

Meeting    **PLANNING AND LICENSING COMMITTEE**

Date        **19 January 2016 (commencing at 10.30 am)**

**membership**

Persons absent are marked with 'A'

**COUNCILLORS**

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

Roy Allan  
Andrew Brown  
Steve Calvert  
Jim Creamer  
Rachel Madden

Andy Sissons  
Keith Walker  
Jacky Williams  
Yvonne Woodhead

**ALSO IN ATTENDANCE**

Councillor    Bruce Laughton  
                  Kate Foale

**OFFICERS IN ATTENDANCE**

David Forster – Resources Department  
Alison Fawley – Resources Department  
Sally Gill - Place Department  
Jonathan Smith – Place Department  
Mike Hankin – Place Department  
Ruth Kinsey – Place Department  
Rachel Clack - Resources Department  
Joel Marshall – Place Department

**MINUTES OF LAST MEETING HELD ON 8 DECEMBER 2015**

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

**MEMBERSHIP OF THE COMMITTEE**

The Clerk reported orally that Councillor Jacky Williams had been appointed to the Committee in place of Councillor Stan Heptinstall OBE for this meeting only.

## **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

Councillor Jacky Williams declared a non-pecuniary interest in agenda item 8 Clayfields House 18 Moorbridge Lane Stapleford due to the fact it is in her Division and that she sits on Corporate Parenting Panel and has visited Clayfields. She has also made comments on the proposed development in a general sense regarding the need for refurbishment and upgrading of the facility

## **DECLARATIONS OF LOBBYING OF MEMBERS**

There were no declarations of Lobbying

## **STUD FARM RUFFORD PARK RUFFORD AMENDMENT TO DESIGN OF ANEROBIC DIGESTER AND INSTALLATION OF A 2.65 KM GAS PIPELINE**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- Planning permission was granted in 2010 for an Anaerobic Digestion (AD) processing facility incorporating an AD plant and the planning permission has been implemented by the construction of an access road.
- The original digesters were for 7.5m high units which will be increased to 16.2m high.
- The application also requests the approval of a 2.65 kilometre pipe line to be installed from the facility to supply Centre Parcs with the gas produced.
- Concerns were raised by the Rufford and Bilsthorpe Parish Councils with regard to the visual impact of the proposed development
- Councillor Peck, Local Member, objections to the application on the grounds of increase in size of the proposed AD Storage Plants, visual impact and increased journeys.
- The two planning applications will assist with increasing amount of renewable energy generation

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

- The application today only seeks to increase the size of the digester tanks which already have planning permission.
- The height is in line with the chicken sheds neighbouring the site.

- The application to increase the size of the digester tanks will allow for a greater efficiency and increased storage for the supply of gas to the customers.
- The domed tops will be painted green to help blend in with the surrounding countryside.
- The changes proposed allows for a more efficient modern anaerobic digestion plant.
- The applicant agree to the limiting of vehicle movements.

In response to questions Mr Presslee responded as follows:-

- There will be use of Maize crops grown in the area locally.
- Unaware of the application with regard to the poultry shed on site
- The building referred to is not under the control of Rainworth Energy Ltd.

Councillor A Drane, Rufford Parish Council, spoke against the application and highlighted the following:-

- The Parish Council supported the previous application, however does not support this application
- There are Environment issues with the use of Maize crops as bio crops and the CO2 omissions.
- The traffic will increase in the surrounding area.
- The proximity of the proposed development to Rufford Abbey could have a negative impact on the countryside and to the visual impact to the area.
- The environmental impacts are unknown as the growing of Maize does render fields less able to cope with drainage.
- The potential for air pollution is an unknown also
- Commercial scale anaerobic digesters have been known to have safety issues with regard to contamination of rivers in the areas they are operating.

There were no questions

Members made the following comments:-

- There are concerns that the size of the plant will have an environmental impact in the area.
- There will be a visual impact because of the size which is near to the Jewel in Nottinghamshire's Crown (Rufford Abbey).
- There are sufficient passing points along the purpose built access road
- The Government are very strongly in favour of this type of renewable energy especially as it will feed through to local businesses
- The domes will be painted green and will blend into the surrounding area.
- There are concerns about the planting and aesthetic look of the buildings

On a motion by the Chair and taking each of the recommendations separately it was seconded by the Vice Chair it was:-

### **PLANNING APPLICATION 1**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/02255/CMAPROPOSAL: AMENDMENT TO THE DESIGN OF THE PREVIOUSLY APPROVED ANAEROBIC DIGESTERS, INCREASING THEIR HEIGHT TO 16.5M.**

**Resolved 2016/009**

1. That the Corporate Director – Place be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to ensure the long term protection of the woodland screening provided within Long Belt Wood.
2. that subject to the completion of the legal agreement before the 23<sup>rd</sup> May 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 this report. In the event that the legal agreement is not signed by the 23<sup>rd</sup> May 2016, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is RECOMMENDED that 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.

