

Meeting PLANNING AND LICENSING COMMITTEE – VIRTUAL MEETING

Date Tuesday 24 November 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	A - 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  
Rachel Clack – Chief Executive's Department  
Sally Gill – Chief Executive's Department  
Jonathan Smith – Place Department  
Tim Turner – Place Department  
Debbie Wragg – Place Department

**1. MINUTES OF LAST MEETING HELD ON 13<sup>th</sup> OCTOBER 2020**

The minutes of the meeting held on 13 October, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Madden.

**3. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

Councillor Brown declared an interest in Item 5, 'Vary Approved Layout of Waste Recycling Facility, Loughborough Road, Bunny' as the site is in his electoral division and which did not preclude him from speaking or voting on that item.

#### **4. DECLARATIONS OF LOBBYING OF MEMBERS**

There were no declarations of lobbying.

#### **5. VARY APPROVED LAYOUT OF WASTE RECYCLING FACILITY, LOUGHBOROUGH ROAD, BUNNY**

Mr Smith introduced the report which considered a variation application seeking retrospective planning permission to regularise alterations that have been made to the approved site layout and working arrangements at the waste recycling facility at Bunny Materials Recycling Facility (MRF), Loughborough Road, Bunny, and to increase the storage facilities for processed incinerator bottom ash (IBA aggregates or IBAA).

Mr Smith informed Committee that the key issue related to whether the proposed changes to the working practices would give rise to any unacceptable environmental and amenity impacts, particularly dust, odour and noise emissions on local residents and two nearby care homes (Greenwood Lodge and Hillside Farm).

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

- Condition 10 requires all heavy goods vehicles leaving the site to use the existing wheelwash facility in order that no vehicles leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the highway. Condition 19 also contains measures to deal with the potential dust problem. If permission is granted, regular monitoring will take place and monitoring officers will be made aware of concerns regarding dust and will work with the operator and review measures if necessary.
- The slides used in the presentation to members showed heat vapour / steam, not dust, as the ashes used from the nearby Radcliffe power station are often still warm when delivered.
- Officers confirmed that no responses had been received from Cadent Gas Limited, Severn Trent Water Limited, Via Safer Highways or Western Power Distribution.
- The material being processed on site is inert so that any residues that do find their way onto the highway will be safe. Officers will explore the use of a road sweeper and advise more regular use if necessary.

Following the debate the Chair summarised as follows:

- It was preferable for applications to come to Committee before work had commenced and the Chair shared Members' concerns that this application was retrospective. However, this was not a valid reason for refusing permission.
- The many issues raised, including dust, noise, HGVs and potential threats to health had all been covered in the report and Mr Smith's presentation to Committee.

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

**RESOLVED 2020/020**

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

**6. LOCAL ENFORCEMENT PLAN UPDATE**

Mr Smith introduced the report which proposed to update the existing Local Enforcement Plan and to recommend to Policy Committee that its replacement be adopted as County Council policy.

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

- An NCC policy will be developed that will govern the Authority's use of drones in all circumstances, not just for planning purposes.
- Officers will follow existing guidance regarding the use of drone footage as evidence in any court cases.
- In terms of planning enforcement, although the element of surprise will be lost if a landowner's permission is required before a drone can fly over their land, it is possible that the threat of drone use will make the landowner comply. It may also be possible to view the land in question from neighbouring areas or from the public highway.
- It is possible that in future allowing the use of drones over land could be made a condition in any planning permission granted.
- All District and Borough Councils are encouraged to produce their own Local Plans. The Authority takes into account all policies, including those of the Borough and District Councils, when considering whether to recommend the granting of planning permission.
- Development Control officers in other authorities do liaise to ensure that a joined-up approach is adopted.

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

**RESOLVED 2020/021**

1. That the changes to the Local Enforcement Plan be approved.
2. That the new Plan be recommended to Policy Committee for adoption as County Council policy.

## **7. DEVELOPMENT MANAGEMENT PROGRESS REPORT**

Mrs Gill introduced the report, stating that it was the usual report brought regularly to Committee detailing the applications received, determined and scheduled.

Mrs Gill informed members that the public examination of the Nottinghamshire Minerals Local Plan had taken place in October and that officers were working on actioning the proposed modifications. A public consultation will now be held after which the modifications and any comments received from the public will be sent to the Inspector to help inform their final report. Officers will keep members informed of progress.

Mrs Gill informed Committee that officers were awaiting a decision from the National Casework Unit regarding the recent application involving the proposed soil treatment facility at Daneshill Landfill site.

Mrs Gill confirmed that an application had been received from IGAS seeking to extend the period of evaluation and restoration of the site at Misson for a further 3 years until 2023.

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

### **RESOLVED 2020/022**

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

The meeting closed at 11.30am

**CHAIR**