



Meeting **PLANNING AND LICENSING COMMITTEE**

Date **22 September 2015 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

John Wilkinson (Chairman)
Sue Saddington (Vice-Chairman)

Roy Allan
Andrew Brown
Steve Calvert
Jim Creamer
Rachel Madden

Andy Sisson
Keith Walker
Yvonne Woodhead
Jason Zadrozny

ALSO IN ATTENDANCE

Councillor Richard Butler
" Bruce Laughton

OFFICERS IN ATTENDANCE

David Forster – Democratic Services Officer
Sally Gill – Group Manager Planning
Jonathan Smith – Team Manager Development Management
Rob Fisher – Group Manager – Emergency Planning
Tim Turner – Senior Practitioner Monitoring and Enforcement
Ruth Kinsey – Planning Support Officer
Neil Lewis – Team Manager Countryside Access

MINUTES OF LAST MEETING HELD ON 21 JULY 2015

The minutes of the meeting held on 21 July 2015 having been circulated to all Members were taken as read and were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

There were no apologies for absence

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

DECLARATIONS OF LOBBYING OF MEMBERS

All members declared that they had received both letter and e-mail correspondence from Cropwell Parish Council with regard to Agenda item 7.

APPROVED PREMISES FOR CIVIL CEREMONIES

Mr Fisher introduced the report and took members through the annual report and highlighted the decrease in the number of venues from 69 to 65 in Nottinghamshire.

RESOLVED 2015/034

That the annual report for approved premises for Civil Ceremonies be noted.

COUNTRYSIDE ACCESS (DEFINITIVE MAP) SCHEDULE OF CASE FILES

Mr Lewis introduced the report and informed members about the progress of Definitive Map file cases.

RESOLVED 2015/035

That the update on Definitive Map case files be noted.

LAND RECLAMATION CANALSIDE INDUSTRIAL PARK KINOULTON ROAD CROPWELL BISHOP

Mr Smith introduced the report and gave a slide presentation. He highlighted to members the site has a long industrial past as it was previously associated with gypsum extraction in the area as well as clay extraction, although the latter was undertaken without planning permission.

He explained that the site is not visible from the road or from the public footpaths nearby. The main concerns of the 170 plus objectors received cite issues around HGV movements, noise and dust as the main reasons for refusing the application.

He also highlighted that site is situated in the Greenbelt and therefore special circumstances need to be demonstrated to justify the restoration of the site through the importation of inert material. Even though the site is not particularly visible there would be landscape benefits from allowing the scheme to go ahead. He also highlighted that the site had been designated a wildlife site.

Following the Mr Smith's presentation he responded to questions as follows:-

- The character of the landscape is a resource which has a value irrespective of whether it can be seen or not

- It became a wildlife site in the early 1990's following the gypsum extraction.

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

Mr Gilbert local resident spoke against the application and highlighted the following issues:-

- There was never any permission given regarding the clay extraction which has caused this issue in the first place.
- Could it be guaranteed that there would not be an over filling of the area
- The metric Tonnage suggested for the infill does not add up.
- The noise and nuisance to the surrounding area could be disruptive.
- There was also an unauthorised crusher working on site which was extremely noisy

Following Mr Gilbert's presentation he responded to questions and comments as follows:-

- The main traffic route used during previous gypsum extraction in the area was from Nottingham Road West and not the Kinoulton Road which is proposed for access to this site.
- The prevailing wind direction is South West to North East which is towards the village.

Mr Skales, representing Cropwell Bishop Creamery Limited, spoke against the application and highlighted the following issues:-

- There are concerns about the possibilities of the dust created contaminating the creamery is considered one of the most important international brands to come out of the East Midlands.
- The food industry is highly regulated and therefore need to ensure high standards of hygiene.
- The possible damaging effect on the brand due to the wider environmental effects this application could cause.
- The increased potential effect on the village with increased number of HGV movements.

Following Mr Skales' presentation, he responded to questions and comments as follows:-

- The extraction of the clay had an effect on the environment during the period of works.
- The Cropwell Bishop Creamery Limited has two sites one of which is close to the proposed site along Nottingham Road.
- The movement of the HGVs will cause further traffic issues around the Junction of Nottingham Road and Kinoulton Road.

Mrs Jones, local resident spoke against the application and highlighted the following issues:-

- This is not just a “land reclamation” application, but an industrial operation to import waste.
- This is already a Site of Importance for Nature Conservation and does not constitute the very special circumstances required by the National Planning Policy Framework.
- There is a strong sense of moral outrage felt by residents because if the application is to be approved it would send a message that there are rewards for not adhering to planning law.
- The village is a thriving village and is not in need of regeneration.
- Although there are extensive conditions proposed the residents would have no faith in the applicant in keeping to them.

