

Environment and Sustainability Committee

Thursday, 08 January 2015 at 14:00

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- | | | |
|---|--|---------|
| 1 | minutes of the last meeting held on 27 November 2014 | 3 - 4 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Publication of New National Waste Planning Policy | 5 - 10 |
| 5 | Responses on Planning Consultations and Strategic Planning Observations | 11 - 32 |
| 6 | Updated Protocol for Planning Consultation | 33 - 36 |
| 7 | The Association of Public Service Excellence's Local Authority Energy Collaboration and the Council' | 37 - 40 |
| 8 | Work Programme | 41 - 46 |

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.

- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Martin Gately (Tel. 0115 977 2826) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting Environment and Sustainability Committee

Date Thursday 27 November 2014 (commencing at 2pm)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

Pamela Skelding (Vice-Chairman)

Richard Butler
Steve Calvert
Stan Heptinstall MBE
Stuart Wallace

Bruce Laughton
Pamela Skelding
Parry Tsimbirdis
John Wilkinson

Ex-Officio (non-voting)

A Alan Rhodes

OTHER COUNCILLORS IN ATTENDANCE

Mrs Maureen Dobson

OFFICERS IN ATTENDANCE

Martin Gately	-	Democratic Services
Sally Gill	-	Group Manager – Planning
Mick Allen	-	Group Manager Waste & Energy Management
Steven Osborne-James-		Principal Planning Officer

MINUTES OF THE LAST MEETING

The minutes of the meeting held on 9 October 2014, having been circulated to all Members, were agreed to be a correct record and signed by the Vice-Chairman.

APOLOGIES FOR ABSENCE

None.

The following changes of membership were reported: Councillor Pauline Allan replaced Councillor Jim Creamer for this meeting only, and Councillor Stuart Wallace replaced Councillor Roger Jackson, also for this meeting only.

DECLARATIONS OF INTEREST

None.

MINERALS LOCAL PLAN – PETITION RECEIVED FOR OPPOSITION TO A QUARRY AT CODDINGTON

The local Member for Coddington gave her views on the issue.

RESOLVED 2014/042

That the proposed response be sent to Coddington Against Gravel Extraction (CAGE) via the petition organiser.

PLANNING CONSULTATIONS

RESOLVED 2014/043

That the report be noted.

RESPONSES ON PLANNING CONSULTATIONS

RESOLVED 2014/044

That the report be noted.

STRATEGIC PLANNING OBSERVATIONS

RESOLVED 2014/045

That the report be noted.

NOTTINGHAM POST ENVIRONMENTAL AWARDS 2014

RESOLVED 2014/046

That the report be noted.

WORK PROGRAMME

RESOLVED 2014/047

That the work programme be noted.

The meeting concluded at 2.40 pm

Chairman

8th January 2015

Agenda Item: 4

**REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****PUBLICATION OF NEW NATIONAL WASTE PLANNING POLICY****Purpose of the Report**

1. To inform Committee about the publication of the new National Planning Policy for Waste.

Information and Advice

2. The National Planning Policy for Waste (NPPW) and updated planning practice guidance on waste (PPGW) were published on the 16th October 2014. The new policy replaces Planning Policy Statement 10 (PPS10) as the national planning policy for waste in England and sits alongside the National Planning Policy Framework. Government consultation on earlier draft policy was carried out during 2013 (see report to Environment and Sustainability Committee dated 13th October 2013).

The Government's key objectives for waste planning

3. The new National Planning Policy for Waste sets out the Government's detailed waste planning policies and should be read alongside the National Planning Policy Framework, the Waste Management Plan for England and the National Policy Statements for Waste Water and Hazardous Waste and any successor documents.
4. Both the Waste Management Plan for England and the NPPW set out the Government's ambition to work towards more sustainable and efficient resource management in line with the waste hierarchy. Positive planning is seen as key to delivering these waste ambitions through:
 - the delivery of sustainable development and resource efficiency including the provision of modern waste infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy;
 - ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to the development of sustainable communities;
 - supporting sustainable development in line with the waste hierarchy; ensuring that waste management is considered alongside other spatial planning concerns, seeking to engage communities and businesses to take more responsibility for their waste and

helping secure the re-use, recovery or disposal of waste without endangering human health or the environment;

- ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.
5. The NPPW does not signify any change in overall waste policy direction but does clarify and strengthen some aspects of earlier policy, particular in relation to the specific requirements of the EU Waste Framework Directive and an apparent tightening of Green Belt policy with respect to waste facilities.

