



## **minutes**

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **10 December 2013 (commencing at 11.00 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

### **ALSO IN ATTENDANCE**

Councillors Alice Grice  
Ken Rigby  
Philip Owen  
John Wilkinson

### **OFFICERS IN ATTENDANCE**

Nathalie Birkett- Solicitor  
David Forster – Democratic Services Officer  
Jerry Smith – Team Manager, Development Management  
Sally Gill – Group Manager Planning  
David Marsh – Major Projects Senior Practitioner  
Jonathan Smith – Principal Planning Officer  
Andy Wallace – Flood Risk Manager

### **APOLOGIES FOR ABSENCE**

There were no apologies for absence

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

None

### **DECLARATIONS OF LOBBYING OF MEMBERS**

None

**EXTRACTION OF COAL AND FIRECLAY LAND OFF COSSALL ROAD  
BETWEEN THE VILLAGES OF COSSALL AND TROWELL KNOWN AS  
SHORTWOOD**

Mr Smith introduced the report and informed members that the plans attached to the report had the incorrect application numbers although this would not affect the ability to make a decision. He also reported that the Council had received further correspondence both for and against the application, these were:-

- 2 from Unite Union in support for local jobs and local economy.
- E-on who welcomed the opportunity to buy locally mined coal for the Ratcliffe on Soar Power Station.
- 8 letters from the individuals, including UK Coal employees supporting the safeguarding of local jobs.
- 6 letters in support from Companies who work within the industry
- A letter from a Fire Clay Company who will benefit from the application.
- The Chair of Lodge House Liaison Group who is content with the work ethics proposed.

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

Mr Gareth Williams and Ms Donna Butler representatives of the Shortwood Farm Opencast Opposition Group (SOCO) gave a 10 minute special presentation. During their presentation they highlighted the following issues:-

- The proximity to the local school in Trowell.
- No health Impact report has been carried out.
- No landscape assessment is included in the report.
- Archaeological surveys need to be carried out.
- The potential for over 11,000 dwellings to be affected if development goes ahead in the area.
- Transport and travel issues will have an adverse effect on the area.
- The proposed HS2 route has not been factored into the proposals.
- There has been an inadequate length of time given for full consultations.
- Pollution issues need to be assessed with ground water.
- There are no references made to unrestored sites across the Country and the issues surrounding them.

There were no questions

Mr Anton Fix, Project Manager for Shortwood and Mr David Bolton Director of UK COAL Surface Mines Limited, applicants for the Planning Application gave a 10

minute special presentation. During their presentation they highlighted the following issues:-

- The consultation process has been meticulous and difficult.
- There are extremely high standards which control surface mining of coal.
- Shortwood has a long history of surface mining throughout the 20<sup>th</sup> Century prior to the M1 being built.
- There are no material planning considerations which would give reason for turning down this application.
- The Nottinghamshire based Company will recover Nottinghamshire coal for a local Nottinghamshire Power Station.
- The creation of 56 jobs including 4 apprenticeships will be good for the local economy.
- The legal agreements which need to be signed will ensure there is a good working relationships between the company and its community.
- The need for sites like Shortwood to help maintain the viability of the coal industry in the UK.
- A restoration bond will be signed for the site to be restored following mining.

There were no questions

Mrs Kathleen Little, Local resident spoke against the application and highlighted the following:-

- Air quality issue needs to be looked at more closely with dust particles being put into the air this could have a devastating effect on the community.
- The inadequate transport system for the additional lorries it will create
- The visual impact on the area and the environmental impact on the surrounding area.

There were no questions

Mr Keith Harrison Local resident spoke against the application and highlighted the following:-

- The fact this is Greenbelt land is surely a factor for developments like this.
- The destruction of a site which has returned to nature following previous mining in the area.
- The health of the communities in the vicinity
- The fact there is all this potential upheaval for the sake of 16 weeks coal supply.
- The need to ensure the Governments policy for Carbon Capture technology is adhered to.
- There is a need if the application is approved for steps to be taken to prevent further expansion of the site.

There were no questions

Mr Steve Leary, Coordinator The Loose Anti Opencast Network spoke against the application and highlighted the following:-

- The frequency of noise and dust from sites like this one has an effect on the whole community.
- The length of time to prepare the site for coal extraction is in years rather than weeks.
- The projected figure for coal consumption for power generation purposes within the United Kingdom will reduce significantly.
- Local communities are therefore being asked to bear the brunt of this intrusion against the possibilities of problems of site restoration.

