

**Planning and Licensing Committee**

**Date:** **Tuesday, 16 October 2012**  
**Time:** **10:30**  
**Venue:** **County Hall**  
**Address:** **County Hall, West Bridgford, Nottingham NG2 7QP**

**AGENDA**

<b>1</b>	<b><u>Minutes of last meeting held on 18 September 2012</u></b> Details	<b>3 - 10</b>
<b>2</b>	<b><u>Apologies for Absence</u></b> Details	<b>1-2</b>
<b>3</b>	<b><u>Declarations of Interests by Members and Officers:- (see note below)</u></b> (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	<b>1-2</b>
<b>4</b>	<b><u>Declaration of Lobbying</u></b> Details	<b>1-2</b>
<b>5</b>	<b><u>Proposed installation of a metal shredding and recycling system at existing metal recycling facility</u></b> Details	<b>11 - 36</b>
<b>6</b>	<b><u>Resubmitted application for erection of security fencing and gates at Chilwell College House Junior</u></b> Details	<b>37 - 62</b>
<b>7</b>	<b><u>Single storey classroom and meeting room extension at Greenwood Primary School, Sutton Middle Lane,</u></b> Details	<b>63 - 86</b>
<b>8</b>	<b><u>Development Management Progress Report</u></b> Details	<b>87 - 114</b>
<b>9</b>	<b><u>Work Programme</u></b> Details	<b>115 - 120</b>

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 08449 80 80 80

(2) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules.

Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Keith Ford (Tel. 0115 9772590) or a colleague in Democratic Services prior to the meeting.

(3) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information may be recycled.

## minutes

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Tuesday 18 September 2012 (commencing at 10.30 am)**

### **membership**

Persons absent are marked with 'A'

### **COUNCILLORS**

Chris Barnfather (Chair)  
Sybil Fielding (Vice-Chair)

A	Jim Creamer	Bruce Laughton
	John M Hemsall	Rachel Madden
	Stan Heptinstall MBE	Sue Saddington
	Rev Tom Irvine	Mel Shepherd MBE
		Keith Walker

### **OFFICERS IN ATTENDANCE**

Steven Baker - Solicitor  
Keith Ford – Senior Governance Officer  
Sally Gill – Group Manager – Planning  
Oliver Meek – Planning Officer  
Jerry Smith – Team Manager, Development Management  
Jonathan Smith – Principal Planning Officer

### **MINUTES OF LAST MEETING**

The minutes of the meeting held on 22 May 2012, having been circulated to all Members, were taken as read and were confirmed and signed by the Chair.

### **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Jim Creamer (apologies received – other reasons).

The Chairman welcomed Councillor Mel Shepherd, who had replaced Councillor Victor Bobo on the Committee.

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

Councillor Madden declared a private interest in agenda item 8 as a resident in the nearby vicinity of Derby Road, Kirkby-in-Ashfield, which did not preclude her from speaking or voting on that item.

Councillor Laughton declared a disclosable pecuniary interest in agenda item 5, as a number of employees of Thoresby Colliery were members of Rufford Park Golf Club which he owned.

Councillor Laughton declared a disclosable pecuniary interest in agenda items 6 and 7 as he was involved in waste disposal in Derbyshire via North East Derbyshire District Council and Derbyshire County Council.

Councillor Laughton left the meeting prior to agenda item 5 commencing and did not return, thereby taking no part in any of the subsequent agenda items.

## **DECLARATIONS OF LOBBYING OF MEMBERS**

None

## **AMENDMENT AND EXTENSION OF SPOIL DISPOSAL SCHEME AT THORESBY COLLIERY, EDWINSTOWE**

Jerry Smith introduced the report and outlined the main elements of the application, including representations received.

With reference to agenda item 6, which concerned another application from the same applicant (UK Coal Mining Limited), the potential for exporting waste spoil from Thoresby Colliery to Welbeck Colliery had been explored. The applicant felt that the costs involved in moving the spoil from Thoresby by rail would impact upon the financial viability of the operations. It was noted that Newark and Sherwood District Council had also registered concerns regarding the movement of spoil by road. It was considered that the proposed scheme offered the most suitable environmental option.

Mr John Hind, Company Surveyor and Minerals Manager for UK Coal Mining Limited, spoke in support of the application, highlighting the aims of the extension (which would support further mining of the remaining reserves in the Colliery's deep soft seam); the outcomes of the Environmental Impact Assessment and proposed mitigation measures; the phased approach to the spoil tip and restoration and resulting increased benefits in terms of habitat creation, community access and management of restored areas; and the overall benefits in terms of the environment and local employment and businesses.

In response to Members' queries, Mr Hind clarified that the phasing approach to the restoration would ensure that at no point would the entire 'footprint' of the tip be exposed. This approach would also enable direct placement of soil rather than this having to be stored elsewhere on the site.

During discussions, Members generally welcomed the proposals and hoped that the end result would be a positive recreation area for the local residents.

In response to Members' queries, Mr Smith clarified that the original planning condition permitted activity on the site up until 2042. The applicant now believed that the workable coal reserves would be exhausted by 2022 but was likely to continue to reassess reserve levels on an ongoing basis.

### **RESOLVED 2012/021**

That planning permission be granted subject to the conditions set out in appendix 1 to the committee report.

### **PROPOSED RESTORATION OF THE NORTHERN PART OF WELBECK COLLIERY SPOIL HEAP, MEDEN VALE, MANSFIELD**

Jerry Smith introduced the report and outlined the main elements of the application, including the objection received from Rufford Parish Council (on the grounds of the adverse environmental impact of the proposed transportation of material by road) and the e-mail received in support of the application from the 'Meden Vale – The Future' organisation (on the basis of improved visual appearance and leisure opportunities).

In response to queries from Members, Mr Alan Hanna, of co-applicant Tetron Point LLP, clarified:-

- the remedial work to the railway line was likely to cost approximately £25,000 (with total development costs in the region of £35-40,000) and that once the scheme was up and running this was likely to deter the continued incidence of metal theft from the line;
- with regard to the proposed lorry route, a provisional agreement had been reached with EDF Energy to import pulverised fuel ash and a traffic management scheme was being developed between the two operators. It was highlighted that a long access road was available at Welbeck, capable of accommodating numerous lorries, and vehicles would not be released during the school run hours at the local school. Lorries would be monitored closely to ensure that they followed the agreed route. However, it was underlined that the applicants planned to maximise use of the railway, which was welcomed by 'Meden Vale – The Future' in terms of other potential employment opportunities this could offer.

During discussions, Members highlighted the visual impact of the site on local residents currently and the potential for this to be a positive impact following restoration. In response to Members' queries, Mr Smith clarified:-

- the restoration of the site was estimated to take between 3-5 years to complete, although this would be dependent upon the availability of materials;

- the maximum number of daily HGV visits (150) was significantly lower than historical traffic levels to the site (HGV and employee cars) which potentially reached between 750-850 two-way movements;
- the types of inert materials to be imported into the site were specified within the description of the development.

## **RESOLVED 2012/022**

That planning permission be granted subject to the conditions set out in appendix 1 to the committee report.

## **DISPOSAL OF PULVERISED FUEL ASH AT COTTAM POWER STATION, NEAR RETFORD**

Jerry Smith introduced the report and outlined the main elements of the application.

Mr Michael Robinson, agent for the applicant, spoke in support of the application, highlighting the reasons for the application (which aimed to ensure the sustainability of the Power Station's ash disposal strategy through increased capacity and flexibility); the consultation undertaken; the environmental impacts and mitigating measures; the benefits of the proposal to dispose of pulverised fuel ash on the South Lagoons (in relation to the alternative option of significant lorry movements to transport this ash); the need to reflect operational changes on the North Lagoons within a variation to the existing planning permission; and the conservation and landscape enhancements resulting from the restoration proposals.

In response to Members' queries, it was clarified that:-

- new proposals would involve the Treswell Bridleway being temporarily closed for a six week period to enable soils to be removed from 'Area 4' of the site to transfer to the lagoons. The small vehicle access bridge would also need to be improved and there were likely to be enhancements to the bridleway in the long run;
- in light of the fluctuating demand for the ash, the potential height of the mounds would be reviewed prior to work commencing on the second mound;
- as the Power Station was not set up for rail deliveries it limited its ability to support the restoration of the Welbeck Colliery site, as discussed earlier in the previous agenda item. Another EDF site at West Burton was set up for rail disposal.

## **RESOLVED 2012/023**

### **Variation application with respect to the North Lagoons (1/12/12/00001)**

- 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 to secure an additional five year period of aftercare with respect to the planning application for the North Lagoons.

- 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 1 to the committee report.

Full application with respect to the South Lagoons (1/38/12/00001)

- 3) 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 to secure an additional five year period of aftercare with respect to the planning application for the South Lagoons.
- 4) 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 2 to the committee report.

**RECEIPT, PROCESSING, SCREENING/CRUSHING AND DISPOSAL OF INERT WASTE MATERIAL AND RESTORATION OF LAND TO ECOLOGICAL AND RECREATIONAL USE - LAND ADJACENT TO SHENTON LODGE, DERBY ROAD, KIRKBY-IN-ASHFIELD**

Jerry Smith introduced the report and outlined the main elements of the application, including the conflict with the Waste Local Plan and Draft Waste Core Strategy policies (in terms of landfill of Greenfield sites not being an appropriate use for Green Belt land) and the loss of part of a Site of Importance for Nature Conservation (SINC).

Mr Fletcher, agent for the applicants, spoke in support of the application, highlighting that the proposal would address the shortfall of disposal sites in Nottinghamshire; the site would work in partnership with an established operator (who had an existing recycling facility in Bunny and had gained several major clearance projects, including NET Line 2 ) by providing a facility which would minimise waste journey miles; the proposed site was likely to be filled over a four year period; the widespread consultation undertaken had not raised a single objection in terms of visual impact, highways access to the site, noise, dust, smell, traffic or drainage; the restoration scheme would result in an enhancement post-development and appropriate surveys had been undertaken to safeguard protected species before, during and after the development by way of a translocation exercise, in light of the site's SINC status; the lack of inert disposal sites and continuing demand in the County meant the application met the criteria of very special circumstances necessary to locate such developments in the Green Belt; the proposal would secure valuable local jobs and help sustain the growth of a local business.

In response, Mr Smith acknowledged the lack of objections from local residents and Highways and Landscape colleagues but underlined the policy objection in terms of developments in the Green Belt. He agreed there was an identified shortfall in inert

waste disposal sites but countered that this was not at a critical level and underlined that the Waste Core Strategy approach was to pursue a sequential approach to disposal sites, with Green Belt sites low down the scale.

During discussions, Members raised the following issues:-

- the actual level of demand for such disposal sites was queried;
- the attractive nature of the site was highlighted and the potential impact for the reptiles on this and other sites was underlined, with reference to Nottinghamshire Wildlife Trust's consultation response and the success rates of other translocation schemes elsewhere;
- although Highways officers had not raised objections, the proposal would result in more lorries using the A611 and the speed and volume of existing traffic before and after the bend in the road near the site was underlined;
- It was understood that the length of the scheme had been increased from two to four years. Mr Smith clarified that the scheme was for four years but the traffic assessment had been carried out on the basis of it being completed in two years (as a worst case scenario in terms of traffic volume).

#### **RESOLVED 2012/024**

That planning permission be refused for the reasons set out in appendix 1 to the committee report.

#### **VARIATION OF PLANNING CONDITION TO INCREASE LORRY MOVEMENTS FROM 50 TO 75 PER DAY AT NEWINGTON SOUTH QUARRY, LAND SOUTH OF BAWTRY ROAD AND SLAYNES LANE, MISSON**

Jerry Smith introduced the report and outlined the main elements of the application.

During discussions, Members underlined the need for discussions with Misson Parish Council about the proposed 'Hauliers Code of Conduct'.

#### **RESOLVED 2012/025**

- 1) That the Corporate Director for Policy, Planning and Corporate Services be instructed to enter into a deed of variance to the extant legal agreement under Section 106 of the Town and Country Planning Act 1990 to ensure that the existing controls set out in Appendix 2 to the report be transposed to apply to this Section 73 (variation of planning condition) application for planning permission.
- 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 1 to the committee report.

## **WORK PROGRAMME**

The Chair emphasised that the targeted Committee meeting dates for the applications included in the appendix were only indicative, due to issues that could arise during the planning application process. The timetable would therefore be reviewed and updated on an ongoing basis.

Sally Gill highlighted a letter recently received from the Department for Communities and Local Government that outlined a new requirement (from 1 December 2012) for decision notices to include a statement to show how the Authority had worked proactively with applicants, in line with the Planning Policy Framework.

## **RESOLVED 2012/026**

That the committee's work programme be noted.

The meeting closed at 12.18 pm.

**CHAIR**

M\_18Sept12





**16 October 2012**

**Agenda Item: 5**

## **REPORT OF GROUP MANAGER PLANNING**

### **RUSHCLIFFE DISTRICT REF. NOS.:**

**A. 8/12/00553/CMA**

**B. 8/12/00922/CMA**

**PROPOSAL: A. PROPOSED INSTALLATION OF A METAL SHREDDING AND  
RECYCLING SYSTEM AT THE EXISTING METAL RECYCLING  
FACILITY**

**B. CONSTRUCTION OF A NEW BUILDING TO HOUSE A GENERATOR  
ASSOCIATED WITH A METAL SHREDDING AND RECYCLING PLANT**

**LOCATION: GLEN BARRY METALS, LANGAR INDUSTRIAL ESTATE NORTH,  
HARBY ROAD, LANGAR**

**APPLICANT: MR GLEN ALLSOP**

### **Purpose of Report**

1. To consider a planning application for the installation of a metal shredding and recycling system, and an application for a building to house a generator at an existing waste recycling site at Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar. The key issue relates to potential noise generated when the metal shredder is in operation. The recommendation is to approve both developments, subject to conditions set out in Appendix 1 of the report.

### **The Site and Surroundings**

2. The application site is located to the north of Langar airfield, a former RAF airfield used as a base for skydiving and parachuting, approximately 1.3km to the south-east of Langar village. The site forms part of Langar Industrial Estate North, a mixture of industrial and waste management operations. Smart recycling, a site used for wood shredding accessed from Coach Gap Lane, is located 250m to the north of the application site. John Deere, agricultural engineering premises, is situated to the west the site. Offices at John Deere are 400m from the development subject of these applications (Plan 1).
3. The nearest residential property and cattery (Chardas Cattery), served by an unsurfaced road, lies 570m to the north-east. Mature leylandii stand in the front

garden of that property and there is a mature hedge on the western side of the road, in line of sight between the residential property and the application site.

4. A residential mobile home park (Langar Woods), lies 1.0km to the north-west of the application site. Residential properties at Barnstone Lodge, Little Langar Lodge and Langar Lodge, referenced at Paragraph 23 of the report, lie 975m, 825m and 940m from the installed plant. A residential caravan off Coach Gap Lane is situated 650m to the north-west of the installation (Plan 1).
5. Access to the site is gained from Harby Road along a private, former airfield road 0.65km in length, running along the north-western edge of Langar airfield. A collection of industrial and business operations take place within the airfield approximately 900m to the south of the application site.
6. The application site comprises a metal recycling centre, approximately 125m by 65m served by the former airfield road from Harby Road. A 2.5m high concrete wall is erected along the eastern edge of the yard, returning approximately 20m along the northern and southern boundaries. Mature trees are established around the periphery of the yard. Land adjoining the metal recycling centre, is in the control of the applicant (Plan 2).
7. The yard is used for the recovery of ferrous and non-ferrous metals from various sources, and for the dismantling and the de-pollution of vehicles. Metal cutting is carried out by hand or by shears attached to a hydraulic excavator. Access and egress from the yard is via weighbridges located adjacent to a site office building.
8. A metal shredding machine, conveyor belt and trommel screen, and picking station is located in the northern corner of the site on an impermeable concrete base. The installation is powered by a generator housed within a containerised building adjacent to the metal shredder. The applicant has confirmed that the installed system has been operated intermittently between 09:00 hours – 16:00 hours since April 2012.

## **Background**

9. Planning permission reference 8/03/01676/CMA (March 2004) – Change of use of former builder's yard to metal recycling facility including security fencing, landscaping and staff facilities. A condition of the permission required the site to be laid out as approved in the application.
10. Various planning permissions have been granted for an office building at the site and buildings to meet the operational needs of the site (application references 8/06/01097/CMA, 8/06/01097/CMA, 8/07/02491/CMA and 8/09/01839/CMA).

## **Proposed Development**

### **A. Metal Shredding and Recycling System**

11. Prior to installing the equipment on site, the applicant's company was not able to recover ferrous and non-ferrous metals from waste material that arrived on the site. Non-recoverable metals were transported off-site to a facility with this

capability, the effect of which was to increase vehicle movements to and from the site. The installed equipment allows the sorting and bulking up of recovered metals close to source before being transported by road from the site.

12. Planning permission is sought for the retention of the metal shredder, conveyor belts and trommel screen, and the picking station located in the northern corner of the site. The installed plant is set out in an 'L' shape, is 60m in overall length, and is generally 4m in height. The shredder stack is the tallest part of the installation at an approximate height of 6.3m.
13. The process involves waste metal being placed onto a 6.3m long conveyor which feeds the metal shredder. Mixed shredded material falls onto a conveyor feeding a trommel (a rotating cylinder which separates material by size) to remove items up to 20mm in diameter. The screen feeds a second conveyor leading to an elevated picking station 21m in length.
14. A semi-automatic sorting and picking station, with two cross-band magnets at right-angle to the station, is driven by an electric geared motor. Magnets gather ferrous materials, discharging the material to the appropriate ferrous bay below. A drum magnet on the sorting/picking station ensures that the maximum amount of ferrous material is recovered. A similar system (eddy current separator) is used to remove non-ferrous metal. Recyclable non-metal waste is handpicked from a catwalk to either side of a 1.2m wide conveyor and is placed in a bay below the picking station.
15. The application proposes that hours of operation are the same as the metal recycling facility (08:00 hours – 16:30 hours Monday to Friday and 08:00 hours – 13:00 hours Saturdays with no working on Sundays, Public or Bank Holidays). However, the applicant has subsequently advised that the insurance policy for the metal shredder restricts hours of operation to 09:00 hours – 16:00 on Monday to Friday only. The applicant has indicated that typically the shredder would be used two or three days per week for approximately two to three hours per day, although its use would depend on the quantity of appropriate scrap metal accepted at the site.

## **B. Building to House a Generator**

16. The metal shredding installation, conveyors, trommel and electro magnetic equipment the subject of this report require electrical power. A diesel generator housed in a purpose-designed containerised building coloured blue with a footprint 12.1m x 2.4m and 2.4m in height, has been sited in the yard to the east of the metal shredder (Plan 3).
17. Planning permission is sought to retain the generator building. Whilst the generator is required to operate the metal shredder, the generator could be used alone to produce electrical power for other activities on the site.

## **Common Supporting Information**

18. The installation has been sited on an impermeable concrete base which benefits from a sealed drainage system in accordance with the requirements of the existing waste permit.
19. Sound power levels of the metal shredder and generator in operation on the site have been submitted in support of the application. Sound power level is the acoustic rating of an item of machinery and is not influenced by weather or other factors. The metal shredder and recycling plant (with the generator in operation) has a sound power level of 125dBSWL. whilst the generator has a sound power level of 97dBSWL.
20. Projected over distance, the anticipated noise level generated by the metal shredder and generator at the curtilage boundary of the nearest residential receptor to the east is 55dBL<sub>aeq</sub>, 1 hour (free-field), and 60dBL<sub>aeq</sub>, 1 hour (free-field) at the façade of the John Deere offices.
21. The metal shredding installation and building housing the generator require a revision to the operational layout of the site approved under planning application reference 8/03/01676/CMA. The proposed site layout is shown on Plan 3.