Plan preparation

6. In preparing their Local Plans, waste planning authorities (WPAs) should ensure that the planned provision of new capacity, and its spatial distribution, is based on robust analysis of available data and information. However this should, in turn, be proportionate to its purpose and avoid levels of spurious precision. Authorities should work jointly and collaboratively to take account of waste arisings in neighbouring areas and any waste management requirement that is identified nationally. This reflects the duty to co-operate which was introduced by the NPPF and the Localism Act 2011.
7. In identifying suitable sites or areas for new or enhanced waste management facilities WPAs should consider a broad range of sites and opportunities for the on-site management of waste where this arises, giving priority to previously developed sites and land identified for employment uses. This should also include consideration of the cumulative effects of development and the capacity of existing or proposed transport infrastructure to support the sustainable movement of waste. Where low carbon energy (energy from waste) facilities are considered appropriate, these should ideally be located close to other facilities able to make use of the heat generated.
8. Proposals for waste management facilities within the Green Belt will need to demonstrate the very special circumstances required under NPPF Green Belt policy although local planning authorities are encouraged to consider the locational needs of some types of waste management facilities when preparing their Local Plan.
9. To inform plan preparation and the determination of planning applications WPAs should carry out regular monitoring of waste arisings and the amounts of waste recycled, recovered or going for disposal as well as the take up of allocated sites and changes in the existing stock of waste management facilities and their capacities.

Determining planning applications

10. When determining waste planning applications WPAs should only expect applicants to demonstrate the quantitative need for a proposal where this is not consistent with an up to date Local Plan. In such cases WPAs should consider the extent to which existing operational facilities could satisfy any identified need. Applications for waste disposal facilities that are not in line with the Local Plan will need to demonstrate that they will not undermine the objectives of the Local Plan by prejudicing movement up the waste hierarchy.

11. WPAs should consider the likely impact on the local environment and amenity against detailed criteria set out in Appendix B of the NPPW. These are largely unchanged from the previous Annex in PPS10 although there are additional references to potential flood water contamination, localised height restrictions in relation to landscape and visual impacts, impacts on the rail network and transport links to ports, and the inclusion of light pollution as a potential source of nuisance.
12. The position with regard to health and pollution control is unchanged from previous policy. WPAs should concern themselves with implementing the Local Plan strategy and not with the control of processes which are a matter for the relevant pollution control authorities. In reaching planning decisions, WPAs are entitled to assume that the relevant controls will be properly applied and enforced. Whilst WPAs should consider the locational implications of any advice on health from the relevant health bodies, they should avoid carrying out their own detailed assessment of epidemiological and other health studies.
13. There remains an emphasis on ensuring that waste facilities are well designed so that they contribute positively to the character and quality of the locality. Land raise or landfill sites should be restored to beneficial after uses at the earliest opportunity.
14. The new policy statement also makes more explicit the requirement for all local planning authorities, not just WPAs, to consider the waste implications of all development so that the operation of existing waste management facilities is not compromised and that all new development is designed to minimise construction waste and make provision for waste management and storage where necessary.

Supporting Guidance

15. The national Planning Practice Guidance which accompanies the NPPF has been updated to include specific guidance on waste. This is maintained on the GOV.UK website will be updated periodically.

Implications of the new national policy for Nottinghamshire

16. Nottinghamshire has an up to date Waste Core Strategy in place which identifies anticipated future requirements and broad locations where new or extended waste management facilities are likely to be acceptable. This was prepared in the light of the draft NPPW and has been re-assessed in the light of the final published NPPW and remains an up to date plan. Work is also underway to prepare a supporting site allocations and development management policies document which will be subject to public consultation in due course. In the interim specific development management policies within the Nottinghamshire and Nottingham Waste Local Plan (2002) have been saved for the purposes of determining waste planning applications.

Conclusions

17. The publication of the NPPW updates the national policy position for waste and provides an up to date framework for the ongoing preparation of the Council's waste planning policies and the determination of planning applications for waste management facilities.

Other Options Considered

18. There are no alternative options to consider as the report is for information only.

Reason/s for Recommendation/s

19. This report is for information only.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, the safeguarding of children and vulnerable adults' service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications (SEM 11/12/14)

21. There are no specific financial implications arising directly from this report.

Implications for Sustainability and the Environment

22. There are no direct implications for Sustainability and the Environment.

RECOMMENDATION/S

1) That Environment and Sustainability Committee note the report.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Suzanne Osborne-James, Planning Policy Team, ext 72108

Constitutional Comments

23. Because this report is for noting only no Constitutional Comments are required.

Financial Comments

24. There report is for information only. There are no direct financial implications contained within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

National Planning Policy for Waste:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf

Planning Practice Guidance (Waste)

<http://planningguidance.planningportal.gov.uk/blog/guidance/waste/>

Electoral Division and Members Affected

All

8 January 2015

Agenda Item: 5

REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES

RESPONSES ON PLANNING CONSULTATIONS AND STRATEGIC PLANNING OBSERVATIONS

Purpose of the Report

1. To provide a summary of the current status of planning consultations received, and being dealt with, by the County Council from Nottinghamshire District and Borough Councils, neighbouring authorities and central government.
2. To provide information to Committee on the formal responses which have been agreed by the Chairman of Environment and Sustainability Committee, in consultation with the Group Manager Planning, requests from Nottinghamshire Borough and District Councils, neighbouring authorities and central government

Information and Advice

Planning Consultations Received

3. The Planning Policy Team has received 47 planning consultations during the period the 22nd October to the 8th December 2014 this is set out in Appendix A.

