

Meeting PLANNING AND LICENSING COMMITTEE – VIRTUAL MEETING

Date Tuesday 2 June 2020 (commencing at 10.30am)

Membership

Persons absent are marked with `A`

COUNCILLORS

Chris Barnfather (Chair)
Jim Creamer (Vice-Chair)

Pauline Allan	John Longdon
Andy Brown	Rachel Madden
Neil Clarke MBE	Tracey Taylor
Sybil Fielding	Keith Walker
Tony Harper	Andy Wetton
Paul Henshaw	

OFFICERS IN ATTENDANCE

Pete Barker – Chief Executive’s Department
Sally Gill – Place Department
Mike Hankin – Place Department
Jonathan Smith – Place Department
Rachel Clack – Chief Executive’s Department

The Chair opened the meeting and read out the following statement:

‘I would like to welcome you all to this meeting of the Planning & Licensing Committee which is being held remotely, with the majority of the thirteen Members joining the meeting from their own homes.

This is the first virtual meeting of the Planning & Licensing Committee to be held in line with the new requirements of the Coronavirus Act 2020. Please do bear with us if we experience any technical issues.

If we do lose any Members from the call temporarily then officers will seek to assist in getting them reconnected as soon as possible, hopefully without the need to halt proceedings. Officers will inform the meeting if they are unable to rectify the problem and if we need the meeting to be paused or adjourned temporarily.’

1. MINUTES OF LAST MEETING HELD ON 10th March 2020

The minutes of the meeting held on 10 March, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

There were no declarations of interest.

4. DECLARATIONS OF LOBBYING OF MEMBERS

There were no declarations of lobbying

5. CROMWELL QUARRY – PROPOSED SOUTHERN EXTENSION AND VARIATION OF CONDITIONS

Mr Hankin introduced the report which considered three planning applications in connection with a southern extension to Cromwell Quarry.

Mr Hankin stated that Planning Applications 3/19/02231/CMM and 3/19/02232/CMM were identical and had been submitted on a 'twin track' basis. Mr Hankin informed Committee that the planning applications sought permission for the extraction of approximately 550,000 tonnes of sand and gravel from a southern extension to the quarry with restoration to nature conservation.

Mr Hankin informed members that Planning Application 3/19/02233/CMM was a Section 73 submission which sought planning permission to vary planning conditions imposed on the existing Cromwell Quarry planning permission (ref: 3/18/01737/CMA) to modify the approved quarry restoration scheme, amend the method of working to facilitate the processing of mineral originating from a southern extension and retain a container unit which houses an electrical generator.

Mr Hankin referred to Condition 27 and informed members that the reference to bats should be to breeding birds. Similarly, Mr Hankin referred to Condition 28 and informed members that the reference to breeding birds should be to bats.

There were no questions.

Following the introductory remarks of Mr Hankin, Ms Emma Pearman, from the applicant CEMEX, was then given the opportunity to speak and a **summary** of that speech is set out below:

- CEMEX's quarry at Cromwell has been operating since 2016 and has been a key supplier of sand and gravel in the local market. Given its location, the quarry has excellent access onto the A1 so is well placed to bring sand and gravel to local construction projects in the area.