In response to a question, Mrs Jones replied that residents were aware that a crusher was running on site, also bringing materials onto the site and it is felt this would be a processing site and not just land reclamation.

Following the public speakers against the application Mrs Smith responded to issues arising from those speeches as follows:-

- The size of the void has been calculated and the conditions would ensure the level of infill proposed.
- The unauthorised crusher on site is also covered through the conditions to ensure all materials brought onto site are recycled elsewhere and not on site.
- Condition 7 of the appendix deals with the issues of dust and noise. Also there were no complaints received during the extraction of the clay.
- The application is for 3 years only and this will entail an increase of 14% movement of traffic in the area.
- There could also be an additional condition that no material will be removed from site.

Following Mr Smith’s response to the public speeches, Mr Hunt, acting on behalf of the applicant spoke in favour of the application and highlighted the following issues:-

- This involves a small scale operation of infilling inert clay materials.
- The operation will use waste in a beneficial way to reclaim land.
- There are 3 areas which can be demonstrated as special circumstances on this application they are local landscape character, local waste management capacity and biodiversity enhancement opportunities.
- This is a short term small scale operation that will have a significant planning effect on the landscape in a Site of Importance for Nature Conservation.

Following Mr Hunt’s presentation he responded to questions and comments as follows:-

- The visual impact is one of the special circumstances to allow the infilling of the land even though it is not visible by walkers.
- There is not sufficient material left on site to be able to infill it.

- There would be regular cleansing of vehicles, roads and equipment to reduce the chance of excessive dust in the area.
- The restoration would provide more land for the local wildlife to settle in.
- There would be post site aftercare management of the site

Councillor Wilson, Chair of the Local Parish Council, spoke against the application and highlighted the following:-

- The Parish Council (PC) is supportive of sustainable businesses in the village however the PC did not feel that the landfill application fell within this criterion.
- There were 173 letters of objection written by both local residents and companies which have premises in the village.
- This application is ironic considering the area under consideration for landfill was created through non-compliance with planning permissions.
- This application would not be providing a service in the area and it will import waste materials from elsewhere in the County.

There were no questions.

Councillor Richard Butler, Local Member spoke against the application and highlighted the following:-

- Excessive dust is a concern especially with the product of the internationally famous Stilton Cheese from the village.
- 170 plus letters of objection from a village of just 700 homes is a high percentage of residents who are prepared to put pen to paper to object.
- This is a case of bringing waste from outside the area to fill a void created by the applicant
- The effect on local traffic at peak times could become an issue especially as the junction with Nottingham Road and Kinoulton Road is extremely tight.
- The realignment work suggested at the entrance to the site may encourage motorists to travel faster than they already do.
- Who will monitor the site especially as the previous work was carried out without any knowledge in the first place.

Following Councillor Butler's presentation he responded to questions and comments as follows:-

- Although it is an industrial park members of the public could visit the site on foot making it a danger to them.
- The area has a natural drainage system so the likelihood of it collecting standing water is negligible.
- Not aware of how local the infilling material will be
- There are building sites around Cotgrave, however the site at Colwick is more likely to transfer waste thus not making it locally sourced material.
- There is a large recreational area along the Nottingham Road which has a park and football pitches so there could be conflict between public and HGVs.

The Chairman thanked all the speakers.

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

- Concern about the possible dust and noise issues associated with HGV movements around the area.
- There are no special circumstances as it is shielded from onlookers unless in a plane.
- The extraction should not have taken place in the first instance.
- There have been a large number of objections given the size of the village.
- The reasons for dismissing the application cannot be formed by righting a planning wrong.
- The special circumstances are not met with regard to this application with the evidence presented.
- It will be difficult to enforce what material is used unless the Council are looking at every lorry load of waste materials.
- Is it necessary to put the land back to what it once was? Nature has a way of surviving and changing areas back to interesting pockets of land.

Following discussions the recommendation as set out in the report was put to the vote by the Chairman and upon a show of hands it was

RESOLVED 2015/036

That planning permission be refused.

Members who voted for the refusal gave the following reasons

- Insufficient very special circumstances have been demonstrated to outweigh the harm resulting from the inappropriateness of the development in the Greenbelt.
- There is sufficient inert waste disposal capacity elsewhere in the County at this time.
- The Environmental impact on the residents and surrounding businesses are sufficient to turn the application down.

DEVELOPMENT MANAGEMENT PROGRESS REPORT

RESOLVED 2015/037

That the Development report be noted

WORK PROGRAMME

RESOLVED 2015/038

That the Work Programme be noted

The meeting closed at 12.34 am. **CHAIRMAN**