Planning Consultation Responses

4. Responses to Nottinghamshire District and Borough Councils planning consultations are set at Appendix B.
5. It should be noted that all comments contained in the sent responses could be subject to change, as a result of on-going negotiations between Nottinghamshire County Council, the Local Authority and the applicants.

Other Options Considered

6. There are no alternative options to consider as the report is for information only.

Reason for Recommendation

7. This report is for information only.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

1) Environment and Sustainability Committee note the report.

Jayne Francis-Ward
Corporate Director, Planning, Policy and Corporate Services

For any enquiries about this report please contact: Nina Wilson, Principal Planning Officer, Planning Policy Team, 0115 97 73793

Background Papers

Individual Consultations and their responses.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Constitutional Comments

9. As this report is for noting only constitutional comments are not required.

Financial Comments

10. There are no direct financial implications arising from the contents of this report.

Electoral Division(s) and Member(s) Affected

All.

Appendix A – Nottinghamshire County Council: Planning Consultations Received – October to December 2014

Date Received	ID	Address	Details	Officer Dealing	Response Type	Reason	Notes
Ashfield District Council							
27.10.14	Ashfield District Council V/2014/0530	Land off Southwell Lane, Kirkby in Ashfield	Outline application with all matters reserved (except for access) for residential development, drainage and landscaping	NW	O	Did not meet agreed protocol	S106 comments required
07.11.14	Ashfield District Council V/2014/0557	Central Nottinghamshire Healthcare NHS Trust, Portland Street, Kirkby in Ashfield	Change of use from hospital wards to offices (B1) in association with NHS Healthcare activities, internal refurbishment and replacement glazing to former bathroom windows	NW	O	Did not meet agreed protocol	S106 comments required

11.11.14	Ashfield District Council V/2014/0565	Royal Foresters Public House, Coronation Street, Sutton in Ashfield	Demolition of existing public house and erection of fourteen dwellings with access road and landscaping	NW	O	Did not meet agreed protocol	S106 comments required
18.11.14	Ashfield District Council V/2014/0577	Land at Lancaster Road and Astral Grove, Hucknall	Erection of 3 no. Care Homes with Associated Hard and Soft landscaping and removal of protected trees	NW	O	Did not meet agreed protocol	S106 comments required
21.11.14	Ashfield District Council V/2014/0590	Land at Daniels Way, Hucknall	Demolition of Existing Unit and Residential Development for a Maximum of 50 Dwellings	NW	O	Did not meet agreed protocol	S106 comments required
21.11.14	Ashfield District Council V/2014/0585	Rolls Royce, Watnall Road, Hucknall	Reserved Matters Application Pursuant to ref V/2013/0123 – (Hybrid Planning Application, Outline Application for Business Park, Residential Development, Accesses	NW	O	Did not meet agreed protocol	S106 comments required

			off Watnall Road, Public Open Space, One-form Entry Primary School, Community Facilities, Retail, Pub/Restaurant, Care Home, Footpath and Cycle Links, and Nature Conservation Enhancement, and full details of new access from Hucknall A611 By-Pass) for Phase 1 – Infrastructure to serve the development, including details of access, appearance, landscaping, layout and drainage				
03.12.14	Ashfield District Council V/2014/0614	Land at Rolls Royce Plc, Watnall Road, Hucknall	Approval required by a condition attached to planning permission V/2013/0123	NW	O	Did not meet agreed protocol	No comments required
08.12.14	Ashfield District Council V/2014/0626	Land adjacent 127 – 147 Chesterfield Road,	Demolition of existing structures. Outline	NW	O	Did not meet agreed protocol	S106 comments

		Huthwaite, Sutton in Ashfield	application (with approval of vehicular access) of up to 37 dwellings				required
Bassetlaw District Council							
03.10.14	Bassetlaw District Council 14/01369/OUT	Land to the North of Station Road, Beckingham, Doncaster	Outline application for Residential Development with all matters reserved	NW	O	Meets agreed protocol	January E & S Committee
05.11.14	Bassetlaw District Council 14/01410/SCR	Land North of Tupcroft Road and South of Gravelholes Lane, Misterton	Screening Opinion – Proposed Solar Farm generating approximately 5.1MWp of electricity with an approximate area of 10.1ha	NW	O	Did not meet agreed protocol	No comments required
13.11.14	Bassetlaw District Council 14/00688/OUT	Land to the rear of 17 Durham Grove, Retford	Outline application with all matters reserved to erect fourteen bungalows (Amended)	KH	O	Did not meet agreed protocol	Additional ecology comments sent

