

Meeting PLANNING AND LICENSING COMMITTEE

Date Tuesday 29 January 2019 (commencing at 10.30 am)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Chris Barnfather (Chairman)

Jim Creamer (Vice-Chair)

Pauline Allan
Richard Butler
Kay Cutts MBE
Sybil Fielding
Paul Henshaw
John Longdon

A – Rachel Madden
Kevin Rostance
Tracey Taylor
A - Keith Walker
Andy Wetton

OFFICERS IN ATTENDANCE

Pete Barker - Chief Executive's Department
Rachel Clack - Chief Executive's Department
Sally Gill - Place Department
Mike Hankin - Place Department
David Marsh - Place Department
Jonathan Smith - Place Department

1. MINUTES OF LAST MEETING HELD ON 11th DECEMBER 2018

The minutes of the meeting held on 11th December 2018, 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 (illness) and Councillor Walker (other reasons).

Councillor Butler replaced Councillor Clarke and Councillor Cutts replaced Councillor Brown, 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.

In view of the fact that the only public speaker present was for Item 6, Proposed Waste Transfer Station – The Stables, Brunts Lane, East Bridgford, the Committee agreed that the order of items be changed to consider that item first.

5. PROPOSED WASTE TRANSFER STATION – THE STABLES, BRUNTS LANE, EAST BRIDGFORD

Mr Hankin introduced the report which concerned a planning application for a small waste transfer station to manage 100 tonnes per year of non-ferrous metals within existing residential outbuildings.

Mr Hankin informed members that the small scale of the facility meant that the use would have a minimal impact on the surrounding area, though East Bridgford Parish Council and Councillor Francis Purdue-Horan had raised concerns regarding the potential impacts on road safety.

There were no questions.

Following the introductory remarks of Mr Hankin, Mr Church, an agent for the applicant, Mr Booth, was given the opportunity to speak and a **summary** of that speech is set out below:-

- Your officers have prepared a comprehensive and very fair report to assist in your determination of this planning application at The Stables. This is a relatively small scale proposal, as the case officer has emphasised, but it is an important one in the context of non-ferrous metals recovery in the rural areas of South Nottinghamshire where such facilities are, at present, few and far between.
- The nature of this business is its strictly family structure, being one that will be operated by a father and son from within existing buildings adjoining their home. Comings and goings will be undertaken predominantly by themselves. To ensure controllability throughout, they will usually source and collect the materials to be recovered, sort and pack them and then dispose of them in an orderly manner to recovery processing centres and non-ferrous metal smelting operations, which, at this time are likely to be existing plants in the Sheffield area.

- It will be an important re-cycling asset but it will, nevertheless, be small in scale. The site at The Stables is ideally located for the task in hand from its proximity to South Nottinghamshire's highways network and access and egress is at a point where there is excellent visibility in both directions of other approaching vehicles. The level of visibility also permits safe right-turns in to the property. Because the applicant resides at the site, the family is familiar with the lightly-used public bridleway that passes to the front of the high wall that forms the boundary to the enclosed yard.
- There will be secure parking and loading facilities available within this walled courtyard to the front of the buildings. This will also provide a screen to outside views of the operations, so ensuring that the use is visually unobtrusive.
- We have noted that whilst the Parish Council has, regrettably, objected to the granting of planning permission, its concerns are capable of being overcome by the recommended conditions. I hope that, likewise, Councillor Purdue-Horan's concerns are similarly satisfied.
- Chair, I am pleased to reiterate our view that today's report, and in particular its appended recommended conditions, are regarded as both comprehensive and fair. I commend it to you for your favourable consideration.

There were no questions.

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

- In addition to planning permission, the applicant needs a Waste Carriers Licence from the Environment Agency which has already been obtained. The Environment Agency has been consulted and has requested that it be contacted once permission has been granted in order to ascertain whether any further permits are required.
- Condition 6 limits the amount of waste material accepted at the site to 100 tonnes per annum. As is usual in these circumstances this limit would be largely self-policed with the applicant required to keep records of the amounts processed. Also, in this case, no work can be undertaken outside, with operations required to be undertaken inside the three stables which would again limit the amounts involved. The conditions also control the number of vehicles entering and leaving the site.
- This application is not retrospective or an extension of an existing permission.

The Chair stated that the development was not inappropriate for the Green Belt and that the objections received were taken into account through the proposed conditions.

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

Resolved 2019/001

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.

6. CAST QUARRY, VALE ROAD, MANSFIELD WOODHOUSE

Mr Smith introduced the report which concerned two planning applications to vary conditions relating to the landfill and recycling operations at Vale Road Quarry, Mansfield Woodhouse. The first variation is to allow the continuation of the material recycling facility for a further 5 years until 2024 and the second application is to amend the sequence of the phasing without changing the overall restoration scheme.