### **PLANNING APPLICATION 2**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/16/00115/CMA**

**PROPOSAL: INSTALLATION OF GAS PIPELINE TO SUPPLY BIOGAS FROM ANAEROBIC DIGESTER FACILITY AT STUD FARM TO CUSTOMER VIA PRIVATE GAS PIPELINE.**

**Resolved 2016/010**

That planning permission be granted subject to the conditions set out in Appendix 2 attached to the report.

**CLAYFIELDS HOUSE 18 MOORBRIDGE LANE STAPLEFORD 3 PHASE DEVELOPMENT TO DEMOLISH AND REPLACE AN EXISTING RESIDENTIAL BLOCK**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- Funding has been sought from the Department of Education to replace the Scarlet Unit.
- The development will be in 3 phases, firstly building of a new Scarlet Unit, followed by the demolition of current Scarlet Unit and finally a vocational and education building.
- There will be a need for landscaping to be undertaken and the removal of some mature trees from the site.
- It is proposed that there will be less windows on the buildings closest to the properties along Devonshire Drive.
- The CCTV systems will be upgraded and therefore safety will be enhanced through this upgrade.
- The consideration of bats has not been taken into consideration, however following government guidelines set out in Circular 06/2005 it is considered that this development has been considered under exceptional circumstances and these are as follows:-
  - Clayfields is a nationally important facility, the only one of its kind in Nottinghamshire and one of only 15 in England and Wales.
  - The poor structural and operational condition of the existing facility needs urgently addressed and
  - The replacement of the Scarlet Unit is reliant on DfE funding. The availability of central government funding is capable of being a material consideration in planning decisions.
- There has been one further late consultation from the Council's Reclamation Team which has no objection to the application.
- A minor amendment to Condition 4 set out in the papers is suggested to remove the letter c in brackets. Another amendment will be made to Condition 5 to ensure a bat survey is carried out.

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

Mrs Brooks, local resident, spoke against the application and highlighted the following:-

- These are two huge extensions that will have an effect on our property and privacy and noise from the site can be heard
- There will be noise disruption and lots of dust created whilst the works are carried out.
- Why couldn't this extension be a single storey so as not to cause issues of being over looked?

- There are issues over the lighting around Clayfields and this could get worse.

There were no questions to Mrs Brooks, however there were questions raised with Mr Smith regarding the application and the speech given by Mrs Books.

Mr Smith responded to questions as follows:-

- There are windows proposed for the buildings side that faces Devonshire Drive but they are obscured and high, not of the type you can stand and look out of.
- The trees to be planted will be semi-mature trees.
- There have only been a couple of incidents of complaints about foul language over the many years of the site being in operation
- There are conditions included to deal with any light issues that may arise.

Councillor J Williams, Nottinghamshire County Council spoke in favour of the application and highlighted the following:-

- The Local Authority has an obligation to provide secure accommodation for its most vulnerable children.
- It has been deemed outstanding by Ofsted even though it is an old building and in need of much repair.
- There has been good feedback from the DfE with regard to funding although it is not a guarantee.
- If approved then then the Children's and Young People's Department would be undertake all necessary surveys and are confident that any outcomes from those surveys can be incorporated into the designs.
- Continued engagement with the local residents is important and will be continued throughout the process.

In response to a question Councillor Williams responded as follows there could be a liaison Committee with local residents the Contractors and the providers to help with any issues which may arise during the build.

Members made the following comments:-

- Scarlet building is in need of significant repairs and updating
- The replanting of trees needs to be sympathetically for the surrounding residents
- This facility is essential for the vulnerable children that are sent to the facility so they can be looked after and eventually integrated back into the community.

Mr Smith commented on the issue of the windows and assured members that they were office windows and not windows that Children could see out of or use.

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

**Resolved 2016/011**

That planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1 attached to the report.

### **RUFFORD COLLIERY OFF EAKRING ROAD RAINWORTH**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- There are three separate applications in this report to allow a number of changes at the Colliery including –
  - The continuation of coal extraction for a further two years
  - Increase in height of coal stocking of conditioned product from 4 to 15 metres high.
  - Increase in weekly limit of coal deliveries from 6,000 to 10,000 tonnes
  - Regularise an extension to the coal fines storage, processing, blending and dispatch areas
  - To regularise the use of an internal haul road for coal haulage between the working face and the storage areas.