18.11.14	Bassetlaw District Council 14/01476/SCR	Land South of Serlby Road, Styrrup, South Yorkshire	Screening Opinion for the proposed installation of a photo voltaic (PV) Solar Development	NW	O	Did not meet agreed protocol	Comments sent to Bassetlaw DC
20.11.14	Bassetlaw District Council 14/01490/PREAPP	Land West of A638 Great North Road, Ranskill	Residential Development of approximately 13 or 14 units	NW	O	Did not meet agreed protocol	S106 comments required
21.11.14	Bassetlaw District Council 14/01418/PREAPP	Notts CC Tuxford Primary and Nursery School, Newark Road, Tuxford, Newark	Erect Academy Library/Community Building	NW	O	Did not meet agreed protocol	S106 comments required
21.11.14	Bassetlaw District Council 14/01443/PREAPP	Land at Meadow View, Great North Road, Markham Moor	Proposed commercial development	NW	O	Did not meet agreed protocol	S106 comments required
25.11.14	Bassetlaw District Council		Elkesley Draft Neighbourhood Development Plan	NW	O	Meets agreed protocol	January E & S Committee
28.11.14	Bassetlaw District Council	Land South of Worksop Bypass, Worksop	Screening Opinion – Employment and Distribution	NW	O	Did not meet agreed protocol	On-going

			Development (Use Classes B1, B2 and B8) upto 97,500 sqm				
01.12.14	Bassetlaw District Council 14/01482/FUL	Torksey Viaduct and Approach Embankment, Torksey Ferry Road, Rampton	Creation of a timber walkway across disused viaduct and associated works	NW	O	Did not meet agreed protocol	On-going
Broxtowe Borough Council							
19.11.14	Broxtowe Borough Council 14/00677/OUT	Bramcote Hills Golf Course, Thoresby Road, Bramcote	Outline application to develop former Bramcote Hills Golf Course (part), all matters reserved except for access from Deddington Lane, for use as a continuing care retirement and specialist care community consisting of accommodation units comprising up to 38 x 2 bed bungalows, 4 x 1 bed bungalows, 40 x 1 bed assisted care units	EMc	O	Did not meet agreed protocol	Comments sent.

			and 18 x 1 bed flats together with specialist care/ancillary communal facilities				
Gedling Borough Council							
30.10.14	Gedling Borough Council 2014/1110	Land adjacent Newstead Abbey, Newstead Abbey Park	Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site	NW	O	Did not meet agreed protocol	On-going
30.10.14	Gedling Borough Council 2012/0616	Land North of the Lighthouse, Catfoot Lane	Proposed Crematorium for Gedling	NW	O	Meets agreed protocol	January E & S Committee
Mansfield District Council							
04.11.14	Mansfield District Council 2014/0607/PR	Former Health Centre, 22-24 St John Street, Mansfield	Change of use to residential	NW	O	S106 comments required only – no planning response needed 04 November	

11.11.14	Mansfield District Council PRE-APP	Land off Victoria Street/Princess Street, Mansfield	Residential development comprising 59 units	NW	O	Did not meet agreed protocol	On-going
12.11.14	Mansfield District Council 2014/0630/ST	Mansfield Plant, Nr Ratcher Hill Quarry, Southwell Road West, Mansfield	Construction and operation of a concrete batching plant	NW	O	Did not meet agreed protocol	On-going
18.11.14	Mansfield District Council 2014/0643/NT	Land to the rear of 5 Welbeck Road, Mansfield Woodhouse	Erection of 10 no. dwellings	NW	O	Did not meet agreed protocol	On-going
25.11.14	Mansfield District Council		Draft review Market Warsop Conservation Area character appraisal and management plan	NW	O	Did not meet agreed protocol	On-going
26.11.14	Mansfield District Council		Consultation on Mansfield's draft Statement of Community Involvement	NW	O	Did not meet agreed protocol	On-going
Newark and Sherwood Council							

05.11.14	Newark & Sherwood District Council 14/01529/FULM	Hall Farm, School Lane, East Stoke, Newark	Planning permission is sought for the demolition of existing portal frame agricultural buildings and associated hard standing and the construction of a mixed use scheme including 7 No. open market and 3 No. affordable dwellings, 260 sq.m of commercial space (Use Classes A1, A2 and B1a), comprising new build and conversion of existing buildings, associated parking and environmental improvements	NW	O	Meets agreed protocol	January E & S Committee
11.11.14	Newark & Sherwood DC 14/01964/FULM	Land at Highfields School, London Road, Balderton, Newark on Trent	Residential development comprising 83 units and associated infrastructure, including	NW	O	Meets agreed protocol	January E & S Committee

			the relocation of the existing school car park and sports pitches and the removal of 8 TPO trees				
11.11.14	Newark & Sherwood DC 14/01469/OUTM	Land at Southwell Road, Farnsfield	Outline planning application for the erection of up to 48 dwellings (access only)	NW	O	Meets agreed protocol	January E & S Committee
12.11.14	Newark & Sherwood DC 14/01950/FULM	Teknowledge Group, 111 Sleaford Road, Newark on Trent	Erection of 51 houses and 20 flats with associated vehicular access, parking and open space	NW	O	Meets agreed protocol	January E & S Committee
18.11.14	Newark & Sherwood District Council 14/01596/OUTM	Land at Rufford Road, Edwinstowe	Erection of up to 72 dwellings, with associated public open space and infrastructure (Additional Information)	NW	O	S106/Education comments only. No Planning Policy comments needed 26 November	
18.11.14	Newark & Sherwood District Council	Land South of Newark, Bowbridge Lane,	Application to vary conditions of Outline	NW	O	Did not meet	On-going