## Consultations

### A. Metal Shredding and Recycling System

22. **Rushcliffe Borough Council** – No objection. *The Borough Council's Environmental Health Officer considers that there is unlikely to be a significant noise impact associated with the metal shredder based on the information provided.*
23. **Langar-Cum-Barnstone Parish Council** - *Object, with reference to the supporting noise report, to the unacceptable level of noise which will be produced by the metal shredder and recycling plant. The operational noise levels of 55dBL<sub>aeq</sub>, 1 hour (free-field) and 60dBL<sub>aeq</sub>, 1 hour (free-field) are too high and reach distressing levels. The noise will affect Barnstone Lodge, Little Langar Lodge, Langar Lodge and John Deere. The Parish Council note that the sound monitoring station used for the noise report supporting the application was sited up-wind of the installation.*
24. **NCC Highways Development Control** – No objection. *The proposal would result in a reduction in vehicle movements. Access arrangements are not affected.*
25. **Langar Airfield** – No response received.
26. **NCC Noise Engineer** – *The sound power levels of the generator and the metal shredder and recycling plant have been determined to be 97dBSWL and 125dBSWL respectively. These values have been derived from on-site sound pressure level (SPL) readings obtained at a distance of 10m from each noise source. The operational noise level at the nearest residential receptor (Chardas Cattery) is predicted to be 55dBL<sub>aeq</sub>, 1 hour (free-field) and 60dBL<sub>aeq</sub>, 1 hour (free-field) at the facade*

*of John Deere offices. These noise levels are quite high and of such a level which may give rise to complaints.*

- 27. It has been confirmed by the applicant that the recycling plant has been working on several occasions. This has not yet given rise to any complaints to the Authority.*
- 28. Langar-Cum-Barnstone Parish Council has raised concern regarding the level of noise impact at Chardas Cattery and at John Deere's offices as well as at Barnstone Lodge, Little Langar Lodge and Langar Lodge. It is pointed out that these additional properties are located further away from the proposal than Chardas Cattery [note – Chardas Cattery is not specifically referenced in the Parish Council response, but it is the closest residential receptor] and will be exposed to noise levels lower than the 55dBL<sub>aeq,1hour</sub> (free-field) limit.*
- 29. The presence of the mature hedge and single line of leylandii in the vicinity of Chardas Cattery will not significantly reduce the level of operational noise reaching this property.*
- 30. It is recommended that operational noise levels are controlled through suitably worded noise conditions. Two noise monitoring conditions have been included to ensure that noise in excess of the 55dBL<sub>aeq,1hour</sub> (free-field) noise limit at Chardas Cattery can be substantiated by monitoring at an identified location (Plan 4).*
- 31. In addition it is recommended that the amount of material to be processed on site is limited to 20,000 tonnes per annum in order to give some control over the number of vehicles visiting the site.*
- 32. Since receiving the above consultation response, and in response to concerns raised by Langar-cum-Barnstone Parish Council (Paragraph 23), noise monitoring has been carried out with the shredder in operation, and a further consultation response has been received:*
- 33. At the monitoring position referred to in draft planning condition 4(a), approximately 120m south of the centre point of the plant, noise levels ranged between 54-58dB (L<sub>Aeq</sub>). At Chardas Cattery, the nearest residential receptor located approximately 550m to the east of the facility (downwind), noise levels ranged between 44-49dB (L<sub>Aeq</sub>). Adjacent to the offices at John Deere approximately 350m west of the facility, noise levels ranged between 46-48dB (L<sub>Aeq</sub>). It has been observed, however, that while the metal shredder was audible at this location, the dominant noise source was from road traffic on Harby Road.*
- 34. The monitored noise levels are lower at all three positions than the predicted values previously advised. This could be attributable to screening provided by stockpiled material and the concrete perimeter wall which was not accounted for in the originally predicted noise levels. The monitoring position referred to in draft planning condition 4(a), and monitoring position at John Deere were upwind of the facility at the time.*

35. *Given the recorded noise levels and having considered the draft conditions, it is not anticipated that the operation would give rise to any adverse noise impacts at nearby properties and businesses.*
36. **NCC Contaminated Land and Reclamation Team** – *There would appear to be no significant additional impact either to human health or the wider environment from the proposal. The works will be subject to Environment Agency licensing.*
37. *The installation has been sited on an impermeable concrete base which benefits from a sealed drainage system in accordance with the requirements of the existing waste permit issued by the Environment Agency. The existing drainage system (a collection tank with interceptor) should be adequate to deal with any contaminant run-off, thereby protecting local surface and groundwater systems. The metal shredding and recycling operations will not give rise to surface water run-off or water pollution issues.*
38. **Environment Agency** – *No objection. The development will require an Environmental Permit under the Environmental Permitting Regulations 2007 from the Environment Agency unless an exemption applies.*
39. **Severn Trent Water Limited** – *No objection.*
40. **Western Power Distribution** - *No response received.*
41. **National Grid (Gas)** - *No response received.*

## **B. Building to House a Generator**

42. **Rushcliffe Borough Council** – *No objection. The Borough Council's Environmental Health Officer considers that there is unlikely to be a significant noise impact associated with the generator equipment based on the information provided.*
43. **Langar-Cum-Barnstone Parish Council** – *Object to the level of noise that will be generated causing detriment to the neighbourhood, particularly residents at Langar Woods mobile home park.*
44. **NCC Highways Development Control** – *No objection. The site is well located away from the adopted highway in a large industrial site and the junction with the adopted highway is adequate to accommodate vehicles associated with the proposed development.*
45. **Langar Airfield** – *No response received.*
46. **NCC Noise Engineer** - *The noise survey supporting the application has established the sound power level of the generator to be 97dBSWL. The resulting operational noise level of the generator at Chardas Cattery (the nearest residential receptor) will be significantly below 55dBL<sub>aeq,1hour</sub> (free-field) and will not give rise to complaints. Given this there is no requirement for any noise conditions.*

- 47. **NCC Contaminated Land and Reclamation Team** – No response received.
- 48. **Environment Agency** – No objection. The operator is advised to contact the Environment Agency to discuss the need to amend the Agency's working plan for the site.
- 49. **Severn Trent Water Limited** – No objection.
- 50. **Western Power Distribution** – No objection. There is a decommissioned cable left redundant in the ground and a live cable near adjacent buildings. Precaution should be taken when working in the area.
- 51. **National Grid (Gas)** – No response received.

### Publicity

- 52. Both applications have been publicised by means of site notices, press notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
- 53. It is to be noted that although the Parish Council has objected to potential noise impact on Langar Woods mobile home park, residents have not been notified of the application given the distance from those properties from the application site. Chardas Cattery has been notified of the applications by letter. No representations have been received.
- 54. Councillor Richard Butler has been notified of the applications.

### Observations

- 55. The proposed activity would take place on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which states that planning permission will normally be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
- 56. Nottinghamshire and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* states that proposals to extend or modify existing scrapyards will only be permitted where they can achieve significant environmental improvements regarding the appearance and operation of the whole site.
- 57. The metal shredder and recycling facility, requiring the power provided by the generator, subject of the applications presented for determination would allow waste metals brought to site to be recovered close to source, rather than being exported from site for further processing. The breaking down and sorting of

metals allows material to be bulked-up. The reduction in vehicle movements is welcome. The proposal represents a more sustainable means by which to manage and recover waste metals, and would comply with WLP Policy W5.11 – *Recycling Metals – Scrapyards*, consistent with the Key Planning Objectives set out in Planning Policy Statement 10: *Planning for Sustainable Waste Management*, and the presumption in favour of sustainable development set out in the National Planning Policy Framework (Paragraph 14).

58. RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* states that within the Countryside planning permission will be granted for the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area.
59. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the proposal is considered to be acceptable.
60. The metal shredder has potential to generate significant noise in operation. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. The guidance suggests that the limit at a noise-sensitive property should be set such that noise does not exceed 55dB(A) Laeq, 1 hour (free-field) during daytime working hours, which is the predicted noise level which may be experienced at Chardas Cattery. The comments of the Environmental Health Officer, incorporated in the response from Rushcliffe Borough Council, should be noted. It should also be noted that the machinery has been in operation without complaint.
61. Properties at Langar Woods mobile home park identified in the consultation response from the Parish Council, lie nearly twice as far from the application site as Chardas Cattery. Residential properties at Barnstone Lodge, Little Langar Lodge, Langar Lodge and the residential caravan off Coach Gap Lane also lie a greater distance from the installed plant. Noise experienced at residential receptors generated by the metal shredder would be below the noise standard identified in the *Technical Guidance*.
62. In imposing a condition to limit noise generated by plant and machinery, there should be reasonable certainty that the applicant would be able to operate within the terms to be imposed. The applicant has confirmed that the metal shredder could work within the limit specified in recommended Condition 3 (8/12/00553/CMA). It is proposed that in the event of a substantiated complaint that noise from the metal shredder exceeds the specified noise limit, the operation of the metal shredder would cease until modifications have been made to mitigate noise generated (Condition 4 - 8/12/00553/CMA). Through the imposition of recommended Conditions 3 and 4 it is considered that amenity at nearby residential property would be adequately safeguarded. The plan referred to in Condition 4 - 8/12/00553/CMA is attached as Plan 4.

63. It is predicted that a higher level of noise (60dB(A) Laeq, 1 hour (free-field)) is likely to be experienced outside the office building of John Deere. However, the outside space at the engineering premises is less noise-sensitive than at residential property. The office building structure, with windows closed, would reduce the noise experienced within the building to an acceptable level.
64. Whilst permission is sought to operate the shredder during the working day, the metal shredder would only operate if there is material to process and the installation is unlikely to be in continuous use. It is considered that permission should be granted for the more restricted hours allowed by the insurance policy for the metal shredder (Condition 5).
65. The generator proposed in the second application presented for determination could be operated to power plant and equipment other than the metal shredder. Operated in isolation, predicted noise generated would be less than that from the metal shredder in operation and should not give rise to unacceptable impact at noise-sensitive receptors.

### **Other Options Considered**

66. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered

### **Human Rights Act Implications**

67. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol may be affected. The proposals have the potential to introduce an impact on nearby noise-sensitive receptors. However, this consideration needs to be balanced against the wider benefits the proposal provides through the sustainable management of waste at an established waste recycling plant. Recommended conditions would limit noise impacts that may arise. Members will need to consider whether these benefits would outweigh the potential impact.

### **Statutory and Policy Implications**

68. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Crime and Disorder Implications**

69. The development would be located within an established waste management facility benefiting from perimeter security treatment.

## Conclusions

70. The proposals offer a more sustainable means by which to process waste metal close to its source, allowing recovered metals to be bulked up, avoiding the need for material to be exported from the site for further processing, and reducing related vehicle movements to and from the site.
71. The generator and metal shredder will generate noise when in operation. However, only the metal shredder has the potential to give rise to potentially significant impacts at the nearest noise-sensitive receptor. Although at the limit of acceptable noise impact, it is considered that noise likely to be generated is acceptable, with recommended planning conditions providing appropriate safeguards to residential amenity.

## Statement of reasons for the decision

### Metal Shredding and Recycling System

72. The metal shredding and metal recycling process would take place on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which will allow planning permission to be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is also re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
73. The proposal would also comply with Key Planning Objectives of Planning Policy Statement 10: *Planning of Sustainable Waste Management* Nottinghamshire (which considers amongst other criteria, waste as a resource with disposal viewed as the last option, making provision for waste management facilities to meet the needs of communities, and ensuring that design and layout of new development supports sustainable waste management) and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* (which will only permit proposals to extend or modify existing scrapyards where they can achieve significant environmental improvements regarding the appearance and operation of the whole site) by offering a more sustainable means by which to manage and recover waste metals. A more sustainable operation would comply with National Planning Policy Framework (Paragraph 14) which states a presumption in favour of sustainable development.
74. In determining the application consideration has been given to potential impact on noise-sensitive receptors. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. Potential noise generation from the operation of the metal shredder has been considered and limits to safeguard amenity are the subject of planning conditions.

75. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the development is considered to be acceptable.
76. The development would comply with RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* (which will allow the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area).
77. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

### **Building to House a Generator**

78. The generator would provide power to the metal shredder and recycling system approved under planning application reference 8/12/00553/CMA, in addition to providing a source of power for alternative activities on the site. The diesel generator, enclosed within a building, would be on an established metal recycling site and would comply with Rushcliffe Borough Local Plan (June 1996) (RBLP) Saved Policy E8 - *Langar Airfield* which will allow planning permission to be granted for employment development proposals at Langar within the areas defined on the proposals map provided that they arise from the reasonable expansion of existing firms or the beneficial use of suitable existing buildings. The policy is also re-stated in Rushcliffe Borough Non-Statutory Replacement Local Plan (December 2006) (RN-SLP) Policy EMP6 - *Langar Airfield*.
79. The proposal would also comply with Key Planning Objectives of Planning Policy Statement 10: *Planning of Sustainable Waste Management* Nottinghamshire (which considers amongst other criteria, waste as a resource with disposal viewed as the last option, making provision for waste management facilities to meet the needs of communities, and ensuring that design and layout of new development supports sustainable waste management), and Nottinghamshire and Nottingham Waste Local Plan (January 2002) (WLP) Policy W5.11 – *Recycling Metals - Scrapyards* (which will only permit proposals to extend or modify existing scrapyards where they can achieve significant environmental improvements regarding the appearance and operation of the whole site) by providing power to more sustainable means by which to manage and recover waste metals. A more sustainable operation would comply with National Planning Policy Framework (Paragraph 14) which states a presumption in favour of sustainable development.
80. In determining the application consideration has been given to potential impact on noise-sensitive receptors. *Technical Guidance to the National Planning Policy Framework* (Paragraphs 28-32) provides technical guidance on noise emissions for the consideration of minerals developments, which is applicable to the character of the submitted application. Potential noise generation from the operation of the generator should not give rise to adverse impact on noise-sensitive receptors.

81. The site is well screened by mature planting and the installation is not readily visible outside the site. The visual impact of the development is considered to be acceptable and would comply with RN-SLP Policy EMP2(a) - *Employment Uses in the Countryside* (which will allow the expansion of existing employment uses provided that the proposal would not lead to an over intensification of use on the site or increase any adverse effects of the existing use on existing neighbouring occupiers or the surrounding area).

## **RECOMMENDATIONS**

82. It is RECOMMENDED that:

- a) planning permission be granted for application reference 8/12/00553/CMA; and
- b) planning permission be granted for application reference 8/12/00922/CMA

subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**SALLY GILL**

**Group Manager (Planning)**

## **Constitutional Comments**

Committee have power to decide the application.

[SBH 29.08.12]

## **Comments of the Service Director - Finance**

The contents of the report are duly noted; there are no financial implications.

[DJK 06.09.12]

## **Background Papers Available for Inspection**

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

## **Electoral Division(s) and Member(s) Affected**

Councillor Richard Butler

Cotgrave

Report Author / Case Officer

David Marsh

0115 9696514

For any enquiries about this report, please contact the report author.

W001010 – F/2528 & F/2579

PSP.EP5345

28 September 2012

## APPENDIX 1

### RECOMMENDED PLANNING CONDITIONS

#### Application reference 8/12/00553/CMA

#### **Proposed installation of a metal shredding and recycling system at the existing metal recycling facility**

1. The development shall be carried out in accordance with the submitted application and supporting information, and the following plans and documents:
  - a) Location Plan (Drawing GBM 002) received by the CPA on 15 February 2012.
  - b) Site Layout (Drawing GBM/003) received by the CPA on 24 April 2012.
  - c) Metal Shredder and Picking Station Elevation (Drawing GBM 004) received by the CPA on 15 February 2012.
  - d) Photograph of Shredder (GBM 005) received by the CPA on 15 February 2012.

*Reason: For the avoidance of doubt as to the development that is permitted.*

2. All plant, machinery and vehicles associated with the operation of the metal shredding and recycling plant within the site shall incorporate noise abatement measures and be fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications at all times.

*Reason: To minimise noise generated by plant, machinery and vehicles associated with the use.*

3. Noise from the metal shredder and recycling plant approved by this permission shall not exceed 55dBL<sub>aeq,1hour</sub> (free-field) when measured in the curtilage of any residential receptor in conditions with a prevailing wind speed not exceeding 5m/sec.

*Reason: To safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

4. In the event that a substantiated noise complaint is made to the Waste Planning Authority (WPA) that noise levels specified in Condition 3 of this permission exceed 55dBL<sub>aeq,1hour</sub> (free-field), use of the metal shredder approved by this permission shall cease until;

- a) noise monitoring witnessed by the WPA has been carried out at position X on attached Drawing 8/12/00553/CMA/1, and a report has been submitted to the WPA to demonstrate that noise from the operation of the metal shredder does not exceed 75dBL<sub>aeq</sub>, 1 hour (free-field); or
- b) modifications or other measures to mitigate the impact of noise, such that the operation can take place without exceeding the noise limit specified in Condition 3, shall be completed or installed.

Not less than 5 working days notice shall be given to the WPA before a measurement of noise generated by the modified installation in accordance with Condition 4b) is carried out. Noise levels shall be measured at any impacted residential receptor, and at position X on attached Drawing 8/12/00553/CMA/1. A noise report shall be submitted to the WPA to demonstrate compliance with Condition 3, and that noise from the operation of the metal shredder does not exceed 75dBL<sub>aeq</sub>, 1 hour (free-field) measured at position X on attached Drawing 8/12/00553/CMA/1, prior to the plant and equipment approved by this permission being brought back into use.

*Reason: To safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

- 5. In the event that a complaint is received regarding noise from the metal shredding and recycling activities being carried out on the site which the WPA considers may be justified the operator shall, within 1 month of a request from the WPA, undertake and submit to the WPA for its written approval a BS4142:1997 noise survey to assess whether noise arising from the development exceeds the daytime criterion of 10dB(A) above the existing background noise level after the addition of the 5dB(A) penalty to reflect tonal, discrete or impact noise as advised in BS4142:1997. The submitted survey shall include further measures to mitigate the noise impact so as to ensure compliance with the noise criteria.

*Reason: To safeguard the amenity that occupiers of nearby noise sensitive residential receptors could reasonably expect to enjoy.*

- 6. The metal shredder approved by this development shall operate between 09:00 hours – 16:00 hours Monday to Friday only, and shall expressly not be operated on any Bank or Public Holiday.

*Reason: For the avoidance of doubt as to the development that is permitted and to safeguard the amenity that occupiers of nearby noise-sensitive residential receptors could reasonably expect to enjoy.*

- 7. The amount of material processed on site shall not exceed 20,000 tonnes in any 12 month period. A written record of the weekly amounts of material processed shall be kept by the site operator and shall be made available to the WPA within 7 days of a written request from the WPA.

*Reason: To safeguard against impacts arising from the operation of the site such that they do not have an unacceptable impact on the highway network or cause unacceptable disturbance to local communities in accordance with Policy W3.14 of the Nottinghamshire and Nottingham Waste Local Plan.*

Informative

1. *Western Power Distribution draws attention to a decommissioned cable on the site near to the development and live cables near adjacent buildings. You are advised to contact Western Power Distribution for further information. A copy of the consultation response is enclosed.*

**Application reference 8/12/00922/CMA**

**Construction of a new building to house a generator associated with a metal shredding and recycling plant**

1. The development shall be carried out in accordance with the submitted application and supporting information, and the following plans and documents:
  - a) Location Plan (Drawing GBM 002) received by the CPA on 30 April 2012.
  - b) Site Layout (Drawing GBM/0033) received by the CPA on 30 April 2012.
  - c) Plan and Elevations (Drawing GBM 0044 – two sheets) received by the CPA on 30 April 2012.

*Reason: For the avoidance of doubt as to the development that is permitted.*

2. The generator shall incorporate noise abatement measures and be fitted with silencers maintained in accordance with the manufacturer's recommendations and specifications at all times.