Following Mr Smith's introductory remarks, Members debated the item and the following comment was made:-

- Councillor Creamer informed Committee that one of the local members, Councillor Tsimbirdis, supported the application.

The Chair confirmed that the application did not change the previously approved volume of the landfill, the landfill operating times or any of the limits that applied to the HGV numbers.

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

RESOLVED 2019/002

Application 1 (2/2018/0561/NCC) – Proposed Variation of condition 2 of planning permission 2/2013/0345/NT. Continuation of crushing and screening plant to recycle building material for a further 5 years.

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

Application 2 (2/2018/0676/NCC) – Variation of Conditions 5 (a to f) & 6 of application 2/2014/0518/NT in order to meet new operational needs to ensure that the tipping faces are kept at manageable heights to prevent any slippages of the working faces and to ensure that the current final contours of the site are achieved in the best operational method available. There will be no changes to the agreed final contours of the site.

2. That planning permission be granted subject to the conditions set out in Appendix 2 of the report.

7. ARNO VALE LINK – CYCLE PATH AND SHARED USE FOOTWAY, GEDLING ROAD, ARNOLD, NOTTINGHAM

Mr Marsh introduced the report which concerned a planning application for the construction of a lit cycle path, the widening of an existing footpath to create lit shared-use footways and related landscape works on land between Mapperley Plains and Gedling Road, Arnold. Mr Marsh informed Committee that the key issue related to the potential impact on the amenity of neighbouring residents, particularly from the introduction of column lighting.

Mr Marsh confirmed that representations had been received from two properties as detailed in paragraph 28 of the report, with one resident highlighting the impact of the proposed lighting on the rear gardens of properties. As a result of this Mr Marsh informed Committee that the scheme had been amended to that presented to members, that the resident had been re-notified but that no further comment had been received.

Mr Marsh informed Committee that a late representation had been received from a resident who was unable to attend Committee to speak and who had asked for the following statement to be brought to the attention of the Committee:

'It is submitted that the proposed lighting is not needed. There is no evidence of factors having been properly or thoroughly weighed to justify the inclusion of lighting. Lighting, and associated power production and use would not be in line with NCC environmental policy.'

The resident has questioned

'when and how the decision was taken to include lighting in the scheme. No consideration has been given to night-time light pollution and power consumption or the pros and cons of the route being lit.'

The resident hopes that members of the Planning & Licensing Committee will:

'At least wonder very seriously about the value of this overall proposed project,'

But

'If minded to grant permission, then at least insist that the unnecessary, ill-considered, visually intrusive and environmentally unfriendly lighting element be removed.'

In response to the statement Mr Marsh informed Committee that:

- the authority had a duty to decide planning applications on their planning merits

- it is considered that the use of resources used to generate power is outweighed by the community benefits that would arise from the proposal.
- the proposed lighting would not have a significant adverse effect on properties as the impact at full intensity was compliant with the Institute of Lighting Professionals guidance and therefore does not need to be dimmed.

Following the introductory remarks of Mr Marsh, Members then debated the item and the following comments and questions were responded to:-

- The Authority's Place Department is the applicant and officers present at the meeting are here to comment only on the application's technical aspects. The application aims to implement the DfT's commitment to increase cycling. Value for money is not a material consideration.
- Mr Marsh reassured Members that the issue of the effects of the proposed lighting had been thoroughly investigated and confirmed that the proposals were within the prescribed limits. At present the route is not lit but the proposal involves the provision of a cycle path and the applicant has a duty to ensure that those using the path can see cyclists.
- In terms of segregation between cyclists and pedestrians, Mr Marsh informed Committee that the design of part of the route included dedicated usage but where access was shared this would be indicated by the use of signage.
- There is no evidence that the ash trees that will be removed as part of the scheme suffer from ash die-back, but there is a strong possibility that they will develop it in the future. The mitigation measures mean that the number of trees in the area will increase with the extra-heavy oak trees having a girth of 12 – 14cm at planting.

The Chair informed members that residents had been concerned that the land in question would be developed once the need for road development ceased. This application now safeguards that land with the advantage that pupils would now be able to access the school site without going via a busy road / junction.

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

RESOLVED 2019/003

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.

11. DEVELOPMENT MANAGEMENT PROGRESS REPORT

Mrs Gill introduced the report and confirmed that it was the usual regular report detailing which reports were likely to come before Committee.

Mrs Gill informed members that at the meeting of the Policy Committee on 23rd January 2019 the introduction of the Planning Performance Agreement Charter had been approved and that a report on the subject would be brought to the meeting of the Planning and Licensing Committee on 12th March 2019.

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

RESOLVED 2019/004

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

The meeting closed at 11.21am

CHAIR