	Proposal 1 14/01978/OUTM	Balderton	planning permission 10/01586/OUTM with means of access (in part) for development comprising demolition of existing buildings and the construction of up to 3,150 dwellings			agreed protocol	
18.11.14	Newark & Sherwood District Council Proposal 2 14/02039/OUTM	Land South of Newark, Bowbridge Lane, Balderton	Outline planning Application for the development of additional Class B2 and/or Class B8 use floorspace of up to 43,401sqm, creation of landscaped areas, new access points, associated engineering operations and all enabling and ancillary works	NW	O	Did not meet agreed protocol	On-going
25.11.14	Newark & Sherwood DC 14/01533/RMAM	Land at Wellow Road, Ollerton	Approval of reserved matters for Layout, Appearance, Scale,	NW	O	Did not meet agreed protocol	On-going

			Landscaping, (Access previously determined) in respect of details for residential development comprising of 148 dwellings and associated ancillary works				
26.11.14	Newark & Sherwood District Council 14/01598/FULM	Land at the junction of Kelham Road and Great North Road, Newark on Trent	Planning permission for the demolition of existing buildings and for the erection of a Class A1 retail foodstore and petrol filling station along with associated parking, servicing, landscaping, public realm, access works and other associated works	NW	O	Meets agreed protocol	January E & S Committee
02.12.14	Newark & Sherwood District Council 14/01308/FULM	Land at Cavendish Way, Clipstone	Erection of 92 dwellings with associated access, parking and associated works	NW	O	Meets agreed protocol	January E & S Committee

03.12.14	Newark & Sherwood District Council 14/02023/FULM	Kilvington, Nottinghamshire NG13 9PD	Development of 34 self-catering holiday units, a 25-bed Inn building, Watersports building, Mini Gems (Camping Pods), Storehouse and Outfitters along with a commercial and educational unit, nature trails, cycle trails, pathways and family facilities, along with low carbon energy system. Re-routing a public right of way	NW	O	Did not meet agreed protocol	On-going
Other							
27.10.14	The Traveller Movement		Government proposals to change planning policy for Traveller sites	NW	O	Did not meet agreed protocol	Comments sent
27.10.14	Department for Communities and Local Government		Consultation to seek views on the role of planning in preventing major accident hazards involving hazardous	NW	O	Did not meet agreed protocol	Comments sent

			substances				
27.10.14	Amber Valley Borough Council		Further proposed changes to the Submitted Core Strategy (Part 1 of the Amber Valley Borough Local Plan)	NW	O	Did not meet agreed protocol	Comments sent
30.10.14	North Lincolnshire Council		North Lincolnshire Local Development Framework – Lincolnshire Lakes Area Action Plan – Submission Draft	NW	O	Did not meet agreed protocol	Comments sent
10.11.14	The Planning Inspectorate		Application by Thorpe marsh Power Limited for an Order Granting Development Consent for the Thorpe Marsh Gas Pipeline	NW	O	Did not meet agreed protocol	Comments sent
11.11.14	Openreach BT	O/S Rinic House, Laneham Road, Stokeham, Notts	Pole Letter of Intent – installation of superfast broadband	NW	O	Did not meet agreed protocol	Comments sent

21.11.14	The Planning Inspectorate		Application by Thorpe Marsh Power Limited for an Order Granting Development Consent for the Thorpe Marsh Gas Pipeline – Adequacy of consultation	NW	O	Did not meet agreed protocol	Comments sent
26.11.14	The Planning Inspectorate		Application by National Grid Carbon Limited for an Order Granting Development Consent for the Yorkshire and Humber Carbon Capture Transportation and Storage (CCS) Cross Country Pipeline	NW	O	Did not meet agreed protocol	Comments sent

Response type

C = Committee

O = Officer

Appendix B – Planning Consultations Responded To

A response has been provided on the following consultations:

Date Received	Ref. No.	Address	Details	Comments
Ashfield District Council				
22 nd October 2014	v/2014/0530	Land off Southwell Lane, Kirkby in Ashfield	Outline application with all matters reserved (except for access) for residential development, drainage and landscaping	<ul style="list-style-type: none"> • Request for responses sent 22nd October 2014 • Request for final comments on draft response sent 6th November 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr John Knight • Response agreed with Chairman on 10th November 2014
21 st November 2014	v/2014/0590	Land at Daniels Way, Hucknall	Demolition of existing employment unit and residential development for maximum of 50 dwellings	<ul style="list-style-type: none"> • Request for responses sent 21st November 2014 • Request for final comments on draft response sent 5th December 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Alice Grice, Cllr John Wilmott, Cllr John Wilkinson • Response agreed with Chairman on 10th December 2014
Bassetlaw District Council				
3 rd November 2014	14/013 69/OUT	Land to the North of Station Road, Beckingham, Doncaster	Outline planning application for residential development with all matters reserved	<ul style="list-style-type: none"> • Request for responses sent 3rd November 2014 • Request for final comments on draft response sent 1st December 2014 • Names of Members notified: Cllr Creamer, Cllr