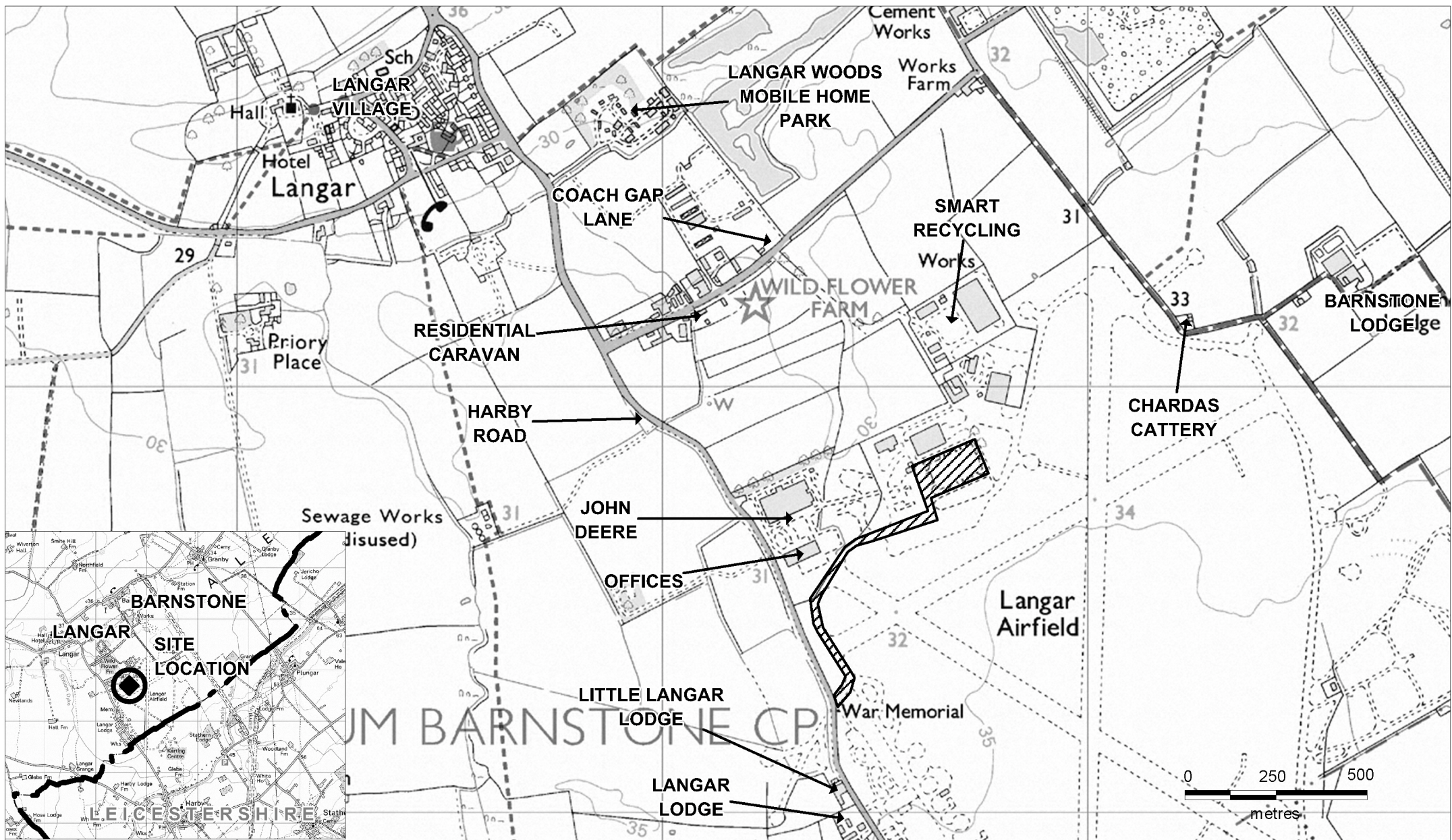
*Reason: To minimise noise generated by the development.*

Informative

1. Western Power Distribution draws attention to a decommissioned cable on the site near to the development and live cables near adjacent buildings. You are advised to contact Western Power Distribution for further information. A copy of the consultation response is enclosed.







A. Proposed installation of a metal shredding and recycling system at the existing metal recycling facility. B. Construction of a new building to house a generator associated with a metal shredding and recycling plant.

Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar.  
Planning Application No. A. 8/12/00553/CMA & B. 8/12/00922/CMA

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Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
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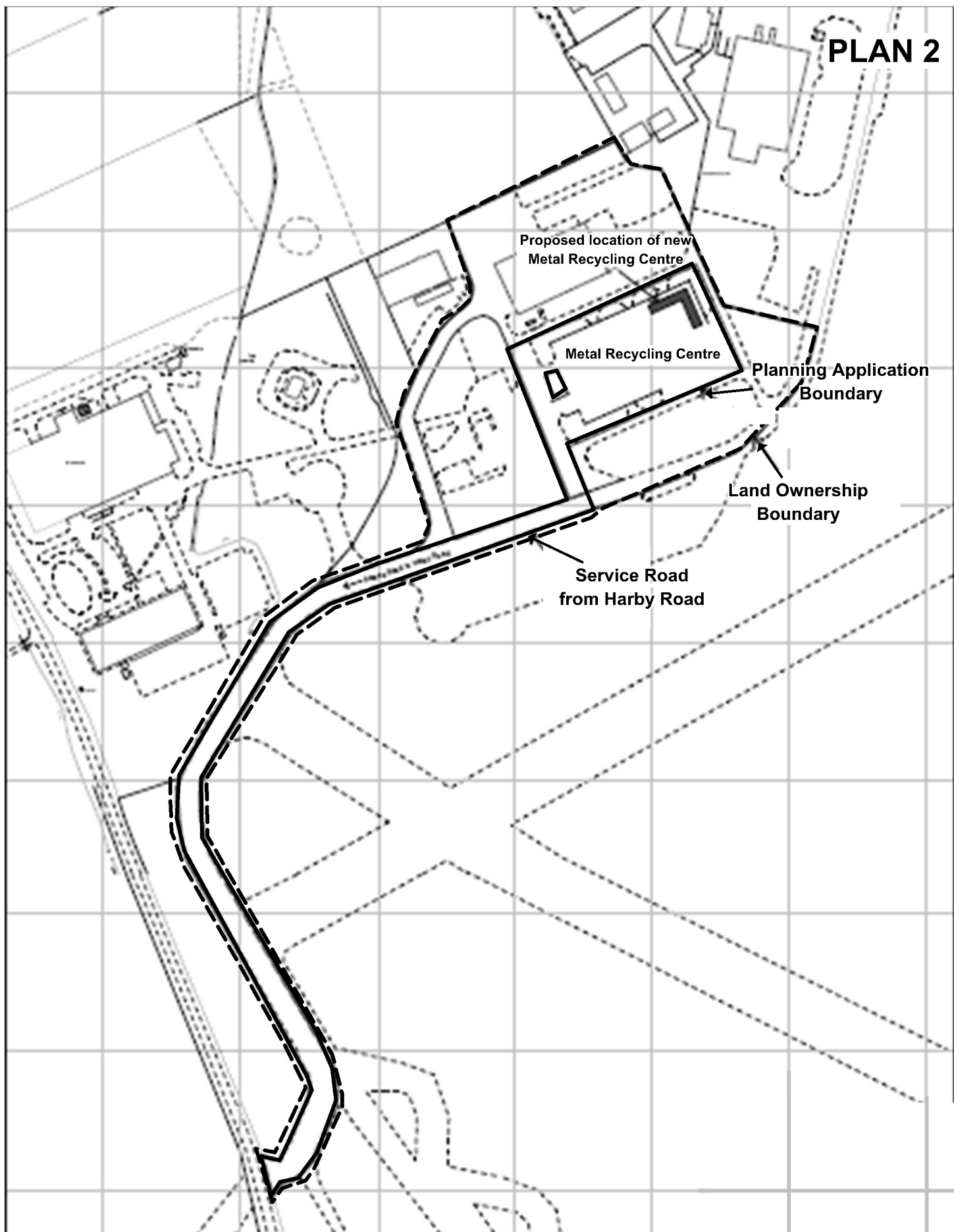


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Date: OCT 2012

PLAN 1



# PLAN 2



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County Council Tel: 0115 982 3823

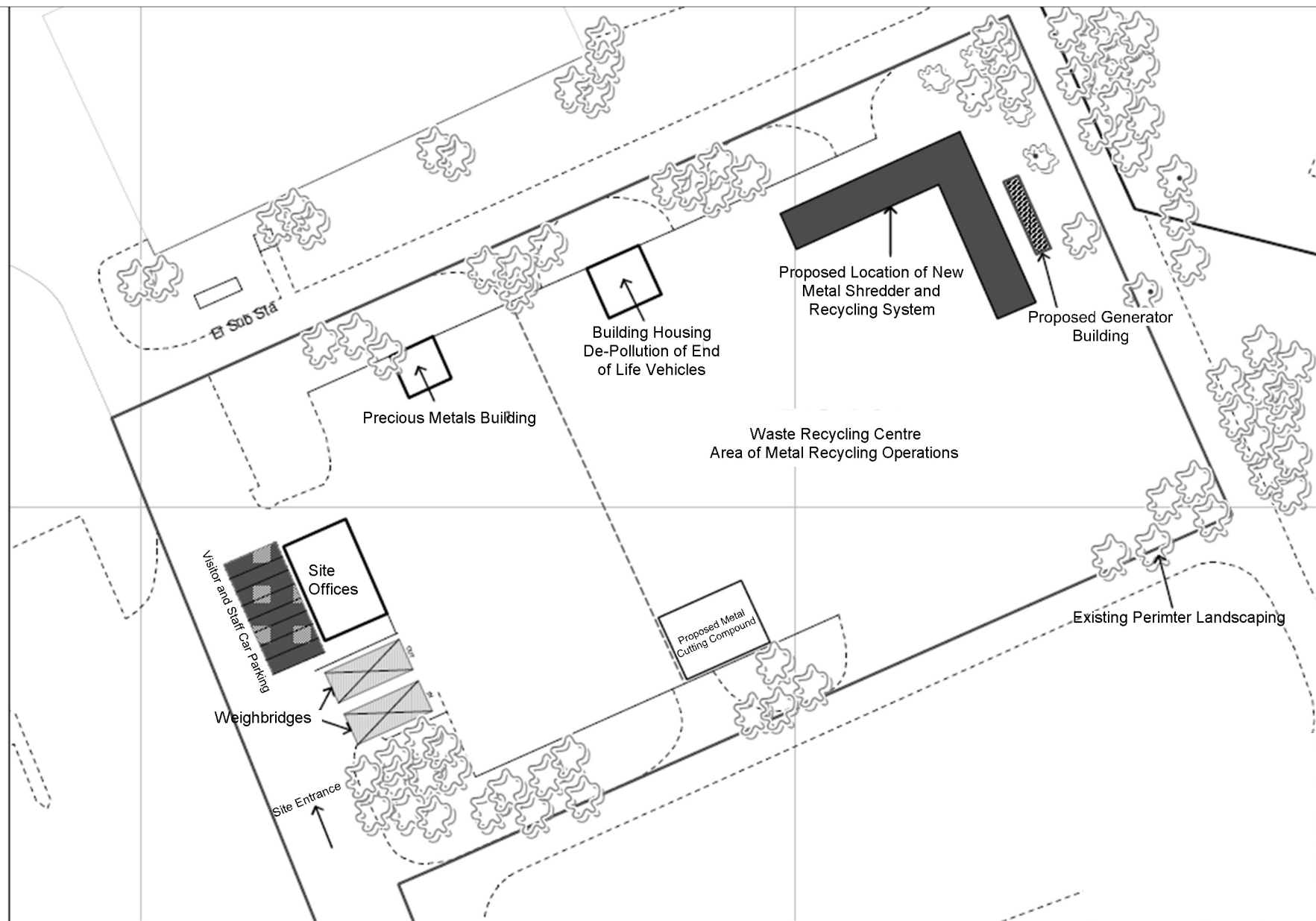
A. Proposed installation of a metal shredding and recycling system at the existing metal recycling facility. B. Construction of a new building to house a generator associated with a metal shredding and recycling plant.  
Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar.  
Planning Application No. A. 8/12/00553/CMA & B. 8/12/00922/CMA

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A. Proposed installation of a metal shredding and recycling system at the existing metal recycling facility. B. Construction of a new building to house a generator associated with a metal shredding and recycling plant.

Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar.  
Planning Application No. A. 8/12/00553/CMA & B. 8/12/00922/CMA

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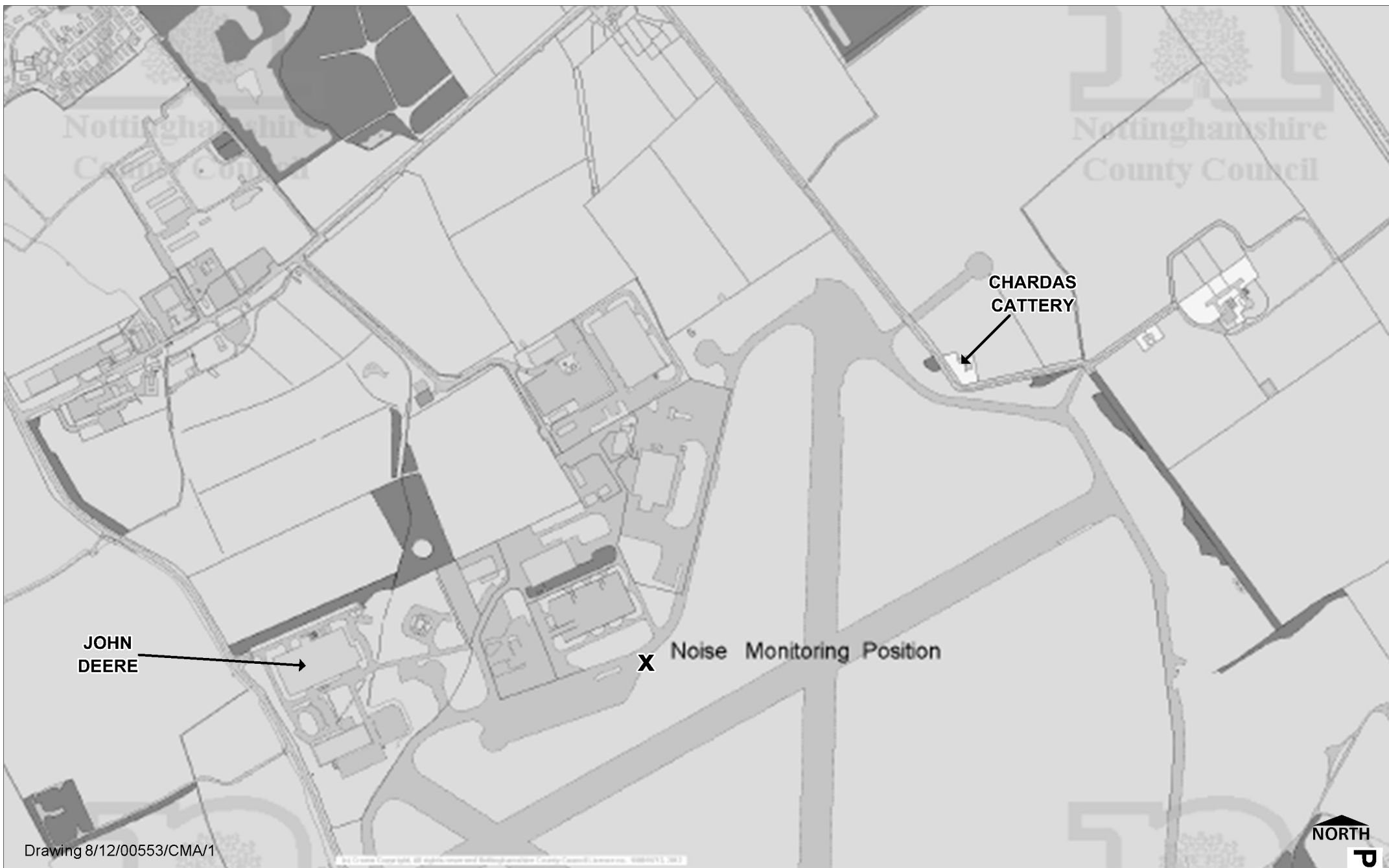
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PLAN 3



Trent Bridge House, Fox Road  
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Drawing 8/12/00553/CMA/1



Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 952 3623

A. Proposed installation of a metal shredding and recycling system at the existing metal recycling facility. B. Construction of a new building to house a generator associated with a metal shredding and recycling plant.

Glen Barry Metals, Langar Industrial Estate North, Harby Road, Langar.  
Planning Application No. 8/12/00553/CMA & 8/12/00922/CMA

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Date: OCT 2012

NORTH

PLAN 4





**16<sup>th</sup> October 2012**

**Agenda Item: 6**

## **REPORT OF GROUP MANAGER PLANNING**

**BROXTOWE DISTRICT REF. NO.: 5/12/00337/CCR**

**PROPOSAL: RE-SUBMITTED APPLICATION FOR THE ERECTION OF SECURITY FENCING AND GATES**

**LOCATION: CHILWELL COLLEGE HOUSE JUNIOR SCHOOL, CATOR LANE, CHILWELL**

**APPLICANT: NCC ENVIRONMENT & RESOURCES**

### **Purpose of Report**

1. To consider a planning application for the erection of security fencing and gates at Chilwell College House Junior School, Cator Lane, Chilwell. The key issues relate to visual amenity impacts, and heritage impacts on the adjacent Chilwell Conservation Area. The recommendation is to grant planning permission subject to planning conditions, as set out in Appendix 1.

### **The Site and Surroundings**

2. Chilwell College House Junior School lies between the residential areas of Beeston to the east and Chilwell to the west. The school is situated towards the southern edge of Chilwell off Gwenbrook Road, to the north-east of the junction between Cator Lane and High Road, and north-west of the junction between College Road and High Road.
3. The school site is relatively extensive, and prominently located within High Road which abuts the site's south-eastern boundary. There is a mix of commercial and residential development together with two community halls on the opposite (south-eastern) side of High Road. To the north-east of the site, situated between Lime Grove Avenue and Grove Avenue, and bounding High Road, is the Castle College complex.
4. Cator Lane abuts the south-western boundary of the site, with residential development being situated directly opposite, on the south-western side of Cator Lane. Further residential lies to the north-east of the site within College Road, together with a Vicarage and a local church (Christ Church). The school fronts Gwenbrook Road, with residential development abutting the northern

site boundary within Gwenbrook Road (No. 2b Gwenbrook Road) and College Road (College House, College Road) respectively. There is further residential development to the north-west of the site within Cator Lane and Gwenbrook Road. Along the site frontage, there is an electricity sub-station set in a recessed area, adjacent to the nearest residential property (No. 2b Gwenbrook Road) (see Plan 1).

5. The main school building occupies the north-western part of the campus, and is a mix of single and two-storey, 1920s brick-built construction, comprising an elongated main accommodation block, with a number of accommodation blocks partially extending the north-western elevation. A car park occupies the north-western corner of the site together with a hard play area broadly to the north-west of the main school building. Extensive playing fields occupy the south-eastern part of the campus. The vehicular and pedestrian entrances to the school are gained off Gwenbrook Road. There is a further pedestrian entrance off Cator Lane.
6. The existing boundary treatment comprises 1.5m high wrought iron bow top fencing, colour-coated black, with a mix of brick pillars and wall-mounted panels to the north-western site entrance off Gwenbrook Road. There is a mature, 3m high Holly hedge along a substantial part of the north-eastern boundary abutting College Road.
7. The Chilwell Conservation Area is situated directly to the south-west of the school site, on the opposite side of High Road to the south-western corner of the school playing fields.

## **Proposed Development**

### **Background**

8. A planning application for security fencing and gates (Plg. Ref. 5/12/00015/CCR) at Chilwell College House Junior School was originally submitted in December 2011. It was initially proposed to erect 2.4m high security fencing and gates, around the whole of the site perimeter.
9. The planning application was subsequently withdrawn in May 2012 in the light of objections from the County Council's Historic Buildings Officer, as well as a significant number of objections from local residents.
10. The heritage grounds for objection were based on the impact of the proposed fencing scheme on the setting of the adjacent Chilwell Conservation Area, which was considered contrary to Planning Policy Statement 5: 'Planning for the Historic Environment (since replaced by the National Planning Policy Framework, March 2012) (NPPF). The proposed development included extending the new boundary treatment around the school playing fields, and this element of the proposals was considered unacceptable.
11. In heritage terms, it is considered that the open playing fields fronting High Road make a significant contribution to the setting of the Conservation Area, particularly with regards to views along High Road and also from Meadow

Lane, which is situated due south-east of the site. The existing boundary treatment of low bow-top railings creates a 'park-like' character to the playing fields, which both contributes to the setting of the main school building's front elevation, and to the streetscape of High Road.

12. It was considered that the proposed installation of 2.4m high Pallas security fencing around the full extent of the school site would be detrimental to the existing character, especially to that of the 'open' playing fields. It was recommended that the fencing scheme be curtailed, to leave the playing fields as existing, with the security fencing being reserved for that part of the school campus containing the built development.
13. Letters of representation were also received from eight separate households objecting to the proposed fencing scheme, mainly on grounds of visual amenity impacts, and the costs of such an extensive scheme. It was also alleged that incidences of anti-social behaviour and crime on the school site were too insignificant to justify such an extensive and costly scheme.
14. The application was subsequently withdrawn and an amended scheme submitted in May of this year, which is the subject of this report.

#### Need for proposal

15. Evidence has been provided by the school of a catalogue of incidents that have occurred on the school campus, since January 2011. In nearly every instance, emails have been received by the school, from local residents, reporting details of various incidences. Details are provided as follows:

##### 1) January 2011

Two emails received on 3<sup>rd</sup> and 9<sup>th</sup> of January from local residents, the first reporting on-going problems with youths on the school grounds until dusk, over the Christmas holidays. An incident was reported to the Police and a Police Community Support Officer (PCSO) attended, requesting them to leave. The second email reported problems with youths returning over the weekend to use basketball nets, allegedly climbing onto 'furniture' and swinging off the hoops. This was over a Friday evening, and all day Saturday and Sunday.

##### 2) May 2011

An email received on 24<sup>th</sup> May from a local resident, reporting groups of youths on site in the evening playing basketball. Residents went over to ask them to leave and were verbally abused by the group.

An email received from a PCSO at Beeston Police Station informing the school that positive action was being taken regarding the reported incidents.

