduced the report and gave a slide presentation. He highlighted that the application is for a new school to be built on what was previously a school site. He also reported to members that a petition signed by 51 signatories had been received by the Council regarding the placement of the school entrance. The petition highlighted that there would be a detrimental impact to the area, parking, access by emergency vehicles, noise impacts on residents with increased traffic and loss of access to drives with poor parking.

Following the opening remarks of Mr Smith, Ms Kabia, local resident, spoke against the application and highlighted the following:-

- Not opposed to a new school being built on the site, what is opposed the entrance to the school off Stuart Avenue.
- The area mainly consists of elderly residents who are not as mobile and therefore need the ability to get out of their drives when needed.
- The dynamics of the school will be different this time as the children will be younger than those who went to the previous school, therefore parents will stay longer to drop off.

Ms Kabia responded to questions as follows:-

- There will be a constant stream of cars dropping off and picking up because of the Nursery, the morning club and the after school club alongside the school start and finish times.
- Currently the view along the entrance to the site is a mess and there doesn't seem to be any responsibility taken regarding the cleaning up of the site. Also two trees have been felled already so it does seem that this is a fait accompli

Mr Smith responded to comment and questions by members as follows:-

- There are 45 car parking spaces so not all staff will have a space, it is expected that the School Travel Plan would encourage car sharing and more sustainable travel by staff members.
- The tree removed did not have tree preservation order so there was no need for any permission to remove them. They were removed to stop nesting taking place.
- An informative could for the condition a liaison committee between the school and local residents.
- With regard to planning terms Sport England would object to any open playing fields being used for an access road and this would be an extremely costly proposal.

- There will be zig zag markings and double yellow lines outside the school

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

RESOLVED 2015/013

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

AMENDMENT TO PROCESSING CAPACITY OF SITE TO INCREASE PERMITTED INPUTS TO 150,000 TONNES ANNUAL CAPACITY – BIO DYNAMIC (UK) LIMITED PRIVATE ROAD 4 COLWICK INDUSTRIAL ESTATE

Mr Smith introduced the report and gave a slide presentation, during his presentation he informed members that paragraph 13 (c) should read south eastern boundary and not south western. Plan 2 showed the original south eastern boundary as a straight line. It was explained that the operator was unable to purchase the full extent of land originally envisaged, however a similar sized area had been acquired enabling the previously approved fourth digester to be constructed. An error was corrected on Plan 2 so that the correct digester tank was identified.

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

RESOLVED 2015/014

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

ERECTION OF A STEEL FRAMED BUILDING FOR USE AS A MATERIALS RECYCLING FACILITY TRENT SKIP HIRE LIMITED QUARRY FARM TRANSFER STATION BOWBRIDGE LANE NEW BALDERTON NEWARK

Mr Smith introduced the report and gave a slide presentation. He highlighted that the development had had a number of complaints and these are set out in paragraph 26 of the report. He reported that there were late representations from Hawton Parish Council stating that they felt that the size of the building will not be in keeping with the area. They also feel that there are enough HGV's using the roads in the area.

The Materials Recycling Facility has been reduced in size from the original proposals. The routeing of HGVs will also change due to a lorry agreement being suggested to avoid the C3 traffic routes.

Following the opening remarks of Mr Smith, Councillor Wallace, local member, spoke against the application and highlighted the following:-

- The site is close to a large Quarry Landfill site and will add to the HGV's already using the roads.

- There are several Schools in the vicinity which the HGVs will pass thus creating a potential safety issue.
- A proposed Section 106 agreement is being proposed to change the routing of vehicles by up to 6 miles, but how will this be policed?
- There should be some payment made by companies to ensure they are fit for purpose.
- The Newark Relief Road does not appear in the Nottinghamshire Traffic Plan and it will not be built until 2030.

Mr Smith responded as follows:-

- Terms of legal agreements can require companies to self-police drivers to ensure the correct routes are being used to deliver waste, however enforcement action could be used.
- Applications are considered on their own merit
- Funding is in place for phase one of the Newark Southern Relief Road.

Members were concerned about the application and the issues raised by the local members therefore upon a motion by the Vice-Chairman, seconded by Councillor Keith Walker it was

RESOLVED 2015/015

That the application be deferred subject to a site visit by the Committee.

DEVELOPMENT MANAGEMENT PROGRESS REPORT

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

RESOLVED 2015/016

That the Development Management Report be noted.

WORK PROGRAMME

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

RESOLVED 2015/017

That the Work Programme be noted

The meeting closed at 13.05 pm.

CHAIRMAN