				<p>Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Liz Yates</p> <ul style="list-style-type: none"> • Response agreed with Chairman on 9th December 2014
26 th November 2014	14/014 43/PRE EAPP	Land at Meadow View, Great North Road, Markham Moor	Proposed commercial development	<ul style="list-style-type: none"> • Request for responses sent 26th November 2014 • Request for final comments on draft response sent 5th December 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr John Ogle • Response agreed with Chairman on 10th December 2014
Broxtowe Borough Council				
21 st November 2014	14/006 77	Bramcote Hills Golf Course	Outline application with all matters reserved except for access for use as a continuing care retirement and specialist care community.	<ul style="list-style-type: none"> • Request for responses sent 21st November 2014 • Request for final comments on draft response sent 1st December 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Jacky Williams • Response agreed with Chairman on 4th December 2014
Gedling Borough Council				
3 rd November 2014	2012/0 616	Land to North of the Lighthouse, Catfoot Lane, Lambley	Proposed Crematorium for Gedling	<ul style="list-style-type: none"> • Request for responses sent 3rd November 2014 • Request for final comments on draft response sent 26th November 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Boyd Elliott • Response agreed with

				Chairman on 9 th December 2014
Bolsover District Council				
20 th October 2014	Bolso ver Local Plan	Bolsover District	Consultation on the Bolsover Local Plan	<ul style="list-style-type: none"> Request for responses sent 20th October 2014 Request for final comments on draft response sent 4th November 2014 Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr John Knight, Cllr Rachel Madden, Cllr Steve Carroll, Cllr David Kirkham, Cllr Jason Zadrozny, Cllr Tom Hollis, Cllr Diana Meale, Cllr Diana Meale, Cllr John Allin, Cllr Kevin Greaves, Cllr Sybil Fielding Response agreed with Chairman on 12th November 2014
Newark and Sherwood District Council				
8 th October 2014	14/015 33/OUT M	Land at Willow Road, Ollerton	Approval of reserved matters, 149 dwellings	<ul style="list-style-type: none"> Request for responses sent 8th October 2014 Request for final comments on draft response sent 10th November 2014 Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Stella Smedley Response agreed with Chairman on 12th November 2014
12 th November 2014	14/015 29/FUL M	Hall Farm, School Lane, East Stoke, Newark	Demolition of existing portal frame agricultural buildings and associated hard standing and the construction of a mixed use scheme including 7 No. open market houses	<ul style="list-style-type: none"> Request for responses sent 12th November 2014 Request for final comments on draft response sent 3rd December 2014 Names of Members

			and 3No. affordable dwellings, 260 m ² of commercial space (Use Classes A1, A2 and B1a), comprising new build and conversion of existing buildings, associated parking and environmental improvements	<p>notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Sue Saddington</p> <ul style="list-style-type: none"> • Response agreed with Chairman on 9th December 2014
12 th November 2014	14/019 64/FUL M	Land at Highfields School, London Road, Balderton, Newark on Trent	Residential development comprising 83 units and associated infrastructure, including the relocation of the existing school car park and sports pitched and the removal of 8 TPO trees	<ul style="list-style-type: none"> • Request for responses sent 12th November 2014 • Request for final comments on draft response sent 3rd December 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Keith Walker • Response agreed with Chairman on 9th December 2014
12 th November 2014	14/019 50/FUL M	Erection of 51 houses and 20 flats with associated vehicular access, parking and open space	Teknowledge Group, 111 Sleaford Rd, Newark on Trent, Nottinghamshire	<ul style="list-style-type: none"> • Request for responses sent 12th November 2014 • Request for final comments on draft response sent 3rd December 2014 • Names of Members notified: Cllr Creamer, Cllr Skelding, Cllr Butler, Cllr Heptinstall MBE, Cllr Tony Roberts, Cllr Stuart Wallace • Response agreed with Chairman on 9th December 2014

8 January 2015

Agenda Item: 6

REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE

UPDATED PROTOCOL FOR PLANNING CONSULTATION RESPONSES TO BE CONSIDERED BY ENVIRONMENT AND SUSTAINABILITY COMMITTEE

Purpose of the Report

1. To seek Committee approval for an update to the protocol for when to seek Member approval for comments to be sent to Nottinghamshire District and Borough Councils following their requests for strategic planning comments on planning applications.

Information and Advice

2. In November 2013 Environment and Sustainability Committee agreed a protocol when to seek Member approval for comments to be sent to Nottinghamshire District and Borough Councils on strategic planning issues. This protocol, has in general been working well, however over the year there has been an increase in the numbers of consultations received and the nature of those consultations, particularly consultations on reserved matters (outstanding matters on a planning permission), and S73 applications (Variation of Conditions on existing approved planning applications). As such it is considered necessary to address these issues by updating the current approved protocol.
3. Appendix A sets out the proposed updated protocol. The changes are highlighted in bold.