##### 3) July 2011

Two emails received on 9<sup>th</sup> and 27<sup>th</sup> July from local residents, the first reporting up to eight youths on the school site, on the Saturday evening, climbing onto the porch to gain access to the school roof, as well as climbing on the boiler house roof. The incident was reported to the Police and a PCSO attended the school site. The second email reported a group of youths on site during the first week of the summer holidays.

4) October 2011

The school recorded an incident of an attempted break-in by a person using a crowbar to force open the fire door. This followed on from the installation of a CCTV system, at a cost of £4,092.

5) August 2012

An email received on 7<sup>th</sup> August from a local resident, reporting a steady flow of youths trespassing on the playground to use recently installed play equipment. The Police were informed of this incident. The holiday period saw a number of incidents occurring, in which damage was caused to the school. This involved a window being smashed (replacement cost of £200); a smashed playground sign (replacement cost of £190); and a further window being smashed in the school kitchen (replacement cost of £200).

6) Holiday/weekend problems

A catalogue of problems occur over weekend and holiday periods, and an extensive, but not exhaustive list includes benches being moved onto the playground and being used as skateboard ramps; windows being smashed; glass bottles being left on both the school playing fields and playground; alcohol, cigarettes and Cannabis stubs being left on the playground; graffiti on both walls and playground structures; and playground signs being smashed.

7) School Action

In an attempt to address such incidences of anti-social behaviour, the school has deployed a number of measures, involving liaising with the Head Teacher of a local secondary school to deter its pupils from accessing the Chilwell College House school site. It has also been involved in meetings with local PCSOs. More practical measures have involved the installation of a CCTV system together with the removal of play equipment to deter youths from accessing the site, which has inevitably meant that pupils have less play equipment.

Proposal

16. The revised application seeks planning permission for the erection of security fencing and gates to the north-western part of the campus, in order to secure the main school buildings, and ancillary areas comprising the car park and outdoor hard play area.

17. Existing boundary bow top fencing would be replaced with open weldmesh Pallas fencing, colour-coated Black (RAL 9005), comprising a mix of wall-mounted panels and 'stand alone' fencing and gates, to a height of 2.4m. A further stretch of internal fencing, extending across the playing fields, would be colour-coated Moss Green (RAL 6005).
18. The scheme would effectively 'ring-fence' the school building together with those areas used for outdoor play, but would not extend around the school playing fields fronting High Road. To achieve this, it is proposed to erect approximately 44m of security fencing along part of the south-western site boundary adjoining Cator Lane.
19. The fencing scheme would then extend in a north-easterly direction across the school site, running parallel to the main school building, approximately 8-17m to the south-east of this building. This stretch of fencing would extend across the playing fields, for approximately 134m, before continuing in a north-westerly direction, to run parallel to College Road for a further 55m, before linking into the northern site boundary with adjoining residential property, College House.
20. Along College Road, it is proposed to install security fencing on the school side of the Holly hedge, and to plant up a 2m wide gap within it, with additional Holly planting.
21. The scheme would be extended along the site frontage abutting Gwenbrook Road, comprising wall-mounted fencing panels which would atop an existing low level perimeter brick wall to the site entrance, replacing existing bow top fencing. This would involve installing 1.0m to 1.6m high fencing panels to give an overall height of 2.4m on the Gwenbrook Road side of the wall. The proposals would also include raising the intermittent brick pillars so that the copings are one course above the height of the proposed security fencing. The pillar brickwork would be raised in a brick to match that of the existing walls.
22. Finally, fencing to the site frontage along Gwenbrook Road would be extended along its length to link into the northern site boundary abutting property No. 2b Gwenbrook Road. The only exception to this would be the electricity sub-station, which would not be fenced off from Gwenbrook Road. As part of these works, it is proposed to demolish a high brick wall which partially extends along the north-western boundary, and replace it with fencing panels.
23. At two points along the south-western boundary to Cator Lane, additional fencing in an angled 'v' configuration would be installed on the school side of the fence, to prevent scaling of the fence from existing street furniture. Elsewhere within the surrounding streetscape, it is proposed to reposition similar structures, to prevent their use as a scaling aid.
24. A mix of single and double gates would be installed at various points around the site, to allow pedestrian and vehicular access, as and when required. All pedestrian gates would have a 1.5m wide clear opening to allow access for those with impaired mobility. The proposed gates are depicted on Plan 1.

25. Existing bow top fencing around the perimeter of the playing fields would be retained.
26. A detailed planting scheme has been submitted as part of these proposals. This would involve linear hedge planting for a length of approximately 54m, on the school side of the proposed fenceline along Cator Lane. It is also proposed to plant a single standard tree (*Acer campestre*), of 10-12cm girth, together with retaining existing trees, set on the school side of the boundary abutting the corner of Cator Lane and Gwenbrook Road. Finally, the planting proposals would involve 'gapping up' the existing Holly hedge with approximately 2m of Holly (see Plan 2).

## Consultations

27. **Broxtowe Borough Council** *raises no objections to the planning application subject to the protection and retention of the Holly hedge along College Road.*
28. **Police Force Architectural Liaison Officer** *supports the proposals but strongly recommends that the fencing above the brick wall is positioned close to the front face of the wall, using cantilever fixings if necessary, to prevent the wall being used as a climbing aid. The gates should also be designed so as not to encourage climbing. An advisory note to this effect would be put on to any decision notice for the Applicant's attention.*
29. **Sport England (SE)** *originally objected to the proposals on grounds that it was not in accordance with any of the exceptions in their playing fields policy. It was noted that the revised application proposed a fencing alignment which, whilst securing the school buildings, nevertheless crossed the playing field. The proposed fence alignment splits the school playing field and renders a not insubstantial area of the playing field unable to be used for sport. SE indicated however that it would reconsider the application if it could be demonstrated that the areas affected were incapable of forming a pitch or part of a pitch in accordance with Exception 3 of the playing fields policy, or alternately, that any of the other exceptions could be met.*
30. *E3 of the Playing Field Policy states that 'the development affects only land incapable of forming, or forming part of, a playing pitch'.*
31. *Supplementary information provided by the Applicant demonstrated that the section of playing field that would be contained by the proposed fencing and gates is currently unable to support any pitches due to existing trees and a large willow structure. SE was subsequently re-consulted on this information.*
32. *In response, SE has re-considered the application in the light of its playing field policy. The aim of this policy is to ensure an adequate supply of quality pitches to satisfy current and estimated demand for pitch sports within the area. This policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. It is agreed that the additional details supplied by the Applicant confirm that the section of proposed fence, which crosses the playing field area, does not impact on the ability to mark out pitches and other sports facilities. It is considered that the*

area of playing field severed from the main playing field area is unable to be used as a pitch or as part of a pitch and therefore meet the requirements of Exception E3 of the playing field policy. The objection is therefore lifted.

33. **NCC (Built Heritage)** raises no objections to the proposals having considered the impacts of the fencing scheme on the setting of the Chilwell Conservation Area. The fencing would be set far enough away from the Conservation Area as to be unlikely to have any noticeable impact, and would certainly not be severely harmful, in accordance with the test under the NPPF.
34. **NCC (Landscape)** is supportive of the planning application and has confirmed that the overall direct impact on the landscape would be negligible. It is recommended that works are carried out in accordance with BS: 5837 'Trees in Relation to Construction' (2005). Attention is drawn to pruning and crown lifting works that are required in order to accommodate the new fence line. The visual impacts of the proposals would be slightly adverse to negligible when viewed from the surrounding streetscape.
35. A combination of distance and existing trees and shrubbery would help to visually break the line of fencing up when viewed from High Road. Some properties along College Road would have views of the fencing, however, partial screening would be provided by the existing boundary Holly hedge. A number of properties would have greater views where there is no hedge and where there is a small break in the Holly hedge. The overall impact to this area would be slightly adverse to negligible.
36. Along Cator Lane, the visual impacts of the security fencing would be slight adverse, with direct views from residential properties Nos. 3-11 (odds only). There would be some views from the front elevations first floor windows across to the application area, and where garden vegetation is either absent or sparse there may be views from ground floor windows. However, trees along the school's south-western boundary would help to filter views of the top of the fence during summer months. There would also be some angled views from residential properties Nos. 1 and 1a Cator Lane, although these would be longer distance views, which again would be filtered by existing trees around the site perimeter.
37. The visual impact of the proposal would be generally negligible for residential properties to the northern boundary of the site, since existing intervening hedges and trees off site would help to screen views, particularly during the summer months. The impact would be slightly adverse to properties with limited views such as from the first floor window of No. 5 Gwenbrook Road and from the windows of College House to the rear of the school.
38. It is confirmed that planting proposals would help to mitigate any adverse impacts on the surrounding area.
39. **NCC Highways (Development Control) Broxtowe** confirms that the fencing does not cause any highway visibility concerns, and as such there are no highway issues to consider.

40. **Severn Trent Water Limited** *raises no objections to the proposal and has no further comments to make.*
41. **Western Power Distribution (WPD)** *raises no objection to the proposed development but draws attention to the fact that the Company does have Network within close proximity to the site, and therefore safe digging practices should be used at all times. WPD does require 24 hour access to this Network, as well as to the electricity substation adjacent to 2b Gwenbrook Road. Attention is drawn to the fact that if the fence is to enclose the substation then a dual access gate would be required to allow access. A copy of this information would be forwarded on to the Applicant with the issuing of any decision notice.*
42. **National Grid (Gas)** and **NCC (Countryside Access)** have not responded. Any comments received will be reported verbally at committee.

### Publicity

43. The application has been publicised by means of three site notices, a press notice and neighbour notification letters have been sent to the nearest occupiers in Cator Lane, College Road and Gwenbrook Road, in accordance with the County Council's adopted Statement of Community Involvement. Five letters of representation have been received from five separate households on Cator Lane, College Road, and Gwenbrook Road. One letter is broadly in support of the proposed development, with four of the received letters raising objections on the following grounds:
- (a) Visual amenity impacts, including inappropriate design, and unacceptable height;
  - (b) Installation of security fencing would be detrimental to the 'feel' of the area, given that it is a suburban area and not an inner city area, with the position of the south facing fence making the school more like a prison or a 'secure unit', spoiling the open aspect of the school;
  - (c) Security fencing would not be a deterrent to anti-social behaviour, it would merely move the problem elsewhere, including to adjacent gardens;
  - (d) Other more suitable options are preferable, including random visits by a community police officer to discourage vandalism/unacceptable use of the school yard; and installation of CCTV;
  - (e) Cost implications at a time of austerity.
44. A single letter of support is supportive of improving security, and looks forward to 'more peaceful evenings and weekends, particularly in the summer'. However, the occupier states a preference for colour-coated Green fencing along Gwenbrook Road rather than Black, together with some planting to soften the fenceline.
45. Councillors John Doddy and Richard Jackson have been notified of the application.

46. The issues raised are considered in the Observations Section of this report.

## **Observations**

### **Introduction**

47. The application seeks to enhance the level of security at Chilwell College House Junior School, and in particular to combat unauthorised access to the site, and associated anti-social activity, as evidenced under paragraph 15 of this report. In general terms, this has tended to involve youths congregating on the school campus, in the evenings, at weekends, and during the school holidays, on the northern side of the buildings where there are more secluded covered areas. Identified problems have included drinking and smoking; detritus being deposited on the site including smashed bottles; and low-level criminal damage being caused to the buildings involving the smashing of windows and other acts of general vandalism, including the cycle display boards being damaged. The school has identified a further more generalised problem of young people using the site as a short cut to and from Castle College.
48. The proposal aims to meet a dual purpose, in terms of both adequately securing the main school buildings, as well as safeguarding the children during school hours. There are other benefits to be gained by the school, for instance, the school is seeking to develop a new play area on the northern part of the hard play area, and the enhanced security delivered by this scheme would make this feasible. The school has been reluctant to invest in new play equipment to date, given that any new equipment would be open to vandalism. Furthermore, the school is seeking to develop an outdoor classroom on that part of the playing field that would be both contained and secured under this fencing scheme. The proposal would therefore have direct benefits for the school, in terms of providing a more secure site, in which to develop these new facilities. It would enable the school to develop and enhance its range of outdoor activities, as well as securing the main school buildings.

### **Policy implications**

49. The Broxtowe Local Plan (Adopted September 2004) (BLP) contains a number of policies that are relevant to this proposal. Saved Policy E1 (Good Design) of the BLP supports development provided that it does not adversely affect the amenity of the surrounding area significantly. It seeks to ensure that proposals, in terms of their scale, height, mass, design and materials are sympathetic to the character of the surrounding area, and respects the overall setting. Under criteria (d) it promotes a safe and secure environment, including crime prevention features. Saved Policy E3 (Development within Conservation Areas) of the BLP is supportive of development within or in the vicinity of a Conservation Area, which preserves or enhances the character and appearance of the area having regard to its location, scale, design and materials.

50. Saved Policy RC5 (Protection of Open Spaces) of the BLP is also of relevance, with development on playing fields and open spaces only being permitted where it meets one of a number of criterion, including:
- a) where no local deficiency of open space will result; or
  - b) where such a deficiency will result, either an equivalent and equally accessible area is laid out and made available for the same open space purpose; or
  - c) the development relates to the improvement of the recreational potential of the land or provides ancillary facilities; and
  - d) In all of the above cases, provided that the development will not detract from the open character, environmental and landscape value of the land.

#### Landscape and visual impacts

51. In terms of the landscape impacts, the more open aspect from residential properties opposite the site along Cator Lane would not be diminished to an unacceptable degree. The County Council's Landscape Officer has confirmed that supplementary planting along the north-eastern and south-western site boundaries, to College Road and Cator Lane respectively, is capable of mitigating the visual impacts of the security fencing. Existing Holly hedging along College Road obscures views into the site, so that occupiers along College Road would not have open views across the playing fields, towards the internal element of the fencing scheme, extending across the width of the playing fields. The existing hedging would provide partial screening of the proposed boundary fencing, except where there are gaps in the perimeter Holly hedge. A proposed planting scheme would address this deficiency, and the 'gapping' up of the Holly hedge opposite Nos. 14 and 16 College Road would ensure that views of the security fence are adequately screened. The new development is capable of being screened from surrounding residential properties.
52. Along Cator Lane, occupiers benefit from extensive open views across the school playing fields. The revised fencing scheme has been designed so as to leave the playing field intact and the retention of the existing boundary treatment (bow top fencing) would ensure that any detrimental visual amenity impacts associated with the proposed Pallas fencing are minimised to acceptable levels. The planting of a short stretch of hedge along the north-western part of the site boundary adjoining Cator Lane, together with a single tree (see Plan 2) would filter views of the security fencing from those nearest properties within Cator Lane (Nos. 5 -13, odd numbers only). Therefore, in terms of Saved Policy E1 of the BLP, subject to an approved planting scheme, it is considered that the development would not unacceptably detract from the environmental and landscape value of the school site within the context of its wider urban setting, and in particular, for those residential properties within the immediate vicinity of the school site.

53. In terms of the landscape character of the area, the physical impact of the development would be negligible, with the school playing fields retaining their open aspect. The retention of the original boundary treatment, of open bow-top fencing would ensure that the open vistas across the playing fields, particularly from High Road and Cator Lane would be preserved and its contribution to the local amenity would be maintained in accordance with Saved Policies E1 and E3 of the BLP.
54. The proposal has sought to minimise the scale of the fencing scheme, and retain as much of the original bow top fencing as is feasible. The proposed Pallas fencing is of an acceptable functional design, with its open-mesh style ensuring that it remains a relatively 'open' structure. It offers an alternative robust fencing scheme, but one that is still visually acceptable within its urban setting. These aspects of the development together with a suitable planting scheme would ensure that the proposal is capable of being visually well integrated into its setting in line with Saved Policies E1 and E3 of the BLP.
55. The existing brickwork to the school frontage along Gwenbrook Road would be retained, and would ensure that the new and existing elements are visually well integrated; and that the school retains a visually cohesive boundary to the local streetscape. The visual impact of the proposed fence would be negligible for residential development to the north-west of the site, as the only property directly opposite the proposal, No. 5 Gwenbrook Road, would benefit from existing intervening hedges and trees, providing screening of the new development, particularly during the summer months. In addition, the orientation of this particular property means that views from the first floor window would be limited. Views of the fence line would be obscured from the adjacent property (No. 2b Gwenbrook Road) as the fence line curves away from this property, and there are no direct views of the site frontage. Both the orientation of the site frontage, and the positioning of the fencing, part of which would be to the brick piers and wall, would minimise any associated visual impacts.
56. Whilst the proposal has the potential to introduce slightly adverse effects on the visual amenity of the nearest adjacent residential properties, particularly in Cator Lane, given that occupiers currently benefit from open views across the school site, this has been mitigated to some degree through the provision of a well designed scheme, which has sought to minimise the extent of the fencing provision, together with retention of brick piers and walls to the site frontage and part of the boundary to Cator Lane. The proposed increase in height of the brick piers by approximately one course would enable suitable clearance of the proposed wall mounted fencing panels and have a negligible impact.
57. Further mitigation is proposed in the form of a supplementary planting scheme, along the proposed stretch of 'stand-alone' security fencing to Cator Lane. It is considered that this would provide a significant element of screening and help to 'soften' the overall visual impacts associated with the new security fencing and gates. Retention of mature Holly hedging along College Road, supplemented by additional Holly planting, would provide screening of the fencing scheme along the north-eastern boundary. The proposals are therefore in accordance with Saved Policies E1 and E3 of the BLP.

58. It is considered that the fencing scheme would be visually well integrated into the school site. Planning conditions could ensure that the proposed fencing and gates are colour-coated Black (RAL 9005), which would enable the proposed scheme to visually blend into its setting. The proposed black colouration would ensure that the proposal complements the brick fabric of the existing brick piers and retained wall structure to the site frontage, along Gwenbrook Road and is visually well-integrated with the existing black bow top fencing that would be retained around much of the site perimeter. Planning conditions would also ensure that the stretch of fencing crossing the school site, would be colour-coated Moss Green (RAL 6005) to visually integrate it with the playing field, and existing soft landscaping.
59. Overall, it is considered that the proposal does accord with Saved Policies E1 and E3 of the BLP, given that the proposed scheme is of an acceptable design, in terms of the style and scale of the fencing being proposed together with its location, and would not be out of keeping with the urban character of the surroundings, nor on the adjacent Chilwell Conservation Area. Also in line with Saved Policy E1 of the BLP, criteria (d), the proposal has been designed to minimise opportunities for criminal activity and on balance, whilst there would be a slightly adverse effect upon the amenity of the surrounding area, this is not considered unacceptable. It is considered that the benefits to be gained by the school, from the fencing scheme, in terms of reducing levels of anti-social activity and protecting existing and future school assets, on balance outweighs the slightly adverse impacts arising from the potential loss of amenity within this part of Chilwell.

#### Heritage impacts

60. The proposed fencing scheme has been designed to reflect the heritage value of the Chilwell Conservation Area, and to ensure that the proposed fencing is capable of being visually well integrated into its setting, without impacting detrimentally on the setting of a Conservation Area, whilst at the same time enhancing site security, and delivering a safer, yet inclusive environment.
61. Section 12 of the NPPF '*Conserving and enhancing the historic environment*' indicates that proposals that preserve those elements of the setting of a Conservation Area that make a positive contribution to, or better reveal the significance of the asset, should be treated favourably (Paragraph 137). Paragraph 132 attaches great importance to conserving designated heritage assets, and states that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great importance should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting*'. In line with this, the revised fencing scheme is judged as now being set far enough away from the Conservation Area so as to be unlikely to have any appreciable impact, and as such, would not be significantly harmful.
62. In heritage terms, the open playing fields fronting High Road, make a considerable contribution to the setting of the Chilwell Conservation Area, particularly in terms of views from High Road, and Meadow Lane. There is

intrinsic value in the existing low-level bow-top railings, in terms of its contribution to creating a 'park-like' character to the playing fields. This 'open' green space, with its 'park-like' feel sets off the front elevation of the main 1920s school building together with the setting of the streetscape of High Road, making a valuable contribution to the setting of the adjoining Conservation Area. The proposed development is in accordance with Saved Policy E3 of the BLP, and the NPPF, having been designed, in terms of its location, scale and style of fencing and gates, so as to preserve the character and appearance of the area. Critically, the fencing scheme would ensure that the 'park-like' character of the school playing fields is retained, and that the school continues to make its invaluable contribution to the setting of the Chilwell Conservation Area.

