

Meeting PLANNING AND LICENSING COMMITTEE

Date Tuesday 13 March 2018 (commencing at 10.30 am)

Membership

Persons absent are marked with 'A'

COUNCILLORS

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

Andy Brown
Richard Butler
Sybil Fielding
Kevin Greaves
Paul Henshaw
John Longdon

Rachel Madden
Sue Saddington
Tracey Taylor
Keith Walker
Andy Wetton

OTHER COUNTY COUNCILLORS IN ATTENDANCE

David Martin

OFFICERS IN ATTENDANCE

Pete Barker – Resources Department
Rachel Clack – Resources Department
Mike Hankin – Place Department
Ruth Kinsey – Place Department
Joel Marshall – Place Department
Oliver Meek – Place Department
Jonathan Smith – Place Department

1. MINUTES OF PREVIOUS MEETINGS**1(a) MINUTES OF LAST MEETING HELD ON 30TH JANUARY 2018**

The minutes of the meeting held on 30 January 2018, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

1(b) MINUTES OF MEETING HELD ON 11TH JULY 2017

The Chair informed Members that references to two previous reports were omitted in error from the minutes of the meeting held on 11th July 2017.

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

RESOLVED 2018/004

That the following recommendations and resolutions be recorded:

UPDATE ON THE COUNCIL'S SCHEME OF DELEGATION FOR MAKING DECISIONS ON PLANNING APPLICATIONS

RESOLVED 2017/021a

That details of the planning applications reported to Planning and Licensing Committee during the period of monitoring of the scheme of delegation be noted and the proposed minor changes to the Scheme of Delegation be approved.

REVIEW OF THE COUNTY COUNCIL'S PRE-APPLICATION PLANNING ADVICE - CHARGING SCHEDULE

RESOLVED 2017/021b

That the revised fee schedule for the pre-application advice service be approved as set out in the report, to come into effect on 1st September 2017.

2. APOLOGIES FOR ABSENCE

Councillor Richard Butler replaced Councillor Neil Clarke MBE and Councillor Greaves replaced Councillor Pauline Allen, both for this meeting only.

3. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

No declarations of interest were made.

4. DECLARATIONS OF LOBBYING OF MEMBERS

No declarations of lobbying were made.

5. CHRIS ALLSOP BUSINESS PARK – COLWICK INDUSTRIAL ESTATE, PRIVATE ROAD NO 2, NOTTINGHAM

Mr Hankin introduced the report and explained that the two planning applications in question were seeking retrospective planning permission to regularise alterations which had been made to the approved site layout and to the working arrangements at the waste processing facility within the Chris Allsop Business Park, Colwick Industrial Estate.

Mr Hankin informed Committee that the key issue with the determination of the planning applications was whether the proposed changes to the working practices and new structures would have no unacceptable environmental impacts.

Following Mr Hankin's introduction Members debated the item and the following comments and questions were responded to:-

- The on-site tanks are designed to hold the surface water that runs off the concrete base of the site. This collected water is then discharged into the sewage system at a greenfield rate.
- The rainwater collected from the roofs of the buildings is used for dust suppression.
- The water passes through an oil interceptor, a type of filter, which removes any sediment before the water enters the tanks.
- The quality of the water discharged is regulated via an environmental permit.
- The collection of the water in the tanks helps to prevent flash flooding
- One of the tanks is used to hold diesel which powers an emergency generator
- The floodlighting that residents have complained about is not on the application site but on an adjacent site. After discussions with the landowner the angle of the floodlights has been altered.
- There are no floodlights on the application site but any future installation and use is already regulated.
- A 1:1 scale model has been used to ascertain any potential noise problems. As a result an issue has been identified which will be addressed. Adjacent buildings will help shield the noise from residents.
- The planning permission does not cover fire risk, but any measures deemed necessary by the Environment Agency, including the installation of sprinklers, will be implemented.

The Chair summarised the situation as follows:

- The siting of waste management facilities on industrial land is supported by Policy WCS7 (General Site Criteria) of the Nottinghamshire and Nottingham Waste Local Plan subject to the development not resulting in unacceptable environmental effects.
- The current planning applications aim to regularise a series of modifications that have been made to the originally approved plant, machinery and structures at the site and in particular aim to regularise the site's development over three phases instead of a single phase as originally approved which has created a number of tensions with the existing planning conditions regulating the operation of the site.

- Whilst the concerns expressed by the Parish Council and local residents are noted, the analysis of these concerns by the case officer and informed by the responses received from technical consultees concludes that there would be no significant harmful impacts to the environment or the amenity of the local community, and environmental emissions are capable of being regulated through planning condition and the environmental permitting processes regulated by the Environment Agency.
- The planning conditions listed in Appendices 1 and 2 of the officer's report ensure that environmental impacts are satisfactorily regulated.

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

RESOLVED 2018/005

1. That planning permission be granted for planning application 7/2017/1147NCC, subject to the conditions set out in Appendix 1.
2. That planning permission be granted for planning application 7/2017/1144NCC, subject to the conditions set out in Appendix 2.

6. WELLSITE 4, FARLEY'S WOOD, WEST MARKHAM, NEWARK

Mr Meek introduced the report which reviewed the conditions attached to the Farley's Wood Oil Field Planning Permission (Ref: 1/54/87/8D), under the Environment Act 1995. Mr Meek informed the Committee that the key issue related to whether the Minerals Planning Authority is satisfied with the new set of conditions submitted as part of the application.