- Cromwell Quarry is likely to run out of reserves by this winter without the proposed southern extension, other than the reserves underneath the plant site and stockpile area. This extension is crucial therefore to keeping the quarry going and safeguarding the local supply of mineral for a longer period, as well as the jobs of the quarry staff, contractors and drivers.
- Some of the larger projects Cromwell has recently supplied include the new Sharpill Primary School in Nottingham, a large scheme at the sewage treatment works at Stoke Bardolph, Arnold Hill Academy and the East Midland Gateway project.
- It is estimated that there are 550,000 tonnes of sand and gravel in the extension area, which would be processed at a rate of 300,000 tonnes per annum. As such, the extension would be completed in under two years. When permission for the quarry was originally granted the end date imposed for extraction was 2028, so even with the proposed extension the quarry would be completed well within the original timescale.
- While the extension area is not an allocated site, if it is not worked while the plant site is still in situ, then the mineral is likely to be sterilised. As such it represents sensible mineral resource management and contributes to Nottinghamshire's overall requirement for sand and gravel.
- The Environmental Impact Assessment submitted with the application demonstrates that this extension can be worked without any unacceptable adverse impacts on the local environment or amenity. It would essentially be a continuation of the current quarry operation at the same rates of output, which has successfully operated under the existing permission for the last few years.
- There are a large number of benefits associated with the application. By supplying quality material to building projects locally, this prevents it having to travel from farther afield, reducing HGV mineral miles on the road. As well as the economic benefits the quarry provides in terms of job retention, business rates and aggregate levy, it will also be a boost to the economy at a time when it is very much needed, following the coronavirus lockdown.
- There will also be significant environmental benefits upon restoration. The site will be restored to priority habitats identified by the Nottinghamshire Biodiversity Action Plan and will be a mixture of agricultural land, wet grassland, fen meadow, reedbed, wet woodland, small ponds and open water. This will support a variety of species including bats, amphibians and farmland birds. There will be a retained sand face for sand martins, kingfishers and invertebrates, and approximately 1km of hedgerow will be planted, resulting in a gain overall. CEMEX has a partnership with the RSPB who have had input into this restoration scheme to ensure these benefits are maximised.
- Once restored, the nature conservation area will be subject to aftercare by CEMEX for a period of 15 years to ensure the new habitats are well established and thriving.

Following Ms Pearman's speech the following question was responded to:

- At present there are 4 people employed permanently on site with approximately 5 more employees connected to the operation through being either contractors or drivers. Once the campaign and restoration begin these numbers will increase.

Members then debated the item and the following comments and questions were responded to: -

- It was confirmed that the reference to 'bats' in Condition 27 should be to 'breeding birds' and that the reference to 'breeding birds' in Condition 28 should be to 'bats' These conditions mean that controls will be put in place to protect both birds and bats.
- The extraction of 550,000 tonnes of material will leave a void that is below the water table and which will limit the restoration options. Restoration will provide a mixture of habitats and an area of agricultural land will be reinstated to compensate for the loss of 3.29ha of best and most versatile agricultural land. The only objection is from the Wildlife Trust who would like more ecological rather than agricultural habitats. There will be after care management of the restoration site for 15 years and the Wildlife Trust will be involved. There is no policy requirement for restoration projects to be 'exceptional'.
- The NCC ecologist was consulted and agreed that in this case the use of a 1km radius, rather than the usual 2km radius, was acceptable for the basis of the desktop ecological assessment and identification of ecological constraints.
- Although this allocation is not included in the 2005 Minerals Plan, the National Policy Framework states that the wider benefits of granting permission should be considered. In this case only a small extension is proposed which would have less impact than any new quarries; the amount of material to be extracted only equates to 3-4 months' supply as a whole; granting permission now does not mean other quarries will not be developed; the quarry is operational now and there are economic benefits associated with allowing the application to go forward.
- The haul road will cross Cromwell Footpath No. 5 but the footpath will remain open allowing access to the river and private cottages. A footpath crossing scheme will be conditioned which will require lights and the surface to be kept clean/swept.

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

RESOLVED 2020/009

1. That planning permission be granted for planning application 3/19/02231/CMM, subject to the conditions set out in Appendix 1.
2. That planning permission be granted for planning application 3/19/02232/CMM, subject to the conditions set out in Appendix 2.
3. That planning permission be granted for planning application 3/19/02233/CMM subject to the conditions set out in Appendix 3. The existing legal agreement dated 9 March 2016 which regulates the extended management provisions and lorry routeing controls imposed on the existing quarry will be carried forward into this new planning permission.

6. DEVELOPMENT MANAGEMENT PROGRESS REPORT

Mrs Gill introduced the report, stating that it was the usual report brought regularly to Committee.

Mrs Gill informed members that there were likely to be 3 applications for consideration at the next meeting of the Committee on the 14th July including, at the request of a member, an application regarding Walker Street, Eastwood

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

RESOLVED 2020/010

That no further actions are required as a direct result of the contents of the report.

The meeting closed at 11.39am

CHAIR