#### Impacts on playing fields

63. Sport England has acknowledged the constraints on the section of the school's playing field that would be separated from the rest of the playing fields by the proposed fencing and gates. This area of the playing fields is already planted with trees and contains a large planted willow structure, which prevent it from being used for formal sport or recreational activity by the school.
64. The planning application has been considered by Sport England in the light of their playing fields policy, the aim of which is to ensure an adequate supply of quality pitches to satisfy both the current and estimated future demand for pitch sports, in this case within the Chilwell area, and to protect playing fields from development. The proposed development complies with policy exemption E3, given that this area of playing field, is incapable of forming a pitch or part of a pitch, due to existing tree planting and the willow structure. Therefore, the section of proposed fence, which crosses the playing field, would not impact on the school's ability to mark out and retain existing pitches and other sports facilities.
65. The proposal ensures that the integrity of the wider school playing fields, as a place for outdoor sports and other physical activities, is maintained. The remaining playing fields retain sufficient space for the adequate provision of a number of sports pitches. Indeed, the playing field is of sufficient size to accommodate a football pitch with a footprint of 1800 sq.m, four rounders pitches, a cricket strip, and a running track comprising 220m of oval track. The development would not impact on any of the existing area marked out as pitches or other sports facilities, or the run-off for these facilities.
66. The proposals accords with a number of criteria listed under Saved Policy RC5 of the BLP. In terms of criteria (a) of Policy RC5, the proposed development would not result in any additional loss of open space. Whilst criteria (b) does not apply directly to this proposal, given that the development would not result in any further deficiency in terms of useable space, it complies with the more general context of this policy, in that the rest of the playing field contains fully accessible, laid out pitches and sports facilities, of sufficient quality, to deliver the school's sports curriculum.

67. The relatively open structure of the proposed fence and gates, together with its location towards the north-western edge of the playing fields, as it extends across the site, would ensure that the development does not detract from either the open character of the playing fields, or on the integrity of its environmental and landscape value, in accordance with criteria (d) of Policy RC5 of the BLP.

#### Other issues

68. In terms of the cost implications, it is understood that capital funding for improvements to the security of school sites, is seen as being cost effective compared to the on-going costs of having to repair damage to school property and equipment. It is also seen as a preventative measure, to stop buildings being open to fire damage, and the high cost of replacing school buildings when damaged by fire, as has happened at a number of schools across the County. Also capital funding for security fencing schemes is 'ring-fenced' for these types of projects, and if it is not used at Chilwell College House Junior School, it will simply be allocated to another school with identifiable needs, for a similar sort of security fencing project.
69. Security fencing is seen as the most effective form of deterrence, and the preferred option for securing the school site. Other measures including the use of CCTV and random visits by a community police officer to discourage anti-social behaviour, are considered as supplementary measures, as they have more limited success compared to physically securing the school site. This is evidenced by the fact that the school installed a CCTV system on 24<sup>th</sup> October 2011, at some considerable cost to themselves (£4,092), but has still been subjected to an attempted break-in, in which a crowbar was used (late October 2011). Nor has the presence of a CCTV system deterred unauthorised users from accessing the site, or limited the frequency of anti-social incidences occurring on the school site.
70. There is no apparent evidence to suggest that if unauthorised users cannot access the school site, and congregate here, they simply move on to neighbouring residential properties. The Pallas security fencing system has been used extensively at schools across the County, both in rural and urban settings, and there is nothing to indicate that this has happened at other school sites.

#### Other Options Considered

71. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. An option to erect security fencing and gates around the whole of the school site, including to the perimeter of the school playing fields has been submitted previously, but was considered to be unacceptable on grounds of heritage impacts on the Chilwell Conservation Area, and visual amenity impacts for surrounding residential properties. The proposals were duly amended in the light of these objections, and the resulting scheme forms the option being considered in this report.

## **Human Rights Act Implications**

72. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. The proposals have the potential to introduce some limited visual amenity impacts upon surrounding residential properties. However, these considerations need to be balanced against the wider benefits the proposals would provide in terms of enhanced security for the school, and the fact that the development is capable being mitigated to an acceptable level subject to suitable planting. Members will need to consider whether these benefits would outweigh the potential impacts.

## **Statutory and Policy Implications**

73. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Crime and Disorder Implications**

74. The development would be located within an established school site which does not presently benefit from any effective security fencing. The security fencing and gates, to a height of 2.4m which would be provided under this planning application would improve site security and combat anti-social activity, which the school is currently subjected to. The scheme is supported by the Police Force Architectural Liaison Officer.

## **Conclusions**

75. In conclusion, the proposal represents an appropriate outcome in terms of delivering a development that meets the security needs of the school, whilst at the same time addressing the various design issues associated with the site's proximity to the Chilwell Conservation Area, in line with the Historic Building Officer's recommendations; and in terms of minimising visual amenity impacts for local residential properties to an acceptable degree.
76. It is considered that sufficient evidence has been provided by the applicant to provide a reasoned justification for the need for the proposed development. A catalogue of documented incidences that have taken place on the school site, adds weight to the need for an effective security fencing scheme, particularly in the light of other measures, such as the installation of a CCTV system, proving relatively ineffective in terms of combating anti-social activity on the school site.
77. The proposal would deliver benefits in terms of delivering enhanced security for the school, as well as ensuring that an acceptable standard of visual appearance for the development is achieved. It is considered that the location, scale and design of the proposal would be in sympathy with the character of

the surroundings and respect the overall setting. In keeping with Saved Policies E1 and E3 of the BLP, the new fencing scheme would be well integrated into its setting and would not impact detrimentally on the Chilwell Conservation Area. As such, the proposals are considered capable of being supported.

### **Statement of reasons for the decision**

78. In assessing the acceptability of the proposal, consideration has been given to Saved Policy E1 (Good Design) of the Broxtowe Local Plan (BLP) (Adopted September 2004), which refers to design and amenity criteria; Saved Policy E3 (Development within Conservation Areas) which seeks to preserve or enhance the character and appearance of the Conservation Area; and Saved Policy RC5 (Protection of open spaces) of the BLP, which seeks to protect open spaces within Broxtowe, including the school playing fields at Chilwell College House Junior School, and the development is considered to be in accordance with these policies.
79. The development is of an acceptable standard in terms of its design, given that it comprises a practical and functional structure, relating well to the site, and the local urban streetscape, in accordance with Saved Policy E1 of the BLP.
80. Whilst the scheme would introduce fencing elements of a significant height, such impacts need to be weighed against the benefits of achieving greater security for the school.
81. The proposal has been designed to minimise opportunities for anti-social activities and on balance, whilst there would potentially be a slightly adverse effect upon the visual amenity of the surrounding area, this is not considered unacceptable subject to supplementary planting. It is considered that the benefits to be gained by the school, from the fencing scheme, in terms of reducing levels of anti-social activity and protecting school property, on balance outweighs the slightly adverse impacts arising from the potential loss of amenity within this part of Chilwell.
82. Overall, the development is of an acceptable standard in terms of its design and would not be out of keeping with the historic character of the surroundings. In heritage terms, the fencing scheme has been designed so as to minimise any impacts on the setting of the Chilwell Conservation Area. It gives rise to no policy objections under Section 12 '*Conserving and enhancing the historic environment*' of the National Planning Policy Framework (NPPF) (March, 2012), and as such accords with Saved Policy E3 of the BLP.
83. The integrity of the school playing fields is maintained, with the proposed fence line crossing the playing fields, and separating off part of the playing fields, which is unsuitable for sports provision as confirmed by Sport England. The proposal does not encroach on the extensive, useable part of the playing fields, nor on any of the existing pitches and sports facilities. As such, the proposal does not conflict with Saved Policy RC5 of the BLP.

84. The County Council is of the opinion that the proposed development whilst giving rise to some limited material impact, this is outweighed by the wider benefits of the scheme. Overall the proposal is considered to be in accordance with the relevant Development Plan policies and there are no material considerations that indicate that the decision should be made otherwise. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

## **RECOMMENDATIONS**

85. It is RECOMMENDED 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. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**SALLY GILL**

**Group Manager (Planning)**

### **Constitutional Comments (NAB 28.09.12)**

Planning and Licensing Committee has authority to approve the recommendation set out in this report

### **Finance Comments (DJK 28.09.12)**

The contents of this report are duly noted; there are no financial implications.

### **Background Papers Available for Inspection**

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

### **Electoral Divisions and Members Affected**

Chilwell & Toton 1  
Chilwell & Toton 2

Councillor John Doddy  
Councillor Richard Jackson

Report Author / Case Officer  
Deborah Wragg  
0115 9696510

For any enquiries about this report, please contact the report author.

W000331 – DLGS REFERENCE  
PSP.JS/RH/ep5185 – COMMITTEE REPORT FOLDER REFERENCE  
22 June 2009 – Date Report Completed by WP Operators

## APPENDIX 1

### RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within three years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The County Planning Authority (CPA) shall be notified in writing at least 7 days, but no more than 14 days, prior to the commencement of the development.

*Reason: To enable the CPA to monitor compliance with the conditions of the planning application.*

3. The development hereby permitted shall only be carried out and maintained in accordance with the following documents, unless otherwise agreed in writing with the CPA or where amendments are made pursuant to the other conditions below:

- a. Planning application form, as received by the CPA on 25<sup>th</sup> May 2012;
- b. Design and Access Statement, as received by the CPA on 25<sup>th</sup> May 2012;
- c. Details of 'Pallas Mesh Panel Fencing' as received by the CPA on the 25<sup>th</sup> May 2012;
- d. Site Location Plan titled 'Site Boundary Plan', Drawing No. G391-1311-388, as received by the CPA on the 25<sup>th</sup> May 2012;
- e. Plan titled 'Security Fencing Layout – RMG Option Sheet 1 of 2' Drawing No. G391-1311-369, as received by the CPA on the 25<sup>th</sup> May 2012;
- f. Plan titled 'Security Fencing Layout – RMG Option Sheet 2 of 2' Drawing No. G391-1311-370, as received by the CPA on the 25<sup>th</sup> May 2012;

g. Plan titled 'College House Junior School – Planting Proposals Sheet 1 of 1' Drawing No. G391-1311-407, as received by the CPA on the 3<sup>rd</sup> October 2012.

h. Supplementary Information for planning application at College House Junior School, as received by the CPA on the 17<sup>th</sup> July 2012.

*Reason: For the avoidance of doubt and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*

4. Except in the event of an emergency or with the prior written agreement of the CPA, no construction work, including deliveries, shall be carried out or plant operated other than between the following hours: 0730hrs to 1800hrs Mondays to Fridays, 0800hrs to 1330hrs on Saturdays and at no times on Sundays, Bank or Public Holidays.

*Reason: In the interests of residential amenity and to accord with Policy E1 of the Broxtowe Local Plan (Adopted September 2004).*

5. No vehicles involved in the construction work shall leave the school site in a condition whereby mud, clay or other deleterious materials are carried onto the highway.

*Reason: In the interests of highway safety.*

6. Prior to the commencement of the development hereby permitted, details shall be submitted to the CPA for its written approval of the measures to be taken to protect all retained trees, shrubs and hedges from damage during the course of the development. The means of protection shall accord with the provisions set out in British Standard BS 5837:2005 entitled 'Trees in Relation to Construction' (or as may be subsequently amended) and shall include:

- i) A plan to define the trees, shrubs and hedges to be protected including means of protection;
- ii) Measures to prevent the disturbance, raising or reduction in soil levels within the area of the root spread of trees, shrubs and hedges;
- iii) Measures to prevent the storage and placement of materials or the movement of plant or machinery in the protected area (s).

The means of protection shall be implemented in accordance with the approved details prior to any equipment, machinery or materials being brought onto the site for the purpose of the development and shall be retained on site until all plant, machinery equipment and surplus materials have been removed from the site. No excavation shall be made within the protected area(s) without the prior written approval of the CPA.

*Reason: In the interests of visual amenity and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*

7. Prior to the commencement of the development hereby permitted, details shall be submitted to the CPA for its written approval of any pruning works, including the crown lifting of two trees to the south-western corner of the site which may be required, in order to facilitate operations. Any pruning work shall thereafter be carried out in accordance with the provisions set out in British Standard BS 3998 entitled 'Guide to Tree Works'.

*Reason: In the interests of visual amenity and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*

8. In the first planting season following the completion of the development or as agreed in writing by the CPA, a landscaping scheme shall be carried out in accordance with details shown on Drawing No. G391-1311-407, as received by the CPA on the 19<sup>th</sup> June 2012.

*Reason: In the interests of visual amenity and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*

9. Within three months of the date of commencement of the development, as notified to the CPA under Condition 2, maintenance details for the landscaping scheme approved under Condition 8 shall be submitted to the CPA for its written approval. The landscaping scheme shall be maintained in accordance with the approved maintenance schedule and good arboricultural practice for a period of five years following its implementation and any shrubs which die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with similar species to those originally planted.

*Reason: In the interests of visual amenity and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*

10. The fencing and gates hereby permitted shall be colour-coated Black (RAL 9005), except for that stretch of fencing and gates that extends across the playing field, parallel to the main school building, which shall be colour-coated Moss Green (RAL 6005).

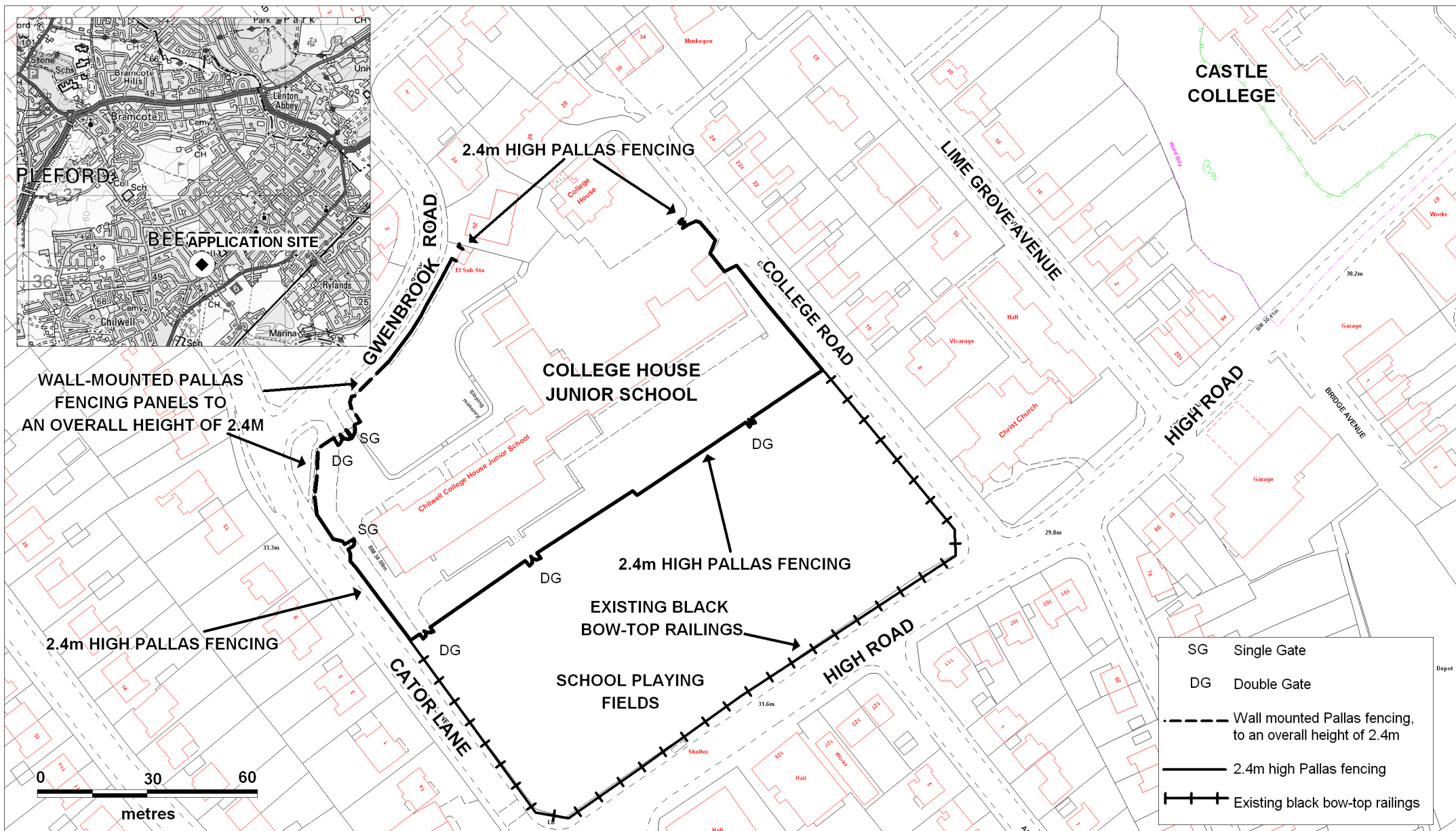
*Reason: In the interests of visual amenity and to accord with Policy E1 and Policy E3 of the Broxtowe Local Plan (Adopted September 2004).*


### **Informatives/Note to Applicant**

1. The attention of the Applicant is drawn to the comments of the Police Force Architectural Liaison Officer. It is recommended that the fencing above the brick wall is positioned close to the front face of the wall, using cantilever fixings if necessary, to prevent the wall being used as a climbing aid. The gates should also be designed so as not to encourage climbing.
2. The attention of the Applicant is drawn to the comments of Western Power Distribution dated 6<sup>th</sup> June 2012 that are enclosed with this decision notice.










Trent Bridge House, Fox Road  
 Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
 County Council Tel: 0115 982 3823

Re-Submitted Application for the erection of security fencing and gates.  
 Chilwell College House Junior School, Cator Lane, Chilwell, Notts.  
 Planning Application No. 5/12/00337/CCR

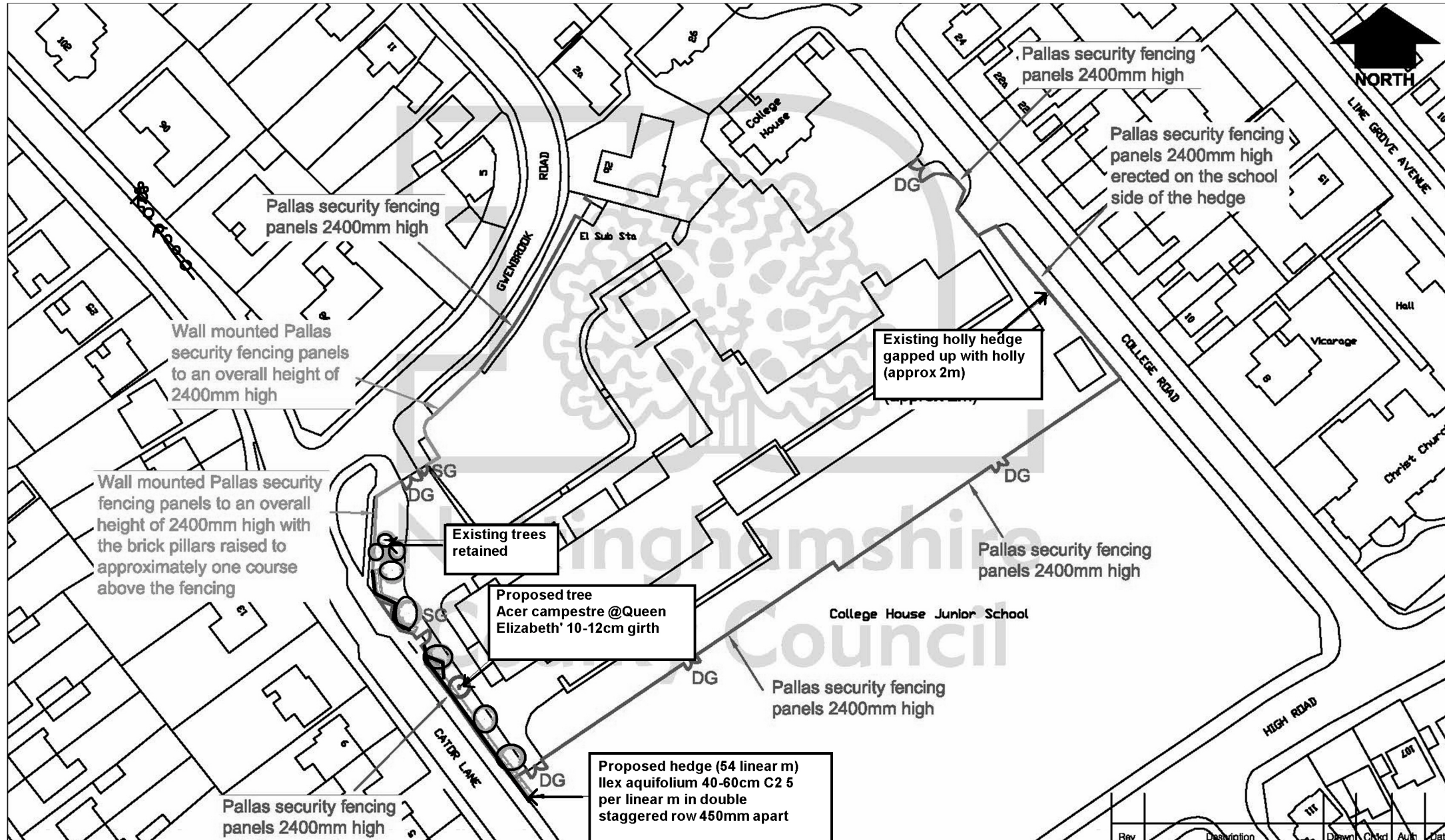
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 Date: OCTOBER 2012

**PLAN 1**





Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Re-Submitted Application for the erection of security fencing and gates.  
Chilwell College House Junior School, Cator Lane, Chilwell, Notts.  
Planning Application No. 5/12/00337/CCR

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PLAN 2





**16 October 2012**

**Agenda Item: 7**

## **REPORT OF GROUP MANAGER PLANNING**

**ASHFIELD DISTRICT REF. NO.: 4/V/2012/0281**

**PROPOSAL: SINGLE STOREY CLASSROOM & MEETING ROOM  
EXTENSION**

**LOCATION: GREENWOOD PRIMARY SCHOOL, SUTTON MIDDLE  
LANE, KIRKBY-IN-ASHFIELD**

**APPLICANT: GREENWOOD PRIMARY SCHOOL**

### **Purpose of Report**

1. To consider a planning application for a single storey extension to accommodate a classroom and a meeting room at Greenwood Primary School, Sutton Middle Lane, Kirkby-in-Ashfield. The key issue relates to traffic, access and safety. The recommendation is to grant planning permission subject to conditions.