There were no questions

Councillor Lyn Harley, Chair of Trowell Parish Council, spoke against the application and highlighted the following:-

- The Parish Council objects to the application and supports SOCO in their fight against opencast mining in the area.
- The potential health risks are not known especially for those who have pre-existing conditions.
- The potential destruction of the surrounding environment especially around the canal.
- The major disruption to the transport infrastructure and increased HGV traffic.

There were no questions

Councillor Ken Rigby local member for Kimberley and Trowell spoke against the application and highlighted the following:-

- The viability of the company could be called into question especially over pension's issue.
- The restoration bond needs to be looked at given the fact there are 35 sites in Scotland in need of restoration at a cost of £200m meaning approx. £6m each.
- Blasting and noise pollution is a concern and this may have an affect on residents of Trowell.
- Noise monitoring should be carried out by an independent company rather than self-monitoring.
- The community fund is derisory and should be increased from £207,000.
- HS2 is possibly coming and therefore the communities will be affected again.

Councillor Philip Owen local member for Nuthall spoke against the application and highlighted the following:-

- Having the potential of 4 new apprentices is not a reason for approving the application.
- This will have a devastating effect on all communities around the area
- The traffic route of the HGV's bringing them down to one of the busiest junctions in Nottinghamshire.

- Could there not be consideration if this application is approved to access the site through Trowell Services?
- Is 5 years really temporary for noise pollution.
- 5 years of misery for communities just for 16 weeks of coal supply.
- Dust emissions are going to cause problems across the communities for 5 years and more.

There were no questions

Mr Smith responded to the points raised in the public speaking as follows

- A dust management system has been deigned to lessen the impact of any particles being airborne.
- Public Health England and the Environmental Health Officer were consultees and both had no objections to the application.
- With regard to the Greenbelt argument the extraction of Minerals does not go against Greenbelt guidelines as it is not a permanent development.
- There are strong scientific and mature landscape reasons as to why there would not be an extension to the application site in the future.
- It is considered that the bond for the reclamation of the site is sufficient.
- Conditions set out in the appendix do cover the issue of blasting and times this can and cannot be undertaken.
- The Highway Agency has been approached at Service Director level regarding access to the motorway.

Following the speakers members discussed the item and the following comments were made.

- Local County Council members are against this development.
- There could be potential for Traffic /Pedestrian conflict around the viaduct.
- Dust Vibration and Noise have to be considered.
- Restoration could be a potential issue.
- Disappointed that the Highway Agency have taken the stance they have over access.
- If coal is imported from other sites what are the CO2 impacts against locally sourced coal.
- Community fund has been agreed with further funds available during restoration.

Mr Smith responded to issues raised by members as follows:-

- Unfortunately cannot confirm how imported coal is delivered to the power station.
- The land following the extraction of coal would remain within the Greenbelt area and would not be considered a Brownfield site.
- The viaduct would be the subject of a structural survey to ensure it is structurally sound at a cost of £25,000.

On a motion by the Chairman seconded by Councillor Darren Langton and upon a show of hands it was

**RESOLVED 2013/044**

1. That the Corporate Director for Policy, Planning and Corporate Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 and/or Section 278 of the Highways Act 1980 to secure the provision of a community fund including the following:-
  - the setting up of a liaison meeting; the provision of £20,000 for additional anti-skid surfacing at the Balloon Wood junction;
  - for the sum of £25,000 to be set aside for the historic conservation improvements projects for a full structural survey of the Grade II\* listed Bennerley Viaduct
  - provision of £12,000 be set aside for bridleway repairs to Cossall Bridleway 16 and Trowell Bridleway 14;
  - lorry routeing agreement;
  - traffic management plans at the two site accesses;
  - the safe working through the motorway underpass;
  - the provision of signs on the bridleway to warn users of any blasting on site;
  - the employment of unskilled local apprentices;
  - the provision of an additional five years of aftercare for features of ecological interest; the carrying out of speed surveys on Cossall Road and the provision of a suitable crossing point;
  - and the addition of new rights of way onto the definitive rights of way map.
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 above development subject to the conditions set out in Appendix 6 of the report.