Mr Meek stated that the site should have been subject to its initial periodic review in January 2003, 15 years after the granting of Planning Permission 1/54/87/8D on the 8 January 1988. This review was missed and when the Minerals Planning Authority (MPA) became aware of this it was considered appropriate to wait until the next periodic review date in January 2018. As part of the review process, an application for a new set of planning conditions is required to be submitted by the developer to the MPA

Following Mr Meek's introduction Members debated the item and the following question was responded to:-

- Measures have now been put in place to ensure that future reviews will take place on time.

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

Resolved 2018/006

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

7. TWO OAKS QUARRY, COXMOOR ROAD, SUTTON IN ASHFIELD

Mr Smith introduced the report which considered a planning application to vary planning condition No.13 of the extant planning permission (reference 4/V/2016/0655) to allow a seasonal increase to the permitted numbers of HGV movements at Two Oaks Quarry, Derby Road, Sutton in Ashfield.

Mr Smith informed Members that the key issues relate to highway capacity, local amenity and impacts to ecology.

Following the introductory remarks of Mr Smith, Mr Mark Oldridge representing the applicant had an opportunity to speak and a summary is set out below:-

- This is a fairly new operation having gained conditional approval in 2013/14
- Two Oaks Quarry is the sole quarry in Nottinghamshire producing high quality, specialist silica sands
- The quarry makes a considerable contribution to the local economy by way of rate contributions, day to day purchases of supplies, the use of local specialist contractors for quarry plant repair and the use of local hauliers to deliver quarry products
- The products supplied are for equestrian use and the top dressing of football pitches in the UK
- Output varies month to month, with winter months being relatively quiet and May and June with the highest outputs when the UK football season ends and pitches are being prepared for the forthcoming season
- Approval was given for a temporary increase in HGV movements in May and June 2016 to allow specialist products to be produced and delivered. An oversight meant that no application was made to make this increase permanent
- The quarry output is restricted by daily, weekly and annual HGV limits and there are no proposals to change the approved limits during the rest of the year. The application only seeks to allow a modest increase in the annual output during May and June to achieve the desired sales level for the specialist products
- The annual HGV limits are set at the maximum level which the applicants wish to produce to conserve reserves and work within the processing plant's day to day capabilities
- There have been no objections to the application from the statutory consultees or members of the public. It is considered that the development is acceptable and that there will be no environmental harm

associated with the increase in traffic movements proposed during May and June each year

- The applicant has a first class relationship with the local community through the quarry liaison group, though meetings are infrequent as the quarry seems to operate in the local environment without any disturbance or concerns
- The applicant's highway consultants have concluded that there will be no environmental harm or adverse impact on the local highway network or on the operation of the nearby traffic lights on the A611 junction with Coxmoor Road
- The County Council's highway officers agree with these findings and since the quarry has been in operation there have been no complaints concerning HGV traffic moving to and from the site and no incidents involving HGV traffic relating to the quarry

There were no questions.

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

- The routing is subject to a legal agreement and is adhered to as far as the authority is aware. The applicants employ a regular haulier who should therefore be aware of these restrictions.
- The Section 106 agreement requires the applicant to carry out spot checks on the route 4 times each calendar year.
- The observation was made that as the size of lorries increased the number of movements consequently decreased.
- The fact that the liaison group only meets once a year is positive and is a reflection of how well the site is run. The meetings are productive when they do take place.
- An ecological survey prior to the site opening identified the presence of lizards. As a result a corner of the site was set aside and made into a suitable habitat. The lizards were relocated before any works commenced on site.
- There were many representations made at the time of the initial application and it is significant that there have been no representations concerning the present application. This implies that the operation is not causing the problems originally anticipated.
- The local member asked for the decision to be made at Committee otherwise the application would have been decided under delegated powers. The local member has made no further comment on the proposals.

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

RESOLVED 2018/007

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

8. MAUN VALLEY CYCLE ROUTE, MAUN VALLEY COUNTRY PARK

Mr Smith introduced the report which considered a planning application for the creation of an off-road cycle route, following the Maun Valley in Mansfield, comprising the laying of a new path through the park between New Mill Lane and Old Mill Lane and the widening of existing pathways from Old Mill Lane through to Barringer Road recreation ground. The scheme includes provision of associated street furniture.

Mr Smith informed Members that the key issues related to the impacts on the character and appearance of the Maun Valley Park Local Nature Reserve (LNR) and its associated ecological interest; community safety and amenity interests; and the implications for the status of a Public Right of Way.

Following Mr Smith's introduction Members debated the item and the following comments and questions were responded to:-

- The proposed scheme has widespread support
- The choice of surfacing is complementary to the environment
- The scheme should enhance the area and anything that encourages people to walk and cycle should be supported
- The concern about anti-social motorcycling was acknowledged but this may occur even if the scheme did not progress. It is possible that once the scheme is completed the increase in genuine users might mean that the problem is self-policed.

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

RESOLVED 2018/008

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 of the report.

9. DEVELOPMENT MANAGEMENT PROGRESS REPORT

Mr Smith introduced the report and confirmed that this was the usual regular report detailing which reports were likely to come before Committee.

Mr Smith informed members he would be contacting them following the meeting to arrange a site visit to Bestwood Primary School.

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

RESOLVED 2018/009

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

The meeting closed at 11.36am

CHAIR