### **The Site and Surroundings**

2. Greenwood Primary and Nursery School is located towards the western edge of Kirkby-in-Ashfield, approximately 1km north-west of the town centre (see Plan 1). The school is in a residential setting with dwellings immediately bordering the school on its northern, southern and western boundaries. On its eastern boundary the school is bordered by Sutton Middle Lane, with residential properties on the opposite side of the road.
3. The school site comprises a single school building, car parking, playground area, a hard surfaced sports court, a playing field and associated landscaping and fencing. In addition, there is a separate Sure Start centre at the school.
4. The school building occupies the eastern part of the campus, and the main school building is a single storey brick built building with pitched roof. The car park, hard surfaced sports court and playing field are all to the west of the school building. The Sure Start centre is located in the south-eastern corner of the school site, fronting and with access gained from Sutton Middle Lane. The Sure Start centre is a modular building with canopies and a hard/soft surface play area to the rear. The layout of the school site is shown in Plan 2.

5. The nearest sensitive receptors are residential properties surrounding the school. On the southern boundary of the school the nearest residential building is located approximately 35m south-east of the proposed development, with the nearest garden approximately 12m distant.
6. The proposed development is not within any areas of designation, although it is noted that the school playing fields and areas of land to the south of the proposed extension is designated as Formal Open Space on the Ashfield Local Plan proposals map.
7. The school is accessed off Sutton Middle Lane, which is a cul-de-sac. Sutton Middle Lane can be accessed from Willow Avenue, Banks Avenue, or Rowan Drive, all of which are to the south of the school. There are two cul-de-sacs located off Sutton Middle Lane, Buckingham Close and Maple Crescent/Box Crescent, which are on the opposite side of the road to the school. The staff vehicular access is located at the northern end of Sutton Middle Lane. There is a second access approximately 60m from the end of the road which provides the entrance to the school reception and there is a small visitor car park in this location. There is a separate dedicated pedestrian access to the Sure Start Centre.

### Planning History

8. Over the past 20 years there have been various developments on the school site. Table 1 provides a brief planning history of Greenwood Primary School:

**Table 1: Development at Greenwood Primary School (December 1993 to date)**

Date	Planning Ref No.	Description
December 1993	4/93/0728	2 Classroom rear extension and rear refurbishment and perimeter security fencing and gates
January 1998	4/97/0693	2 Classroom extension with multi-media room
December 1998	4/98/0618	Single classroom extension (in traditional construction
April 2002	4/2002/0146	Classroom extension
December 2003	4/2003/0735	Floodlit macadam multi-use games area
July 2006	4/2006/0410	Extension to provide new classroom and store, and internal alterations
September 2010	4/2010/0325	Single storey temporary modular building for use as a Sure Start Children's Centre with canopies; provision of a new pedestrian access and 2M high fencing
April 2011	4/2011/0090	Single storey extension

## **Proposed Development**

### Background

9. Greenwood Primary and Nursery School was built approximately 60 years ago in order to serve the council estate around the Greenwood Drive area. At this time the school had approximately 100 pupils. An increasing number of private homes have been built within proximity of the school within the past 20 years and as a result the number of homes within the school's catchment area has increased.

10. In addition, the school's reputation has been increasing and in the last OFSTED report (2010) the school was rated good with outstanding features. This has resulted in an increase in parental preference for the school, with over 30% of pupils being from outside of the school catchment area.
11. In 1998 the school's Planned Admission Number (PAN) was set at 60 pupils per year group from Foundation Stage 2 to Year 6, with a 78 place nursery. Over the past 20 years the school's pupil numbers have risen to a point where the majority of year groups are now full due to a combination of increased housing within the catchment and the reputation that the school has built.
12. In light of the above, the applicant is seeking planning permission for a single storey extension to provide a classroom and a meeting room. The applicant states that the space is to cater for pupils that the school already has, and there is no intention to expand.
13. The intention is to replace a classroom which has space for 25 pupils, and is considered too small for the number of pupils moving up through the school to work comfortably, with a classroom that provides space for 30 pupils. The classroom that would be vacated would then be used as a space where staff can meet or work with small groups to raise their attainment levels. It is reported that some small groups currently make use of the corridor.
14. The applicant also states that there are currently no rooms for a library or an ICT suite. There are also no rooms where counsellors can meet privately with children, or where the school nurse can do routine health checks, or where instrument tutors can work with children. The vacated classroom would present an opportunity for these purposes.

#### Development

15. The proposed development is the construction of a single storey extension to Greenwood Primary School. The extension would have a footprint of approximately 124m<sup>2</sup> and would be located at the southern end of the existing school building, abutting two of the school's existing elevations.
16. There would be two internal accesses to the new classroom, one being off an existing corridor and the other from an existing classroom. The meeting room would be accessed through the classroom. There would be four windows to the new extension (three to the classroom and one to the meeting room) and also a fire door.
17. The extension would be of a brick built construction with corrugated sheet roofing and powder coated aluminium framed windows to match the existing school building. The extension would have external measurements of 14.8m by 8.4m, and would be 3.7m in height to the ridge (3.0m to the eaves).
18. At present, there are some low level shrubs along the perimeter of the southern side of school. To facilitate the extension these shrubs would have to be removed. Re-planting of the low level shrubs is proposed along the southern and western edge of the extension.

19. The applicant has applied for the hours of opening for the classroom to be from 06:00 to 18:00.
20. The development would necessitate the insertion of two windows within the roof of the existing classroom from which the proposal would build out from in order to provide suitable natural light. This element of the scheme would not, however, require planning permission and is mentioned for the sake of completeness.

## **Consultations**

21. **Ashfield District Council Planning Department** – *There is no objection to the proposed development subject to the materials and finishes to be used in the external elevations and roof matching those that are used in the construction of the existing building.*
22. **NCC (Highways)** – *There were initial concerns regarding the level of parking provision and further information was requested from the applicant.*
23. *A letter was provided by the Head Teacher with relevant information and giving certain assurances stating the extension will not result in an increase in the school roll and will only be for the benefit of existing pupils. Consequently the existing parking situation on the surrounding highway will not degenerate further as a result of this application.*
24. *In view of the above the Highway Authority has no objection to the application in principle.*
25. **NCC (Road Safety)** – *Given that there will be no increase in students and therefore no increase in vehicles to the school there is no objection to the application.*
26. **NCC (Nature Conservation)** – *The proposal relates to an extension to the existing school building. The age of the building is between 8 and 16 years (as judged from the 1996 and 2004 aerial photographs). It is of brick-built construction, and photographs suggest that it is in good condition. As such, NCC Ecology are of the opinion that it is not likely to host roosting bats, an assessment which has been made with reference to Box 2.1 of the Bat Conservation Trust's publication "Bat Surveys – Good Practice Guidelines".*
27. *Nevertheless, it is recommended that an informative is included with the decision notice stating that in the unlikely event of bats being encountered during the works, all activities should cease immediately and expert advice should be sought.*
28. **NCC (Noise Engineer)** – *The proposal would not give rise to any noticeable increase in the levels of noise being generated from use of the school buildings and its associated outdoor play areas upon surrounding residential properties. Construction noise levels associated with this proposal would reflect those generated by standard building methods and be acceptable to local residents.*

29. *It is noted that the applicant is seeking hours of 06:00 to 18:00 Monday to Friday. Given that this is a residential area this is considered too early and hours of 07:00 or preferably 07:30 are recommended.*
30. **Severn Trent Water Limited** – *No objection.*
31. **Western Power Distribution, National Grid (Gas), Police Force Architectural Liaison Officer and NCC (Forestry and Arboriculture)** have not responded. Any response received will be orally reported.

## **Publicity**

32. The application has been publicised by means of site notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. A total of 17 letters and 3 e-mails have been received raising objections to the proposed development. The objections received are from residents of Buckingham Close, Box Crescent, Maple Crescent and Sutton Middle Lane and all relate to traffic and parking.
33. The existing traffic and parking situation around the school has been highlighted as very bad, particularly during weekday mornings and afternoons around school pick-up and drop-off times. Residents' concerns with the existing traffic and parking can be categorised into access; safety; abuse and threats; and damage and litter. The concerns relating to each of these categories are discussed in more detail below.
34. With regard to access, Sutton Middle Lane, the street which the school is located on, is a cul-de-sac. There is a high volume of vehicles associated with the school particularly during pick-up and drop-off times during the morning and afternoon. Residents state that during these periods cars double park, park on corners of streets (including Buckingham Drive and Maple Avenue) and park in front of residents' drives and in their disabled bays. This results in a situation where the road is sometimes completely blocked.
35. Residents have highlighted situations where they have not been able to leave the street, or their drives, due to parked cars preventing exit. This has led to people being late for work, meetings and appointments. Residents have also highlighted occasions when returning to their houses they have had to park some distance away as they could not get to their properties, this is raised as a particular problem for elderly residents and those with shopping items to carry. A number of residents state that they have to plan their lives around the school run.
36. It is reported that there have been instances where refuse collection vehicles have had to abandon the bin collection as access could not be gained to the street. There are reportedly weeds in gutters due to street cleaners not being able to properly maintain the roads. A letter also states that school buses have to reverse down the road as there is no where for them to turn around.

37. From a safety perspective, it has been stated that with cars parked on both sides of Sutton Middle Lane it makes crossing the road very difficult. The double parking and parking on street corners results in drivers having to use the wrong side of the road on occasion.
38. There is concern with the existing situation that at certain points of the day visitors, taxis, carers, doctors and emergency vehicles cannot access the streets and have to park some distance away. This is a particular concern as many of the residents are elderly. It is reported that in 2008 a resident collapsed of a heart attack and the ambulance had to park two streets away, with the resident subsequently dying. In a separate incident, a resident highlighted a recent occasion in February 2012 where an elderly resident had to be taken by gurney along the pavements as access could not be gained to their property.
39. Separate to the safety implications of access, concern is raised regarding children crossing the road with the current level of vehicles described as an accident waiting to happen. It is also reported in one of the objection letters, that two children have been knocked down recently with one being taken to hospital with concussion. There is also an elderly resident who reports difficulty travelling along pavements on their mobility scooter due to the amount of parked cars.
40. Some of the letters of objection report that drivers have used peoples drives and gardens to turn cars around in. Letters state that grass verges in front of some residents' properties are their responsibility to maintain, however, vehicles are repeatedly parking on these areas, damaging the grass and making them muddy. It is also reported that there has been damage to cars and an increase in litter.
41. A number of the letters received have reported that when drivers are challenged about inconsiderate and illegal parking this has resulted in cases of verbal abuse and threats.
42. Residents have highlighted that the above problems associated with the level of traffic and vehicles around the school have worsened since the Sure Start centre located within the school ground opened. This has also resulted in staff vehicles associated with the school and the Sure Start centre parking on surrounding roads throughout the day, for up to nine hours, causing parking issues not just at the morning and afternoon drop-off and pick-up times.
43. The letters of representation object to the proposed development because it is claimed that an increase in school accommodation will result in an increase in pupil numbers at the school, leading to more vehicles and exacerbating the existing situation. Some residents acknowledge that the planning application states that the extension would not result in an increase in pupil numbers, but are concerned that this is only in the short term and eventually more space would lead to more pupils. There is also fear that the meeting room would be rented out to various groups for additional revenue for the school.
44. It is reported that Police Community Support Officers (PCSO) have been patrolling the area and attempting to relieve the parking problems, but that this

has only started since a planning application was submitted for the proposed extension.

45. One letter mentions an “expected increase of 1,000 homes to be built behind the fire station”, which would also create parking problems.
46. There is an objection that there has been a lack of effective consultation, with no residents of Buckingham Close having been directly consulted. It is stated that this infringes the residents’ rights to quiet enjoyment of their neighbourhood.
47. Some of the residents have suggested measures to improve the parking situation around the school, these include the following:
  - a) Double yellow lines being painted on roads surrounding the school. Particular roads highlighted for this treatment include Sutton Middle Lane and Buckingham Close;
  - b) Residents’ only parking, or time restricted parking with resident’s only allowed at set hours (hours suggested include 08:30-09:30, 11:30-13:30 and 14:30-15:30) on Buckingham Close and Sutton Middle Lane;
  - c) It is suggested that the cul-de-sac end of Sutton Middle Lane is opened up to connect with Belfry Close, or even the roundabout on Wentworth Road to help relieve the bottleneck;
  - d) The field at the end of Sutton Middle Lane could be used as a car park;
  - e) A specific area is provided to allow buses to turn around;
  - f) Use of the meeting room is restricted to internal staff;
  - g) Official signs are erected that ban the blocking of driveways, the inappropriate use of disabled parking bays, parking on pavements and parking on residents’ property. Signs should highlight fines for infringements;
  - h) Regular but random visits by police are undertaken, with fines enforced. Police should also accept vehicle registration numbers provided in their absence.
48. It should be noted that the Head Teacher provided a letter of clarification, dated 20<sup>th</sup> September 2012, relating to the proposed extension. The letter reinforces the statement that the application will not result in an increase in pupil numbers, and provides an explanation of why this is the case even through there would be additional space within the school. This letter has been provided to Ashfield District Council to form part of the planning register and has been published on the Nottinghamshire County Council web site.
49. Councillor John Knight has been notified of the application.
50. The issues raised are considered in the Observations Section of this report.

## Observations

### Introduction

51. The proposed development is the construction of an extension to the southern end of Greenwood Primary and Nursery School. The extension would comprise a replacement classroom and a new meeting room.
52. The purpose of the extension is to provide adequate space for the pupils that the school currently has. It is proposed as a replacement for a classroom which the applicant states is too small for the number of pupils moving up through the school to work in comfortably.
53. The classroom used by a current Year 6 class contains 23 children, and has a capacity for 25 children. However, next year the Year 6 class will have 30 children. As such, the existing Year 6 classroom would have insufficient space to accommodate next year's class. The applicant confirms that the space which is currently used as the Year 6 classroom would then be available for non-classroom uses such as a joint meeting/intervention room, a private space for medical professionals/children's social care or instrument tutors.

### Planning Policy

#### *National Planning Policy Framework (adopted March 2012)*

54. Chapter 7 (Requiring good design) of the National Planning Policy Framework (NPPF) seeks that development contributes positively to making places better for people. The NPPF highlights the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also recommends that applicants are expected to work closely with those directly affected by their proposal to take account of views of the community and where this can be demonstrated the new development should be looked upon more favourably.
55. Considering the proposed extension, the development is not of an outstanding or innovative design that would raise the standard of design within the area. However, such architectural quality would not necessarily be appropriate for a small school extension such as this. The extension has been designed so as to match the existing school and therefore ties in well with the existing building from a design perspective. It is therefore in line with the design strategy of the NPPF.
56. Chapter 8 (Promoting healthy communities) of the NPPF highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. With reference to schools the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It also states that Local Planning Authorities (LPAs) should take a proactive, positive and

collaborative approach to meeting this requirement, and to development that will widen choice in education. LPAs should give great weight to the need to create, expand or alter schools.

57. The NPPF places great weight on development that ensures a sufficient choice of school places is available to communities. It is noted that the applicant states that the proposed development would not result in an increase in pupil numbers. However, it also encourages development that would widen choice in education and gives weight to the need to expand and alter schools. The applicant has highlighted the potential for the additional space released within the existing school building being used for ICT, library or other facilities. As such, there is strong support within the NPPF for this development.

*Ashfield Local Plan Review (adopted November 2002)*

58. Policy ST1 of the Ashfield Local Plan Review (ALP) provides a series of criteria within which development must accord in order for it to be permitted, including:
- a) It will not conflict with other policies in this local plan;
  - b) It will not adversely affect the character, quality, amenity or safety of the environment;
  - c) It will not adversely affect highway safety, or the capacity of the transport system;
  - d) It will not prejudice the comprehensive development of an area;
  - e) It will not conflict with any adjoining or nearby land use.
59. In assessing the proposed development against Policy ST1 it is considered that it will not conflict with other policies within the local plan. As discussed above, the development has been designed to match the materials and design of the existing school and is considered to reflect the character of the area from a design perspective. The proposals would not prejudice development elsewhere and, as the site is already a school, the use of the proposal is not deemed to conflict with adjoining land uses (i.e. residential development).
60. Notwithstanding the above, there have been significant concerns raised regarding the potential for the development to exacerbate existing highway safety issues and the capacity of the local road network. On balance, it is unlikely that the development will result in additional pupils, and therefore, additional traffic. As a result the development is considered to be in accordance with Policy ST1. Traffic issues are discussed in more detail below.
61. Policy ST2 (Main Urban Areas) states that development will be concentrated within the main urban areas of Hucknall, Kirkby-in-Ashfield and Sutton-in-Ashfield. Given that the proposal is within the urban boundary of Kirkby-in-Ashfield the development is in accordance with this policy.
62. The playing fields to the west of the school building are designated as formal open space in the ALP proposals map and are generally protected from

development by Policy RC3. Whilst the proposal is proximate to designated land, it would not impact upon it and, as such, the development is in accordance with the policy.

### School Numbers

63. The application states that the proposed development is to accommodate existing pupils within the school and would not result in an increase in pupil numbers. The Head Teacher has provided a supplemental letter of clarification explaining that the proposed classroom would be a replacement rather than an additional classroom, and that the space released would provide space for school uses that there is currently not space for such as a joint meeting/intervention room, a private space for medical professionals/children's social care or instrument tutors and ICT facilities.
64. The Planned Admission Number (PAN) is the number of pupils that the school can admit each year. This is set at 60 per year group and has been set at this number since 1998. This means that from Foundation Stage 2 to Year 6 the school has a maximum Number on Roll (NOR) capability of 420 pupils. In addition, the school has a 78 place nursery, although this is split into morning and afternoon sessions so there is a maximum of 39 pupils in the nursery at any one time. In total, the maximum number of pupils that the school can accommodate is 459 at any one time.
65. At present the school is operating below the maximum capacity with 388 full time pupils in the school and 46 pupils in the nursery.
66. The number of pupils on the school roll over the past 10 years is summarised in Table 2 below (not including nursery places):

**Table 2 – Number of pupils on the school on roll**

<b>Year</b>	<b>Number on Roll (NOR)</b>
2002	342
2003	347
2004	358
2005	367
2006	374
2007	364
2008	356
2009	351
2010	355
2011	363
2012	388

67. There have been fluctuations over the past 10 years, but the school has never been up to its maximum capacity. The school say that they do not have space for the current number of pupils, yet the maximum capacity of the school is 420 (based on 60 pupils in each year group). NCC Admissions Team confirm that the current net capacity is set at 405 due to the presence of one undersized classroom, but should planning permission be granted for the current proposal the site would be re-measured and the net capacity may rise to 420 which would align it with the PAN.