The Committee adjourned for a 10 minute comfort break at 12.20 – 12.30 pm

**ENVIRONMENTAL IMPROVEMENTS TO THE HUCKNAL TOWN CENTRE  
ANNERSLEY ROAD TO STATION ROAD HUCKNALL**

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 B Walker, local resident spoke against the application and highlighted the following-

- Flooding is a major problem around the Thoresby Dale Estate which will be affected by this development. The main sewers flood and overflow causing great concern to residents.
- The noise issue will be a problem in the area when rerouting the traffic.
- The pollution that will be caused not only with the increased traffic but also the flood risks as its unknown if the holding tanks will suffice.
- Can the tarmac be permeable?
- if the application is approved as Mark Spencer MP has said he will speak with the appropriate government department for extra funding.

In response to a question Mr Walker replied that he had had a recent meeting with Mark Spencer MP although no written assurances have been made he will lobby for additional funding for the flooding problem in the area.

Mr Paul Horn, Project Manager, Highways Department spoke in favour of the application and highlighted the following:-

- The Public consultation undertaken with regard to this project made a difference to the design work as many felt that the transport issues needed to be addressed so they linked up in a more cohesive way.
- The objective is to make Hucknall Town Centre a more attractive centre that provides a better shopping experience for those who use it.
- The funding for the scheme is coming from Central Government.
- The changes to the watercourse have been approved by the Environment Agency.

In response to questions Mr Horn replied as follows

- With regard to drainage there will be some alleviation through the work undertaken on the Brook through Hucknall.
- There is an agreement with Severn Trent to have further discussions to look at further improvements in the future regarding drainage.

Councillor Alice Grice, Local Member spoke against the application and highlighted the following:-

- In July there were flash floods which affected the whole of this area and the improvements proposed will not alleviate these issues for those constituents who live on the Thoresby Dale Estate.
- This area has flooded 3 times in 12 years so it cannot be classed as a freak occurrence now.
- The planning of this major scheme needs to be right and it should therefore be postponed until further consultations can take place.

There were no questions.

Councillor John Wilkinson, Local Member spoke against the application and highlighted to following:-

- The effects of the flooding in July surely means that there are further investigations needed before these major changes are made.
- The potential flood risks are greatest at Thoresby Dale Estate and this needs to be resolved before further potential pressure is put onto the residents.
- Although this is a positive scheme for Hucknall, all the issues around sewerage and flooding need to be resolved before work begins.
- Although the local MP has said that he will seek extra funding will this be forthcoming to help the area?

There were no questions

Mr Marsh responded to the points raised in the public speaking as follows

- There are conditions within the report that deal specifically with the drainage and flooding issues.

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

- There will be a study undertaken regarding flood risks which will be done between March and April 2014.
- There is a coordinated approach to all aspects of the scheme and these are set out in the Conditions in the report.

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

#### **RESOLVED 2013/045**

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



## **EASTERN EXTENSION OF THE WORKING AND EXTRACTION OF CLAY AND VARIATION IN CONDITIONS 3, 13 AND 50 OF PLANNING PERMISSION – DORKET HEAD QUARRY, WOODBOROUGH LANE ARNOLD**

During the introductory remarks by Mr Smith he reminded members that this report was dealing with two applications for the same site.

Mr Simon Ingram the applicant spoke in favour and a summary of his speech is set out below –

- There is a need for new clay supply within the next two years and this extension will provide 10 more years of clay extraction.
- The company provides 5% of the country's need for bricks and employs 73 people at the site.
- This application will also have a NON landfill restoration scheme.
- The Extension will not add any traffic to the surrounding area as the clay will be moved by existing conveyor belts.

There were no questions.

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

### **RESOLVED 2013/046**

1. That planning permission is granted for Planning Ref. 7/2013/0760NCC subject to the conditions set out in Appendix 1 attached to the report and
2. That planning permission is granted for Planning Ref. 7/2013/0757NCC subject to the conditions as set out in Appendix 1 attached to the report.

## **DEVELOPMENT MANAGEMENT PROGRESS REPORT**

### **RESOLVED 2013/048**

That the report be noted.

## **WORK PROGRAMME**

### **RESOLVED 2013/049**

That the work programme be noted.

## **REQUEST FOR SITE INSPECTIONS BY PLANNING AND LICENSING COMMITTEE**

### **RESOLVED 2013/050**

That approval be given to attend formal inspections of sites at:-

Worksop Bus Station and

Rufford Country Park

On a date to be arranged prior to these applications being reported to Committee for determination

The meeting closed at 13.58 pm.

**CHAIRMAN**