



Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Tuesday 25 February 2014 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

Sybil Fielding (Chairman)
Sue Saddington (Vice-Chairman)

Roy Allan
Andrew Brown
Steve Calvert
Jim Creamer
Darren Langton

A Rachel Madden
Andy Sissons
Keith Walker
Yvonne Woodhead

OFFICERS IN ATTENDANCE

Steven Baker- Solicitor
David Forster – Democratic Services Officer
Jerry Smith – Team Manager, Development Management
Sally Gill – Group Manager Planning
David Marsh – Major Projects Senior Practitioner
David Collins – Acoustic Engineer

MINUTES OF LAST MEETING HELD ON 21 JANUARY 2014

The minutes of the meeting held on 21 January 2014 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

None

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

Councillor Jim Creamer declared a non-pecuniary interest in agenda item 6 - Improvement Works to the Country Park, Newstead and Annesley Country Park Newstead Village – as he is a Director of applicant group Rural Community Action Nottingham.

Councillor Sue Saddington declared a non-pecuniary interest in agenda item No 8 – Changes (Additional) Use of Savile Restaurant as a wedding Venue, Rufford Country

Park Ollerton, as she is a Member of Newark and Sherwood District Council and wished it known that she has never been involved in any discussions which involved the District Council regarding the Rufford Country Park.

DECLARATIONS OF LOBBYING OF MEMBERS

Councillor Sue Saddington informed Committee that she had received a letter from Newstead Parish Council with regard to agenda item 6.

ORDER OF BUSINESS

With the consent of the Committee the Chairman changed the order of business to bring forward those items for which there was public speaking.

CONSTRUCTION OF NEW BUS STATION LAND AT WATSON ROAD/NEWCASTLE STREET WORKSOP

Mr Smith introduced the report and gave a slide presentation.

Following the introductory remarks by Mr Smith there were a number of speakers who were given an opportunity to speak and a summary of those speeches are set out below:-

Dr Paula Birrane-Scothern, local resident, spoke in opposition to the application and highlighted the following issues.

- The surrounding properties are mainly residential with few commercial properties although some of those are being converted into residential properties.
- It was felt that the noise levels had not been tested at first floor levels in line with guidelines set out by the World Health Organisation.
- No money has been ear marked in respect of adequate soundproofing measures if it is found to be necessary

In response to a question regarding an alternative site Dr Birrane-Scothern suggested the old bus station on Newcastle Avenue/hardy Street.

Paul Horn, Project Manager for the application, spoke in favour and highlighted the following-

- The scheme to provide a bus station in Worksop has been in consideration for over 10 years.
- The scheme seeks to provide a fully enclosed bus station.
- Many other sites have been considered, but rejected because of cost, access or deliverability.
- Great care has taken place with regard to the design and delivery of the scheme
- It is considered the best location and provides a modern comfortable and fit for purpose station which has connection with the rest of the County

With the consent of the Chairman and Committee Councillor Kevin Greaves Local Member spoke in favour of the application and highlighted the following issues:-

- It has been a long time in the planning process and it is pleasing to see that there will be a modern fit for purpose facility in Worksop.
- The investment opportunities that it will bring into Worksop will be welcomed
- It is not only a facility that is for Worksop but the surrounding area as well.

There were no questions

Following the speakers, members discussed the item and the following comments were responded to

- David Collins, Acoustic Engineer explained that the noise assessments were undertaken at ground level but adjustments were applied to provide comparable data for assessment at first floor level and the results were considered satisfactory.
- The test were considered as worst case scenarios and the predicted noise levels were acceptable
- If there are any noise complaints once the bus station is operational further tests would be undertaken and any remedial work necessary would be considered.

On a motion by the Chairman seconded by Vice Chairman and upon a show of hands it was

RESOLVED 2014/006

That subject to the application not being called-in for determination by the Secretary of State before 12 March 2014, 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.

CHANGE (ADDITIONAL) USE OF SAVILE RESTAURANT AS A WEDDING VENUE RUFFORD COUNTRY PARK OLLERTON

Mr Smith introduced the report and gave a slide presentation.