68. It is also highlighted that the school received a rating of 'Good' with outstanding features in their last OFSTED report, in 2010. This has resulted in the school being a draw for pupils outside of the school's catchment area, with 30% of the schools pupils being from out of catchment areas.
69. The NCC Admissions Team has confirmed that the PAN is 60, which does not match up with the school's net capacity. The school have 60 first admissions this school year, so if they continue to fill from the bottom end of the school the maximum capacity would have to become 420. In fact, the school are legally obliged to admit up to its PAN. However, it is highlighted that the number of 4+ children in the catchment actually falls over the next 4 years (31 in 2015/16) so the school would be accepting children from out of catchment areas. The out of catchment schools are Jeffries (25%) and Leamington (10%).
70. It is also worth noting that the NCC Admissions Team highlight that the standards at Jeffries are improving and Leamington is due to receive a replacement school. It is therefore questioned whether the out of catchment trend will continue.
71. Based on the available information it is very difficult to predict whether the school numbers will rise, fall or remain static and whether this proposed development would facilitate a rise in pupil numbers. One of the objections raised by numerous residents is that even if there were no increase in pupil numbers in the short term, the increase in space would allow numbers to rise in the future.
72. Taking the above into account, it is considered that even with the best intentions it is very difficult to predict pupil numbers and analyse the out of catchment preferences of parents as school reputations change, and with the increase in space at the school it could eventually result in an increase in pupil numbers that exacerbates the existing traffic and parking situation in a very constrained location. This is coupled with the fact that the net capacity of the school may increase following re-measuring of the school by the Children's Place Planning and Admissions Team. However, it is noted that the school does appear to need additional non-classroom space. It is therefore considered some form of control would be needed to ensure that the proposed development would not result in an increase in pupils now, or in the future.
73. It is therefore recommended that a condition is placed on any planning permission granted limiting the total number of pupils at the school to the existing PAN of 60, with the nursery having no more than 39 pupils at either the morning or afternoon sessions.
74. The Planning Authority does not wish to encroach upon the Education Authority's remit. However, the recommended condition has been discussed with the NCC Admissions Team and it is considered an acceptable approach to enable additional facilities at the school whilst ensuring the existing traffic and parking situation is not exacerbated by the proposed development.

#### Traffic and Parking

75. Greenwood Primary and Nursery School is located in a somewhat constrained location, along a narrow residential estate road, which is a cul-de-sac. It is recognised that there is a significant existing issue with traffic and parking in the vicinity of Greenwood Primary and Nursery School, particularly on Sutton Middle Lane, Buckingham Close, Box Crescent and Maple Crescent. The existing situation has been raised in a significant number of objections from local residents.
76. The existing problems relate to the volume of vehicles around the school and it is reported that there are significant issues relating to access; illegal parking; blocking of drives; confrontations between pupils' parents and residents; damage to property and vehicles; and potential health and safety issues associated with a high volume cars and a lack of access for emergency vehicles. It is also reported that these issues have become worse since the opening of the Sure Start Centre within the school grounds.
77. The objections raised all highlight the existing problems with vehicles and parking around the school and object to the proposed development because it is considered that the proposed additional space will result in an increase in pupils and consequently exacerbate the existing problems with traffic and parking.
78. The planning application and the clarification letter from the Head Teacher, state that the proposed development would not result in an increase in pupil numbers. Based on the applicant's statement that there will be no increase in pupil numbers, the NCC Road Safety Team and the NCC Highways Team consider that this application will not impact on the existing traffic and parking situation around the school and do not object to the scheme.
79. Some of the letters of representation received by local residents have made suggestions to try to improve the existing traffic and parking problems around the school. The suggestions include various methods of parking restrictions (yellow lines, permit parking etc); provision of additional parking and turning space; turning Sutton Middle Lane into a through road and regular patrolling/policing of the area.
80. Whilst the residents' suggestions may help to reduce some of the existing issues, the development is stated as not increasing pupil numbers. Therefore, the County Council would not be able to impose any of these measures by condition as they do not relate to the proposed development in line with Circular 11/95 (Use of Conditions in Planning Permissions). Furthermore, the majority of these suggestions relate to land outside of the planning application boundary and the applicant's control. As such, the County Council is unlikely to be able to satisfactorily enforce any conditions placed on such land.
81. It is also reported that the school currently employs a number of measures to try to control the existing traffic and parking situation. These include:
- a) advisory zigzag lines outside the school entrance;

- b) The school requests walking or 'park and stride' options, as well as urging considerate parking in each half term newsletter and weekly after school club letters;
  - c) The school works with the police who have issued parking advice notices to any drivers parked illegally;
  - d) Time has been spent with PCSOs advising drivers at the start and end of the school day;
  - e) A school travel plan was produced in 2006 by the previous Head Teacher, when grants were available for projects to protect pupils/pedestrians accessing the school. Money received from this grant was used for safety railing immediately outside pupil exits.
82. Based on the above, the development is not considered to adversely affect highway safety or the capacity of the transport system and is, therefore, in accordance with Part c) of Policy ST1 of the ALP.

### Noise

83. The NCC Noise Engineer has assessed the proposed development and does not consider that extending the school will cause any material change in the levels of noise experience by surrounding residents. It is also noted that there have been no objections relating to noise from local residents. As such, the development is considered to be in accordance with the amenity aspects of Policy ST1 of the ALP from a noise perspective.
84. Notwithstanding the above, the planning application seeks hours of use from 06:00 to 18:00 for the proposed extension and the NCC Noise Engineer considers this to go beyond the normal working hours for a school and recommends that a condition restricts the hours of use from 07:00 or 07:30. This is considered reasonable, and unlikely to place any undue restrictions on school activities, it is therefore recommended that such a condition is attached to any planning permission that is granted.

### Other Issues

85. The proposed extension site has been assessed as not likely to have potential for roosting bats. Nevertheless, an informative should be attached to any planning permission reminding the applicant that in the event of bats being encountered activity should cease and expert advice should be sought, in line with the recommendations of NCC Ecology.
86. One letter of objection from a local resident claimed there has been insufficient consultation in respect of this application and that this infringes their rights to a quiet enjoyment of their neighbourhood. The application has been advertised by way of site notices (one at the school entrance, opposite Buckingham Close, and another on Willow Avenue) and neighbour notification letters sent to the properties nearest the proposed development on Sutton Middle Lane and Willow Road. This approach to consultation is in accordance with the adopted Nottinghamshire County Council Statement of Community Involvement.

## **Other Options Considered**

87. The report relates to the determination of a planning application. The County council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

## **Human Rights Act Implications**

88. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, the potential for the development to result in increased traffic and the potential access, health and safety implications that this would have. However, it is considered that there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

## **Statutory and Policy Implications**

89. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Crime and Disorder Implications**

90. The proposed development would form part of the existing school building and, as such, would benefit from the existing security measures. The school site is secured by a combination of fencing and hedges at its boundaries.

## **Conclusions**

91. The proposed development is a single storey classroom extension to the southern end of Greenwood Primary and Nursery School. The key issues relate to the potential for the extension to lead to an increase in pupil numbers and exacerbate existing traffic and parking issues on the roads surrounding the school. These issues have been raised by a significant number of residents in letters of objection.
92. The application states that the school does not want to increase its pupil numbers and the purpose of the development is to provide a replacement classroom with the space vacated being used for non classroom purposes. The school's immediate space requirements for ICT, library joint, meeting / intervention room, a private space for medical professionals/children's social care and instrument tutors is accepted. However, from a more long term perspective there is concern that future pupil fluctuations could result in the additional space created being used for pupil increase due to external pressures

(e.g. parental preference for the school from out of catchment), which is very hard to predict.

93. With the existing issues in mind, it is recommended that the application is granted permission subject to a condition which ensures that the existing PAN of 60 is not increased.

### **Statement of reasons for the decision**

94. The County Council is of the opinion that the proposed development is in accordance with the following policies:
95. The proposed development is of a design that matches the existing school building and reflects the character of the school. The development is therefore in accordance with Chapter 7 of the National Planning Policy Framework (NPPF), which seeks to prevent poor quality design.
96. The development would provide the school with additional space to use for school activities and facilities which are currently restricted by insufficient spaces. The improvement of facilities is in accordance with Chapter 8 of the NPPF which encourages development that would widen choice in education and gives weight to the need to expand and alter schools.
97. Policy ST1 of the Ashfield Local Plan (ALP) seeks to ensure that development does not conflict with other policies in the plan; would not adversely affect the character, quality, amenity or safety of the environment; would not adversely affect highway safety; and would not prejudice the comprehensive development of an area or conflict with an adjoining land use. The development would be used for school purposes on land that is established as having a school use and would not affect development elsewhere. The building is in keeping with the surroundings. The development, with the attached conditions, would not result in an increase in pupil numbers above that which the school are currently allowed and, as such, would have no impact on traffic and parking above that which the existing school has the capacity for.
98. The development is within the urban boundary of Kirkby in Ashfield, one of the main urban boundaries, and is therefore in accordance with Policy ST2 of the ALP.
99. The development would not encroach upon protected open space and is, therefore, in accordance with Policy RC3 of the ALP.
100. There are no material considerations that indicate that the decision should be made otherwise than in accordance with the above. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

### **RECOMMENDATIONS**

101. It is RECOMMENDED 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. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**SALLY GILL**

**Group Manager (Planning)**

#### **Constitutional Comments (NAB 8.10.12)**

Planning and Licensing Committee has authority to approve the recommendation set out in this report.

#### **Financial Comments (DJK 08.10.12)**

The contents of this report are duly noted; there are no financial implications.

#### **Background Papers Available for Inspection**

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

#### **Electoral Division(s) and Member(s) Affected**

Kirkby in Ashfield North – Councillor John Knight

Report Author / Case Officer

Oliver Meek

0115 9696516

For any enquiries about this report, please contact the report author.

W001028 – DLGS REFERENCE

PPCS.OM/PB/ep5349

5 October 2012 – Date Report Completed by WP Operators

**RECOMMENDED PLANNING CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).*

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. The development hereby permitted shall be carried out in accordance with the following plans and documents:

- a) Site Location Plan, OS Sitemap Greenwood Primary School – received by the CPA on 7 June 2012;
- b) Drawing Ref: 001/12/CSB titled ‘Existing Elevations and Floor Plan’ – received by the CPA on 12 June 2012;
- c) Drawing Ref: 002/12/CSB titled ‘Proposed Elevations and Floor Plan’ – received by the CPA on 12 June 2012;
- d) Drawing Ref: 003/12/CSB titled ‘Existing and Proposed Roof and Landscape Layout’ – received by the CPA on 12 June 2012;
- e) Planning Application Forms – received by the CPA on 13 June 2012;
- f) Planning, Design and Access Statement for Single Storey Classroom and Meeting Room Extension – received by the CPA on 12 June 2012;

*Reason: For the avoidance of doubt.*

4. The Planned Admission Number for the school shall not exceed 60 children per year group.

*Reason: In order that the CPA may control and assess the wider planning impacts of the future use of the site, in the interests of highway safety, amenity and to accord with Policy ST1 of the Ashfield Local Plan Review.*

5. Prior to their use on site details of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted shall

have been submitted to the CPA for its written approval. The development shall thereafter be carried out in accordance with the approved details.

*Reason: In the interests of visual amenity and to accord with Policy ST1 of the ALPR.*

6. Low level planting along the southern and western boundaries of the extension hereby permitted shall be completed in accordance with Drawing Ref: 003/12/CSB received by the CPA on 12 June 2012. The works shall be carried out within the first planting season following the completion of the development or as agreed in writing by the CPA. Any shrubs that, within a period of five years after planting, die, are removed or, in the opinion of the CPA, become seriously damaged or diseased, shall be replaced in the first available planting season with specimens similar to those originally approved, unless the CPA gives written consent to any variation.

*Reason: In the interests of visual amenity and to accord with Policy ST1 of the Ashfield Local Plan Review (ALPR).*

7. No vehicles involved in the construction work shall leave the school site in a condition whereby, mud, clay or other deleterious materials are carried onto the highway.

*Reason: In the interests of highway safety.*

8. Unless in the event of an emergency when life, limb or property is in danger (which the CPA shall be notified of in writing within 48 hours of its occurrence) or with the prior written agreement of the CPA no construction shall be carried out or plant operated other than between the following hours:

07:30 hours to 18:00 hours on Mondays to Fridays; and between  
08:00 hours to 13:00 hours on Saturdays.

No construction work shall take place on Sundays, Bank or Public Holidays.

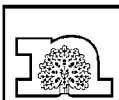
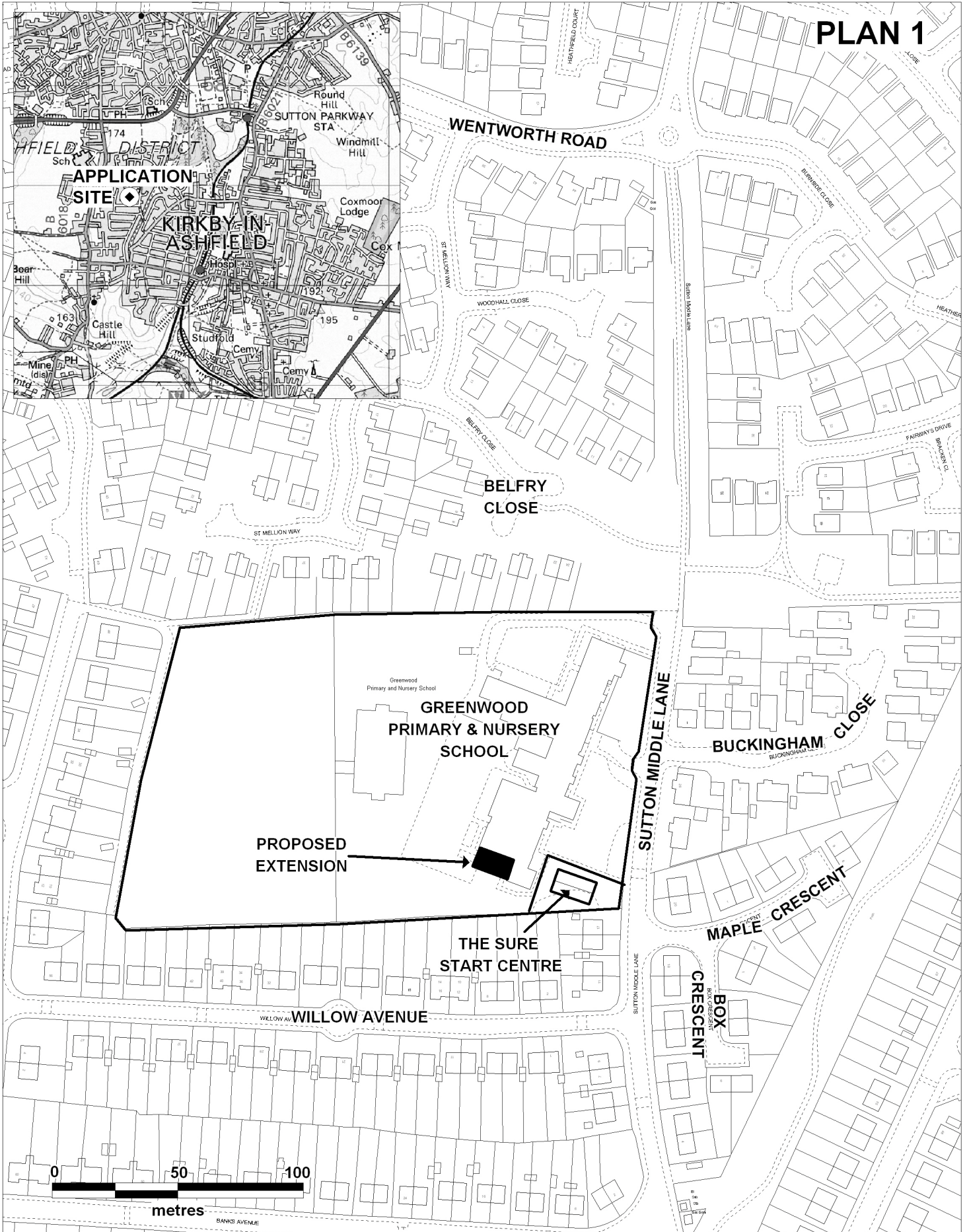
*Reason: In the interests of the amenity of nearby occupiers and to accord with Policy ST1 of the ALPR.*

9. No activities within the school shall commence prior to 07:00 on any day.

*Reason: In the interests of the amenity of nearby occupiers and to accord with Policy ST1 of the ALPR.*

## **NOTES TO APPLICANT**

1. Should any bats be encountered on the site during the course of the development hereby permitted, operations shall immediately cease until a suitable mitigation approach has been agreed with the CPA.



Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

PROPOSED SINGLE STOREY EXTENSION TO PROVIDE  
CLASSROOM AND MEETING ROOM. GREENWOOD  
PRIMARY & NURSERY SCHOOL, SUTTON MIDDLE LANE,  
KIRKBY IN ASHFIELD.  
PLANNING APPLICATION NO. 4/V/2012/0281

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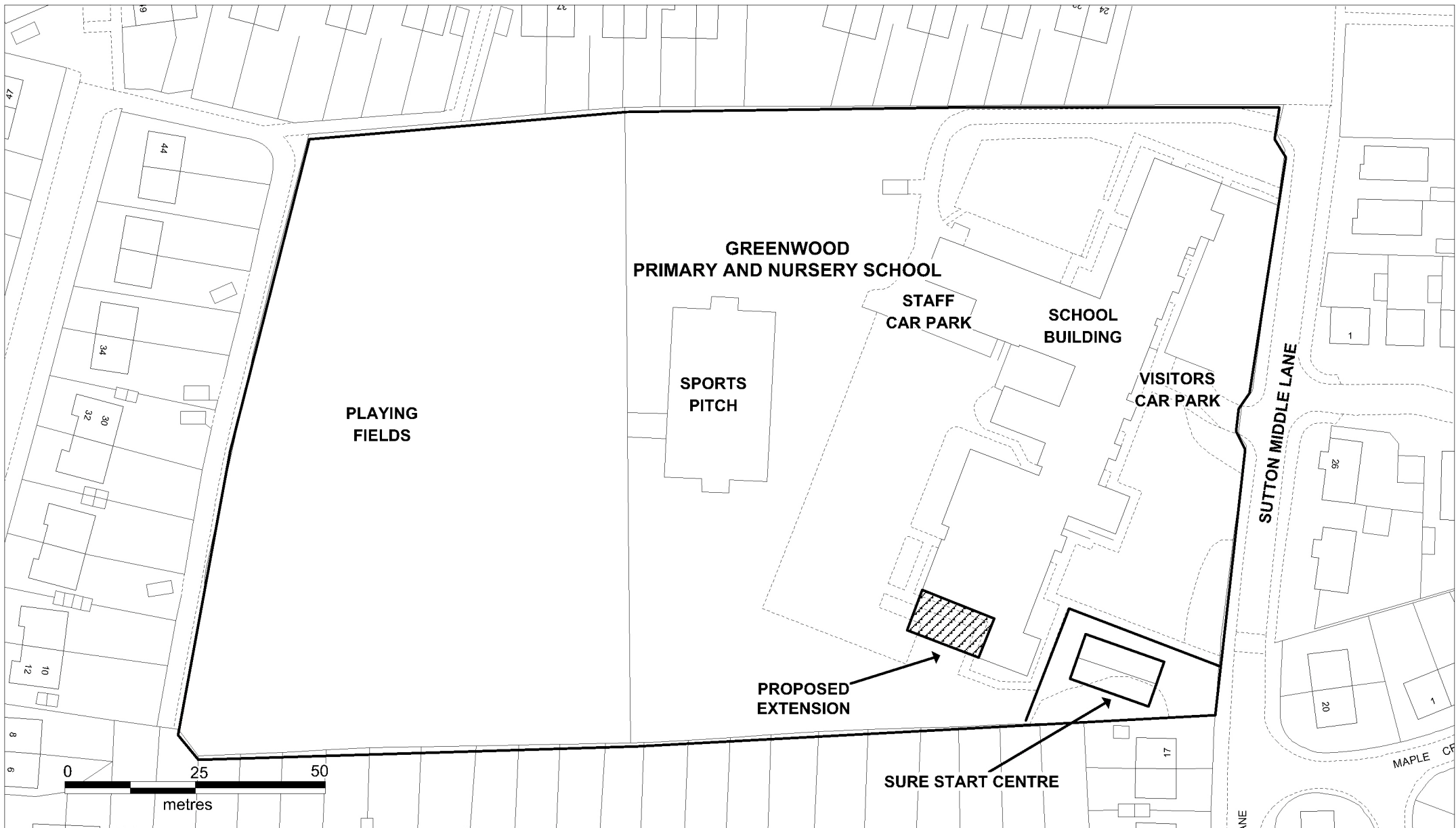


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Date: OCT 2012





PROPOSED SINGLE STOREY EXTENSION TO PROVIDE CLASSROOM & MEETING ROOM.  
 GREENWOOD PRIMARY & NURSERY SCHOOL, SUTTON MIDDLE LANE, KIRKBY IN ASHFIELD.  
 PLANNING APPLICATION NO. 4/V/2012/0281