Other Options Considered

4. Not to revise have the approach for providing strategic planning comments to District and Borough Councils and to continue with the current approach.

Reason for Recommendation

5. To ensure a consistent approach to commenting on planning applications is followed by the County Council.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the

safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) That Committee approve the updated agreed approach as set out in Appendix A.

Jayne Francis-Ward
Corporate Director, Planning, Policy and Corporate Services

For any enquiries about this report please contact: Nina Wilson, Principal Planning Officer, Planning Policy Team, ext 0115 97 73793

Background Papers

Individual Consultations and their responses.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Constitutional Comments

7. Environment and Sustainability Committee is the appropriate body to consider the content of this report. (SLB 10/12/2014)

Financial Comments (SEM 11/12/14)

1. There are no specific financial implications arising directly from this report.

Electoral Division(s) and Member(s) Affected

All.

Appendix A – Updated Protocol

Committee Reports will be prepared for Environment and Sustainability Committee on the following matters as set out below, (unless specifically requested by a Member, with a valid planning reason):

Type of Development	Committee Approval Required
Renewable energy	<ul style="list-style-type: none"> • Single or multiple wind turbines above 15m high (including blade length); • All Solar Farms; • All Biomass Plants
Retail development	<ul style="list-style-type: none"> • Applications over 2500m² floorspace; • Other retail applications where the proposal is outside of a defined town centre
Residential Development	<ul style="list-style-type: none"> • 0-50 dwellings: if strategic planning issues are apparent; • 51-200 dwellings: Applications which are contrary to local or national planning policy; • 201+ dwellings: All applications
Commercial Development	<ul style="list-style-type: none"> • Applications over 2500m² floorspace; • All applications outside a defined urban boundary
Other development	<ul style="list-style-type: none"> • To be decided on a case by case basis
Reserved Matters Applications	<ul style="list-style-type: none"> • If the proposed change impacts on County Council Service Provision, i.e. Education/Library/Transport
S73 Planning Applications	<ul style="list-style-type: none"> • If the proposed change impacts on County Council Service Provision, i.e. Education/Library/Transport
Local and National Strategies/Guidance	
Local Plans/Core Strategies/Minerals and Waste Local Plans	<ul style="list-style-type: none"> • All plans within the County • Neighbouring Borough/District Plans/strategies • National Significant Planning Applications

Other Plans/Strategies/Publications	<ul style="list-style-type: none"> • To be decided on a case by case basis

Responses which meet the criteria, set out in the table above, but are required prior to the next scheduled Environment and Sustainability Committee will be agreed with the chairman and/or vice chairman and reported to the earliest available Committee.

Applications for any proposed development that is in accordance with an adopted Local Plan or Core Strategy is unlikely to be taken to E & S Committee, unless requested to do so by an Environment and Sustainability Committee Member, as the principle of development is established in planning policy terms.

Note:

All relevant planning applications requiring strategic planning comments are included on the weekly list which is circulated to all members groups.

Any requests by an Environment and Sustainability Member for specific planning applications to be considered at the earliest Environment and Sustainability Committee should be made to the Planning Group Manager and the Planning Policy Team Manager.

8 January 2015**Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR FOR TRANSPORT, PROPERTY AND
ENVIRONMENT****THE ASSOCIATION OF PUBLIC SERVICE EXCELLENCE'S LOCAL
AUTHORITY ENERGY COLLABORATION (APSE ENERGY) AND THE
COUNCIL'S CROSS-PARTY ENERGY GROUP****Purpose of the Report**

1. To provide feedback on the work of APSE Energy, including recent events attended by members of this Committee, and to provide a brief update regarding the Council's newly established cross-party energy group. Also to seek agreement for attendance at future APSE Energy events, subject to the necessary internal approval process.

Information and Advice

2. Since its inception earlier this year, APSE Energy now has more than 40 local authority members committed to its vision of municipalisation of local energy services; a range of consultancy support available at preferential rates; and has staged a number of excellent free events on the energy investment opportunities available to local authorities. The Council has benefitted from some free advice and support provided through APSE Energy and from attendance at a number of APSE Energy events.
3. One of the recent APSE Energy events was a Local Leaders Forum on municipal energy, held at Leicester De Montfort University and attended by Councillors Creamer and Wilkinson, along with the Council's Energy and Carbon Team Manager. This event focused on the role of political leadership in driving and facilitating local sustainable energy programmes, and included presentations as follows:
 - Dr Richard Williams, University of Southampton and a leading light in establishing Southampton's district energy scheme and APSE Energy, spoke about the value of local leadership, with reference to Bernard Cribbins' Hole in the Ground as a metaphor for the importance of local vision and determination, mixed with a bit of healthy disrespect for Whitehall!
 - Dr Hugh Ellis, head of planning at the Town and Country Planning Association, spoke about the lessons we can learn, particularly around planning, from political leadership and sustainable energy initiatives in Europe, with examples such as Hamburg's energy hill, where a large landfill site has been turned from a liability into an income generating asset featuring wind and solar power, linked to social housing and an on-site educational facility.