Following the introductory remarks by Mr Smith there were a number of speakers who were given an opportunity to speak and a summary of those speeches are set out below:-

Mr Williams, local resident and friend of Rufford Country Park, spoke against the application highlighting the following issues:-

- Concerns over the noise because of the close proximity to private properties.
- The loss of public amenity with the possibility of conflict between wedding guests and visitors to the park.
- The loss of heritage with the proposal of an unsightly large marquee erected in front of the Jacobean wing of the Rufford Abbey.

There were no questions

Mr A. Cox, on behalf of the applicant spoke in favour of the application and highlighted the following issues:-

- Rufford Country Park has an ongoing challenge of maintaining visitor experience and needs to diversify if investment is to be brought into the Park.
- There is an already successful wedding business at Rufford and this will allow more ceremonies to take place and greater use of the park after closing time.
- This application does not involve the Orangery, which was the subject of a previous application.
- Noise assessments have been carried out and the predicted levels of noise fall below the limits allowable.
- The Savile Restaurant will be closed to the public on wedding days.
- The application has support from English Heritage.

In response to a question Mr Cox informed members that if there was an event already booked e.g., a re-enactment then no wedding bookings would be taken for that day.

Councillor Fernly, representing Rufford Parish Council, spoke in opposition to the application and highlighted the following issues:-

- There would be a restricted use of the Savile Restaurant.
- The Visual impact on the Grade 1 listed building.
- Nothing has changed since the last application and it would detract from public enjoyment of the Country Park

Following the speakers, members discussed the item and the following comments were responded to:-

- Although the Historic Buildings Officer made the point that “generally the use of temporary marquees in close proximity to Grade 1 Listed building is not welcomed” English Heritage have considered this issue and do not regard it as a reason to object to the application.
- The time period for the marquee is 5 years because anything less will make the proposal unviable.
- Saturdays are the 2nd or 3rd best day for visitor numbers depending on school holidays.
- There are upward of 1000 visitors on a Sunday and half that number on a Saturday
- The marquee would be a temporary structure for the 5 year period of the application albeit permanently present for the months of April to September(inclusive)
- This is only a trial period and would bring income to the Park to help maintain it as a place of beauty.

On a motion by the Chairman and duly seconded it was put to the meeting to approve the application. Upon a show of hands it was ascertained that the vote was tied at 5 votes for and 5 votes against. Following the declaration by the Clerk that this was the case the Chairman used her casting vote against the proposal to approve and it was therefore :-

RESOLVED 2014/007

That the application for planning permission be refused for the following reasons:-

1. The loss of heritage value of the Rufford Country Park
2. The loss of public amenity upon visitors wishing to visit the Country Park as a tourist attraction and
3. The potential for conflict between the public and wedding guests

IMPROVEMENT WORKS TO THE COUNTRY PARK NEWSTEAD AND ANNESLEY COUNTRY PARK NEWSTEAD VILLAGE

Mr Smith introduced the report and gave a slide presentation.

With the consent of the Chairman and Committee Councillor Chris Barnfather Local Member spoke in favour of the application and highlighted the following issues:-

- The consultations undertaken by the County Council were appreciated and thorough.
- The route suggested means that the Lorries will not pass along the narrow roads
- The Newstead and Hucknall Roads are well known for road traffic accidents

There were no questions.

Following the speakers, members discussed the item and the following comments were made:-

- The turning left or right will be difficult for lorries at the Annesley Cutting/A611 junction
- Previous modelling suggests there would not be sufficient benefits arising from the costs of installing traffic lights on that junction and there are a set of lights some 500 yards to the north.
- If any unauthorised movements are made from the site there would be an investigation and sanctions would be made as set out in the terms and conditions
- Condition 17 sets out the issue regarding mud on the road.
- The introduction of any temporary lights would not ease congestion around that junction as modelled for permanent traffic lights.