In response to questions Mr Hankin responded as follows:-

- Rainworth Parish Council had been consulted however they have not responded
- This is a former colliery site and it therefore suits the purpose already
- There are no environmental reasons that this site should be preserved as a site of special interest due to endangered species.

On a motion by the Chair and taking each of the recommendations separately they were seconded by the Vice Chair and

### **PLANNING APPLICATION 1**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01797/CMA**

**PROPOSAL: TO VARY CONDITIONS 4, 5 AND 12 OF PLANNING PERMISSION 3/13/00495/CMM TO REGULARISE THE COAL FINES RECOVERY OPERATIONS TO INCREASE THE MAXIMUM TONNAGE OF MATERIALS TO ENTER AND LEAVE THE SITE IN ANY SEVEN DAY PERIOD TO 10,000 TONNES AND TO EXTEND THE TIMESCALE FOR COMPLETION OF MINERAL RECOVERY OPERATIONS TO 30/09/2018 WITH A FURTHER YEAR TO COMPLETE THE RESTORATION.**

**Resolved 2016/012**

that planning permission be granted for Planning Application 3/15/01797/CMA subject to the conditions set out in Appendix 1 attached to the report.

### **PLANNING APPLICATION 2**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01799/CMA**

**PROPOSAL: TO VARY CONDITIONS 4 AND 5 OF PLANNING PERMISSION 3/14/01046/CMA TO REGULARISE THE COAL FINES RECOVERY OPERATIONS AND TO EXTEND THE TIMESCALE FOR COMPLETION OF MINERAL RECOVERY OPERATIONS TO 30/09/2018 WITH A FURTHER YEAR TO COMPLETE THE RESTORATION**

**Resolved 2016/013**

that planning permission be granted for Planning Application 3/15/01799/CMA subject to the conditions set out in Appendix 2 attached to the report.

**PLANNING APPLICATION 3**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/15/01798/CMA**

**PROPOSAL: INCREASE IN THE COAL FINES STOCKING AND BLENDING AREA OF CONSENT NO. 3/13/00495/CMM TOGETHER WITH THE USE OF AN INTERNAL HAUL ROAD.**

**Resolved 2016/014**

that planning permission be granted for Planning Application 3/15/01798/CMA subject to the conditions set out in Appendix 3 attached to the report.

**EXTENSION TO EXSISTING MISSON GREY SAND QUARRY BAWTRY ROAD MISSON**

Mr Hankin introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- The proposed development of the quarry will extend its life by approximately 15 years.
- Although there were no objections Misson Parish Council seeks assurances that there will be appropriate conditions regarding dust, noise, transport and any archaeological issue.
- There will be a restoration scheme that is compliant with MLP Policy M4.4 (landscape treatment).

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

**Resolved 2016/015**

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

**DEMOLITION OF CLASP BLOCK AT COUNTY HALL**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- During the demolition of the CLASP Block there will be a loss of 199 car parking space for up to 6 weeks.
- There will be a temporary cycle storage facility capable of housing 40 cycles rising to 48 with the building of a permanent storage facility.
- There will be information and updates on progress posted on the Council's Intranet

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

#### **Resolved 2016/016**

That planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1 attached to the report.

#### **SINGLE STOREY FOUNDATION CLASSROOM EXTENSION WITH EXTERNAL CANOPY AND ASSOCIATED LANDSCAPING AND FENCING MANOR PARK INFANTS AND NURSERY SCHOOL, FLATTS LANE, CALVERTON**

Mr Smith introduced the report and gave a slide presentation. During his introduction he highlighted the following:-

- The extension is needed to help alleviate the current lack of school places in the Gedling area.
- Gedling Borough Council raise no objections to the application
- Calverton Parish Council have objected to the application on the grounds of increased traffic and the potential worsening of inappropriate parking in the vicinity by parents.
- The Highways Authority have no objections on the grounds there is sufficient on-street parking available to accommodate the potential additional traffic.

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

#### **Resolved 2016/017**

That planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1 attached to the report.

#### **ADOPTION OF THE COUNTY COUNCIL'S LOCAL REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS**

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

**Resolved 2016/018**

That Members note the response to the consultation exercise and approve the revised document, known as Nottinghamshire County Council's Guidance Note on the Validation Requirements for Planning Applications.

**DEVELOPMENT MANAGEMENT PROGRESS REPORT**

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

**RESOLVED 2016/019**

That the Development report be noted

**WORK PROGRAMME**

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

**RESOLVED 2016/020**

That the Work Programme be noted

**CHAIRMAN**