- Case study presentations on Stockton on Tees' 'Go warm' fuel poverty project; Buckinghamshire County Council's countywide energy strategy; and Derbyshire County Council's work to identify and bring forward renewable energy opportunities on its own land.
4. Other APSE Energy events attended by officers and/or Members include:
- A joint seminar held with the Nottinghamshire and Derbyshire Local Authorities Energy Partnership (LAEP) on transforming former industrial land for energy projects
 - An event supported by OVO Energy looking at community energy
 - An event supported by BG looking at social finance for solar energy.
- Presentations have proved to be interesting and informative and the opportunity to network with other authorities with similar ambitions has been much appreciated.
5. Closely associated to APSE Energy's national work supporting local authorities to explore and take up energy opportunities, Members of this Committee agreed to establish a cross-party energy group, following a report in June, membership of which is as follows:
- Coun Jim Creamer (Chair)
 Coun Pam Skelding
 Coun John Wilkinson
 Coun Steve Calvert
 Coun Stan Heptinstall
 Coun Richard Butler
 Coun Roger Jackson
- The group has now held 2 meetings, and these have included a presentation from Mark Bramah, Director, APSE Energy; updates from officers in exploring and implementing opportunities identified in the June energy opportunities report; and the initiation of work to assess Council land holdings and develop a 10 year energy strategy. It is proposed that more detailed feedback be brought to a future meeting of this Committee.

Attendance at APSE Energy events

6. Given the opportunities presented for learning by APSE Energy events, it is proposed that attendance should be offered across the membership of the cross-party energy group, with attendance approved for free to attend events, and places offered at the Chair's discretion.

Other Options Considered

7. None

Reason/s for Recommendation/s

8. The recommendations will enable members of all parties to gain benefit from the Council's membership of APSE Energy, which will assist in contributing to the work of the cross-party energy group. A report to a future meeting of this Committee, as set out in paragraph 5, will broaden engagement with the Council's energy initiatives and provide an opportunity to both report back and influence further activity.
9. APSE Energy events are usually promoted at relatively short notice and so at this point it is not possible to specify dates and venues. Therefore, a general approval from the Committee is sought so that use of the urgent approval process is not required in future.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

11. None

Financial Implications

12. Attendance at APSE Energy events is free to officers and Members of Councils who have joined APSE Energy, such as Nottinghamshire County Council. It is proposed that approval is given for two Member places at relevant future APSE events. Travel costs will be covered from the relevant Democratic Services budget.

Implications for Sustainability and the Environment

13. None arising directly from this report, however the energy opportunities being explored through APSE Energy and the cross-party energy group are likely to have positive benefit through contributing to tackling greenhouse gas emissions, developing the local low carbon economy and supporting local communities.

RECOMMENDATIONS

- 1) That approval be given for attendance of two Members at future relevant APSE Energy events, with the travel costs covered from the relevant Democratic Services budget.
- 2) That attendance by Members at APSE Energy events be reviewed by the Environment and Sustainability Committee in one year's time.
- 3) That the work overseen by the newly established cross-party energy group be reported to a future meeting of this Committee.

Jas Hundal

Service Director, Transport, Property and Environment

For any enquiries about this report please contact:

Phil Keynes, team manager, energy and carbon management
0115 9774623

Constitutional Comments (LM 18/12/14)

14. The Environment and Sustainability Committee has delegated authority within the Constitution to approve the recommendation in the report.

Financial Comments (TMR 18/12/2014)

15. The financial implications are set out in paragraph 12.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

Electoral Division(s) and Member(s) Affected

All

8 January 2015**Agenda Item: 8****REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2014-15

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such

implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Martin Gately, Democratic Services Officer on 0115 977 2826

Constitutional Comments (HD)

8. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

9. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

Electoral Division(s) and Member(s) Affected

All

ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
Items to be scheduled for future meetings (dates to be confirmed)				
8 January 2015				
Publication New National Policy Framework for Waste	Information on new updated planning practice guidance	Information	Suzanne Osbourne-James	
Responses on Planning Consultations and Strategic Planning Observations	Summary of planning consultations received and information on formal responses	Information	Sally Gill	Nina Wilson
Update Protocol on Planning Consultation Responses	Approval for an update to protocol	Decision	Sally Gill	Nina Wilson
APSE Energy Meeting	Feedback on the work of APSE Energy	Information	Phi Keynes	
12 February 2015				
Finalisation revised project plan – Veolia	TBC	Information	Jas Hundal	
Revised Waste Framework Directive TEEP assessment	TBC	Decision	Mick Allen	
Waste Local Plan Part 2: Site Specific and Development Management Policies Update	TBC	Information	Sally Gill	
Update – Minerals Local Plan	TBC	Information	Sally Gill	
Local Government Ombudsman “Not in My Backyard” Focus Report	TBC	Information	Sally Gill	
2 April 2015				
30 April 2015				
18 June 2015				

Future Reports:

Recycling Centre Service Changes (Mick Allen)