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

RESOLVED 2014/008

1. That the Corporate Director for Policy, Planning and Corporate Services be instructed to enter into a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) or section 278 of the Highways Act 1980 to cover
 - (a) highway condition surveys of adopted roads as used by HGVs associated with the development, to/from the junction with the A6111 at Annesley Cutting, before and after the development;
 - (b) the routing of HGV traffic associated with the development to and from the A611 using via the A611 and Annesley Cutting only, with the prohibition of right hand turns out of Annesley Cutting on to the A611;
 - (c) remediation works to cover any damage to the public highway up to the A611 at Annesley Cutting directly attributable to HGV traffic associated with the development.
2. that subject to the completion of the legal agreement the Corporate Director for Policy, Planning and Corporate Services be authorised to grant planning permission for; the importation and deposition of inert waste into Lake 2; the importation and spreading of soils around Lakes 1 and 2; the reinforcement of the embankment between Lakes 4 and 5; and improvement of tracks subject to the conditions set out in Appendix 1 attached to the report.

In accordance with Procedure rules for Committee and Sub-Committee meetings Standing Order 44 Councillor Yvonne Woodhead's vote against the recommendation was recorded. She also wished it recording that she objected to the A611 being used without traffic lights being installed.

RESUBMISSION OF APPLICATION FOR THE CONSTRUCTION OF A LEISURE MARINA REDHILL MARINA RADCLIFFE-ON-SOAR

Mr Smith introduced the report and gave a slide presentation he also informed members that with regard to the appeal hearing the 8 July 2014 has been suggested for the Planning Inspector to hear the appeal.

Members were concerned with the potential risks of bird/aeroplane conflict if this was to be approved.

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

RESOLVED 2014/009

- 1 that Committee endorse the position that planning permission would have been refused, had a decision been made prior to the appeal being lodged, and in the light of the information now submitted for the following reasons:
- a) The development of a marina in the Green Belt is inappropriate development and there is no demonstrable need for new marina berths within the local area. There are no very special circumstances to justify the harm to the openness of the Green Belt that would be caused by the proposed development. As such, it is contrary to the National Planning Policy Framework (NPPF) and Policy ENV14 (Protecting the Green Belt) of the Rushcliffe Borough Non-Statutory replacement local plan;
 - b) The proposed development is 3.5km from East Midlands Airport. The design of the proposed marina would create new habitat suitable for birds that are a birdstrike risk to aircraft. The development would have an unacceptable risk to aviation safety which is contrary to the NPPF.
 - c) The excavation of sand and gravel and the construction of the marina would generate noise levels at nearby sensitive receptors that exceed the maximum noise levels for minerals development as set out in the Technical Guidance to the NPPF. As such, the development would have an unacceptable noise impact contrary to the NPPF and Policy M3.5 (noise) of the Nottinghamshire Minerals Local Plan (MLP);
 - d) The site contains archaeology of at least regional importance, and potentially contains elements of national importance. Given the lack of need for the proposed marina, the importance of the development is not considered to outweigh the importance of the remains. Therefore, the development is contrary to the NPPF and Policy M3.24 (Archaeology) of the MLP.
 - e) There is insufficient information for the planning application to be fully assessed against policies M3.3 (Visual Intrusion), M3.9 (Flooding), M3.15 (Bulk Transport of Minerals), M3.16 (Protection of Best and Most Versatile Agricultural Land), M3.17 (Biodiversity) and M3.27 (Cumulative Impact) of the MLP; and policies EN11 (Features of Nature Conservation Interest), EN21 (Loss of Agricultural Land) and WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan. As such, the development is contrary to Policy M3.1 (Information in support of Planning Applications) of the Nottinghamshire MLP which seeks to ensure that sufficient information is submitted to enable a balanced assessment of all relevant factors.
- 2 that the Minerals Planning Authority informs the Planning Inspectorate that Committee supports the dismissal of the appeal.

**USE OF LAND ADJACENT TO THE EXISTING SITE FOR A 12 MONTH PERIOD –
JOHNSONS AGGREGATES AND RECYCLING LIMITED LOUGHBOROUGH ROAD
BUNNY**

Mr Smith introduced the report and gave a slide presentation .

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

RESOLVED 2014/010

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

DEVELOPMENT MANAGEMENT PROGRESS REPORT

Mrs Gill introduced the report

RESOLVED 2014/011

That the Development Management progress report be noted

WORK PROGRAMME

RESOLVED 2014/012

That the Work Programme reported be noted,

The meeting closed at 1.28 pm.

CHAIRMAN