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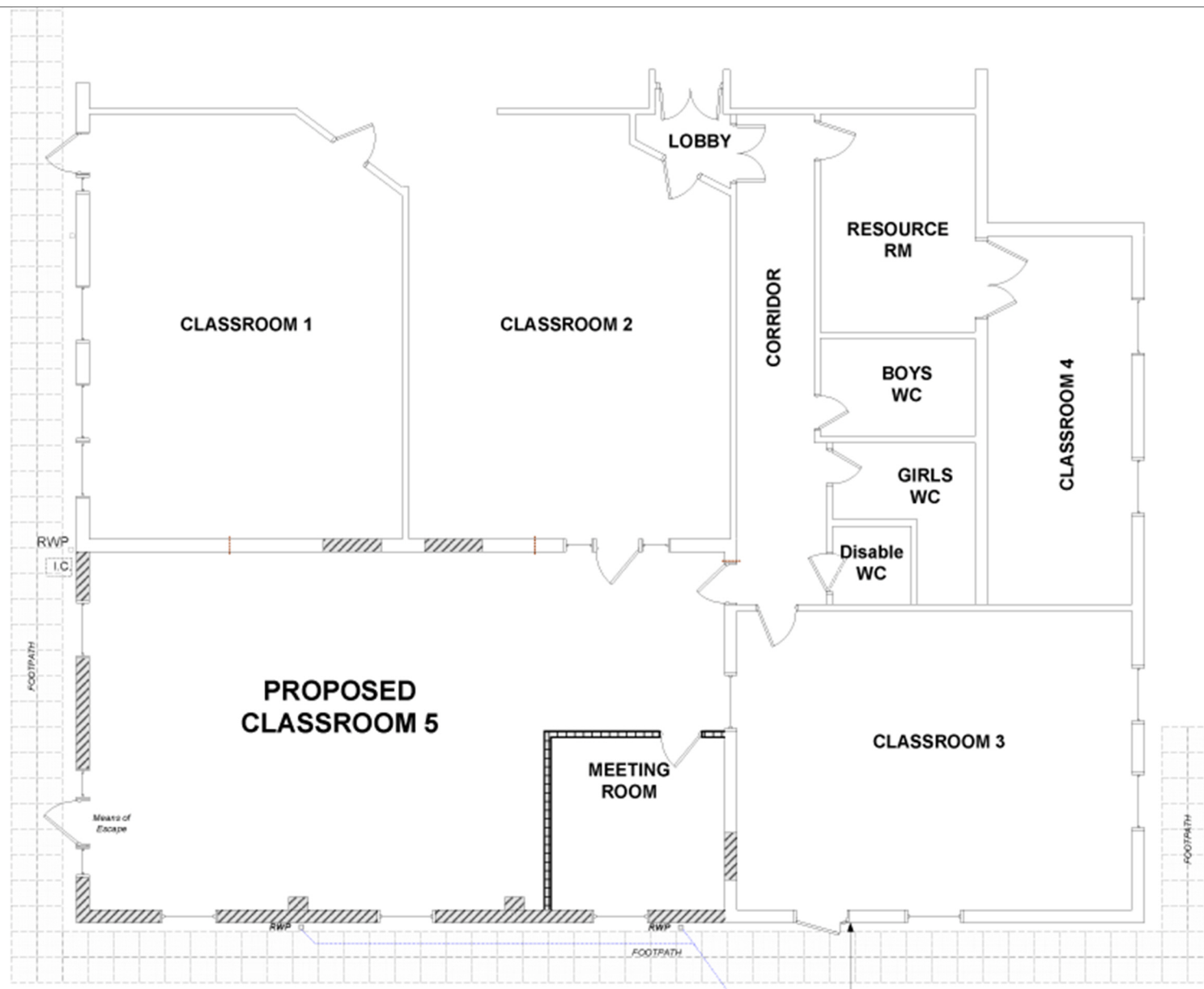
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 Date: OCT 2012

**PLAN 2**



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PROPOSED SINGLE STOREY EXTENSION TO PROVIDE CLASSROOM AN MEETING ROOM.  
GREENWOOD PRIMARY & NURSERY SCHOOL, SUTTON MIDDLE LANE, KIRKBY IN ASHFIELD.  
PLANNING APPLICATION NO. 4/V/2012/0281

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PLAN 3



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County Council Tel: 0115 982 3823



**16 October 2012****Agenda Item: 8**

## **REPORT OF GROUP MANAGER PLANNING DEVELOPMENT MANAGEMENT PROGRESS REPORT**

### **Purpose of this Report**

1. To report on planning applications received in the Department between 08 May 2012 and 31 August 2012 and to confirm the decisions made on planning applications since the last report to Members on 22 May 2012.

### **Background**

2. Appendix A highlights applications received since the last Committee meeting, and those determined in the same period. Appendix B highlights applications outstanding for over 17 weeks. Appendix C sets out any relevant updates. Appendix D is the schedule of action.
3. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

### **Statutory and Policy Implications**

4. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATIONS**

5. It is RECOMMENDED that the report and accompanying appendices be noted.

**SALLY GILL****Group Manager (Planning)**

## **Constitutional Comments**

"The report is for noting only. There are no immediate legal issues arising. Planning and Licensing Committee is empowered to receive and consider the report. [HD – 03/10/2012]

## **Comments of the Service Director - Finance**

The contents of this report are duly noted – there are no direct financial implications. [DJK – 03/10/2012]

## **Background Papers Available for Inspection**

None

## **Electoral Division(s) and Member(s) Affected**

All

## **For any enquiries about this report please contact:**

Report Author / Case Officer

Ruth Kinsey

0115 9696513

For any enquiries about this report, please contact the report author.

4 October 2012

EP5348

**Planning Applications Received and Determined**  
**From 08 May 2012 to 31 August 2012**

Division	Member	Received	Determined
<b>BASSETLAW</b>			
Misterton	Cllr Liz Yates	To extend the time limit for implementation of Planning Permission 1/31/09/00004, Carr Drain Surface Borehole, Blaco Hill Farm, Near Mattersey. Received 08/05/2012	
Tuxford	Cllr John Hemsall	Variation of condition 2 of planning permission 1/43/97/23 to extend the lifetime of oilfield operation to 31 December 2032. South Leverton Oilfield, Treswell. Received 11/05/2012	Granted 09/07/2012
Misterton	Cllr Liz Yates		Extension of time for planning permission 1/23/08/00015 to retain exploratory borehole, Lancaster Road Borehole, Gringley on the Hill. Granted 14/05/2012
Tuxford	Cllr John Hemsall		Retention of container on site as site office/mess cabin, Farleys Wood Oilfield, West Markham. Granted 28/05/2012
Worksop North East & Carlton	Cllr Alan Rhodes		Variation of condition 3 of planning permission 1/59/93/41 to extend the timescale for sand extraction, Carlton Forest Quarry, Blyth Road, Worksop. Granted 06/06/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Worksop West	Cllr Kevin Greaves		Variation of planning permission 1/02/11/00216 for the construction and operation of a metal recycling facility including associated ground work, storage area and vehicle parking. MBA Polymers UK Ltd, Sandy Lane, Worksop. Granted 06/06/2012
Tuxford	Cllr John Hemsall		Variation of conditions 1,6,31,41, 42,43 and 44 of planning permission 1/38/96/11 to provide an alternative restoration scheme. Rampton Quarry, Torksey Ferry Lane, Rampton. Granted 07/06/2012
Worksop North East & Carlton	Cllr Alan Rhodes	Improvements to surfacing within outdoor nursery play area. Prospect Hill Infant & Foundation School, Maple Drive, Worksop. Received 07/06/2012	Granted 10/08/2012
Misterton	Cllr Liz Yates	Variation of condition 2 of planning permission 1/40/97/2 to extend time limit of oilfield operations until 31st December 2032, Gainsborough Oilfield, Oil Depot, Ramper Road, Gainsborough. Received 11/06/2012	Granted 07/08/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Misterton	Cllr Liz Yates	Application for the retention of Gainsborough wellsite 60 until 31st December 2032, Gainsborough Wellsite No 60, off Old Trent Road, Gainsborough. Received 13/06/2012	Granted 07/08/2012
Misterton	Cllr Liz Yates	Change of use from office space within the house back to residential use. Involving alterations to the boundary walls, block up 2 entrances, create 1 new entrance, relocate existing gate to the library pedestrian entrance. Old School House, High Road, Misterton. Received 09/07/2012	
Tuxford	Cllr John Hemsall		Variation of condition 2 of planning permission 1/43/97/23 to extend the lifetime of oilfield operation to 31 December 2032. South Leverton Oilfield, Treswell. Granted 09/07/2012
Misterton	Cllr Liz Yates	Single storey extension to create an additional breakout teaching area with minor alterations to adjacent footpaths on site. The provision of an extension to the existing canopy for existing play areas. Clarborough Primary School, Hill View Crescent, Clarborough . Received 27/07/2012	Granted 28/08/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Misterton	Cllr Liz Yates	Application for extension to time limit for implementing existing planning permission from the 28 August 2012 (as per condition 1 of extant planning permission 47/09/00006) by an additional 3 years. Daneshill Energy Forest, Daneshill Road, Lound. Received 22/08/2012	
<b>MANSFIELD</b>			
Mansfield West	Cllr Victor Bobo Cllr June Stendall	The construction of an enclosed external corridor connecting the school hall to the adjacent teaching areas, Ethel Wainwright Primary School, Westfield Close, Off Westfield Lane, Mansfield. Received 08/05/2012	Granted 20/08/2012
Warsop	Cllr John Allin		Addition of a 2 pump container to improve the efficiency of the generation of electricity, Warsop Energy Park, Carter Lane, Warsop Vale. Granted 14/05/2012
Mansfield North	Cllr Joyce Bosnjak Cllr Parry Tsimbirdis		New draft lobby to entrance, Mansfield Library, West Gate, Mansfield. Granted 16/05/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Mansfield South	Cllr Stephen Garner Cllr Chris Winterton		Variation of Condition 9 of planning permission 2/2004/634/ET - to allow the school more flexibility in the use of the sports hall; to allow the primary school children to use during the school holidays. Asquith Primary School, Asquith Street, Mansfield. Granted 23/05/2012 (Committee)
Mansfield West	Cllr Victor Bobo Cllr June Stendall		Revised description 20/03/2012 - The construction of an 1800mm wide tarmac surfaced pedestrian access path and the installation of 2400mm high pass security fencing and gates, Oakdale Learning Centre, Westfield Lane, Mansfield. Granted 26/06/2012
Warsop	Cllr John Allin	Proposed extension to the school to provide additional toilet and cloakroom facilities accessed off the existing classrooms. Hetts Lane School, Hetts Lane, Warsop. Received 19/07/2012	
<b>NEWARK &amp; SHERWOOD</b>			
Rufford	Cllr Les Ward	Use of the Rufford Orangery as a wedding venue, incorporating temporary removable cover over the courtyard with associated fixings. Covering over plunge pool. The erection of a temporary marquee during summer months and the resiting of a path near the Savile Restaurant. Rufford Country Park, Ollerton. Received 10/05/2012	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Farnsfield & Lowdham	Cllr Andy Stewart	Erection of 1500mm high black bow top fencing to include 2 vehicular access gates each measuring 2metres wide, Halam Primary School, The Turnpike, Halam. Received 11/05/2012	Granted 11/07/2012
Farndon & Muskham	Cllr Mrs Sue Saddington		The re-organisation and rationalisation of the existing Quarry Farm Waste Transfer Station, Quarry Farm, Bowbridge Lane, New Balderton. Granted 16/05/2012
Bingham Farndon & Muskham	Cllr Martin Suthers Cllr Mrs Sue Saddington	Variation of condition 51 of planning permission 3/05/02813/CMA to amend restoration plan, Kilvington Quarry, Kilvington. Received 24/05/2012	
Collingham	Cllr VH Dobson	Siting of 2 horizontal tanks for rainwater harvesting and waste water storage, installation of photovoltaic cells on the south facing roof of the proposed building. Oakwood Fuels Limited, Brailwood Road, Bilsthorpe. Received 01/06/2012	
Collingham	Cllr VH Dobson	Change of use from Class B2 to a waste electrical and electronic equipment treatment facility, Unit 8 and 9, Farrar Close, Newark. Received 20/06/2012	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Rufford			Temporary storage prior to removal off-site of approx 60,000 cu.m of coal material and 20,000 cu m of red shale arising from engineering safety works being undertaken on adjoining disused spoil heap. Bilsthorpe Disused Colliery, Eakring Road, Bilsthorpe. Granted 20/06/2012
Collingham	Cllr VH Dobson		To construct a new 15 space car park, together with 2 passing places on existing track, solar operated gate and signage. Surfacing of an existing public footpath with new footbridge. Cottage Lane, Collingham. Granted 29/06/2012
Southwell & Caunton	Cllr Bruce Laughton	Periodic review under Section 96 of Schedule 14 to the Environment Act 1995, Egmanton Oilfield, Comprising of Wellsites 1, 3 ,5, 7, 14, 27, 32, 35, 44, 52 and 64 at land between Egmanton and Weston. Received 09/07/2012. Received 09/07/2012	
Rufford			Retention of modular education building, Sherwood Pines Horticultural Unit, Forestry Holdings Road, Edwinstowe. Granted 25/07/2012
Balderton	Cllr Keith Walker		Retention of modular education building, Chuter Ede Horticultural Training Unit, Main Street, Balderton. Granted 03/08/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Farnsfield & Lowdham	Cllr Andy Stewart	Construction of mini-tennis court with 2.4m enclosure (on 3 sides only), replacement of existing play equipment, tarmac paths and incidental works. Lady Goodwin's Field, Station Lane, Farnsfield. Received 06/08/2012	
<b>ASHFIELD</b>			
Kirkby in Ashfield North	Cllr Jason Zadrozny	Single storey classroom extension, Greenwood Primary & Nursery School, Sutton Middle Lane, Kirkby in Ashfield. Received 07/06/2012	
Kirkby in Ashfield North	Cllr Jason Zadrozny	Extension to the existing staff car park, Healdswood Infant School, Barker Avenue, Skegby. Received 31/05/2012	
Hucknall	Cllr Rev Tom Irvine Cllr Mick Murphy Cllr Kevin Rostance	The installation of a canopy to create an area that can be used as an outdoor social space at lunch and break times, The Holgate School, Hillcrest Drive, Hucknall. Received 25/06/2012	
Sutton in Ashfield East	Cllr Steve Carroll		Construction of single storey modular building with entrance canopy and formation of pedestrian access path. Hillocks Primary School, Unwin Road, Sutton in Ashfield. Granted 10/07/2012
Hucknall	Cllr Rev Tom Irvine Cllr Mick Murphy Cllr Kevin Rostance	Planning application for the continued use of an Aggregates Recycling Facility at Wigwam Lane for the treatment of waste to produce soil, soil substitutes and aggregates. Melvyn Robert House, Wigwam Lane, Bakerbrook Industrial Estate, Hucknall. Received 16/08/2012	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Sutton in Ashfield East	Cllr Steve Carroll	Change of use of storage building for employment training and administration centre to young people's centre. Replacement of flat roofs with pitched roofs. Alterations to external elevations. Associated paving, landscaping works and fencing. Provision of dedicated pedestrian access. Provision of access and path to public footpath in the adjoining park. Eastbourne Site, Station Road, Sutton in Ashfield. Received 27/06/2012	
<b>BROXTOWE</b>			
Chilwell & Toton	Cllr John Doddy Cllr Richard Jackson		Erection of security fencing and gates, Chilwell College House Junior School, Cator Lane, Beeston. Withdrawn 21/05/2012
Chilwell & Toton	Cllr John Doddy Cllr Richard Jackson	Erection of security fencing and gates, Chilwell College House Junior School, Cator Lane, Beeston. Received 25/05/2012	
Chilwell & Toton	Cllr John Doddy Cllr Richard Jackson		Change of use of caretakers bungalow to community facility and side extension to provide a disabled hygiene suite, Alderman Pounder Infant School, Eskdale Drive, Chilwell. Granted 15/05/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Brian Wombwell	Application to retain existing temporary classrooms, Bramcote Park School, (Former Bramcote Hills), Derby Road, Bramcote. Received 30/05/2012	Granted 24/07/2012
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Brian Wombwell	Application to retain existing temporary classroom, Alderman White School, Chilwell Lane, Bramcote. Received 30/05/2012	Granted 17/07/2012
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Brian Wombwell		Installation of 2 sections of 2.1m high black steel fencing and gates with a final top detail to improve security management at the school, St John's C of E Primary School, 80 Nottingham Road, Stapleford. Granted 12/06/2012
Beauvale	Cllr David Taylor		On Farm Composting of plant matter such as grass cuttings and hedge trimmings, Halls Lane, (Land south of A610), Newthorpe. Granted 05/07/2012
Beauvale	Cllr David Taylor	Temporary storage and washing of media on field adjacent to sewage treatment works with associated development, Newthorpe Sewage Works, Hall Lane, Newthorpe. Received 20/07/2012	

Division	Member	Received	Determined
<b>GEDLING</b>			
Arnold North	Cllr Ged Clarke Cllr Carol Pepper	Site double decker bus for use as childs play area (ground floor) and community teaching space (1st floor), Pinewood Infant School, Pinewood Avenue, Killisick, Arnold. Received 25/05/2012	Granted 17/07/2012
Calverton	Cllr Mark Spencer		Car park extension and erection of a new storage unit and relocation of one existing storage unit, Colonel Frank Seely School, Flatts Lane, Calverton. Granted 28/05/2012
Calverton	Cllr Mark Spencer	Alterations to B1/B8 industrial unit including insertion of ground and first floor windows (to mezzanine), dock shelter, free-standing canopy, external paving, lighting, cctv, pallet storage enclosure, covered cycle parking and 2.4m high palisade fencing. Units 6-8 Calverton Business Park, Hoyle Road, Off Mansfield Lane, Calverton. Received 02/07/2012	Withdrawn 09/08/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Carlton East	Cllr Allen Clarke Cllr John Clarke	Application for 24hr operation (Monday to Saturday) and Sunday Days (0600 - 1800 only) of internal waste processing on units 1 and 2; consolidation of all existing planning permissions & retention of various building plant and machinery comprising diesel generators, shift managers office, grey water recycling storage tanks, storage bays, screen & loading gantry in phase III building, toilet/shower block, aggregate storage bays, PPE storage container, staff mess facility and glass screen/conveyor. Enviro Building, Private Road 4, Colwick Industrial Estate. Received 18/07/2012	
Calverton	Cllr Mark Spencer	Re-submitted - Fitting out of B1/B8 industrial unit including insertion of ground floor and first floor windows (to mezzanine), dock shelter, free-standing canopy, external paving, lighting, CCTV, pallet storage enclosure, covered cycle parking and 2.4m high paladin fencing. Units 6 -8 Calverton Business Park, Hoyle Road, Calverton. Received 08/08/2012	
Carlton East	Cllr Allen Clarke Cllr John Clarke	New single motor control kiosk (MCC), Severn Trent Water Limited, Stoke Bardolph Sewage Treatment Works, Stoke Lane, Stoke Bardolph. Received 13/08/2012	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Calverton	Cllr Mark Spencer	To erect an additional containerised engine and replace the existing pump container with a larger unit. Adjustments to pipe work and services as required by the new equipment, Land within the former Calverton Colliery, Off Hollinwood Lane, Calverton. Received 13/08/2012	
<b>RUSHCLIFFE</b>			
Cotgrave	Cllr Richard Butler		Erection of extension to two existing classrooms and associated landscape works, Langar Church of England Primary School, Barnstone Road, Langar. Granted 14/05/2012
Cotgrave	Cllr Richard Butler	Erection of a 1.8m high security fence and gate behind the existing hedge to the boundary of the site alongside Barnstone Road. Langar Church of England Primary School, Barnstone Road, Langar. Received 14/05/2012	Granted 23/07/2012
		Fitting out of B1/B8 industrial unit including insertion of ground floor and first floor windows (to mezzanine), dock shelter, free-standing canopy, external paving, lighting, CCTV, pallet storage enclosure, covered cycle parking and 2.4m high paladin fencing. Units 6 -8 Calverton Business Park, Hoyle Road, Calverton	

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
Ruddington	Cllr Reg Adair	Erection of bays for the storage and processing of incinerator bottom ash (IBA) and change of use of land to extend the transfer of the commercial and industrial waste area to accommodate the new bays, Johnsons Aggregates, Loughborough Road, Bunny. Received 22/05/2012	
West Bridgford West	Cllr Gordon Wheeler	A temporary change of use of an office building (Centenary House - Class B1) to provide a temporary decant facility as a school (Class D1) for 3 weeks from 29 June to 20 July 2012. Temporary siting of Portaloos, Centenary House, 1 Wilford Lane, West Bridgford. Received 25/05/2012	Granted 26/06/2012
West Bridgford Central & South	Cllr Barrie Cooper Cllr Michael J Cox		
Ruddington	Cllr Reg Adair	Extension to existing school to form additional classroom, James Peacock Infant and Nursery School, Manor Park, Ruddington. Received 11/06/2012	Granted 28/08/2012
West Bridgford West	Cllr Gordon Wheeler	Alterations to south elevation of day care centre, including erection of roof-top plant enclosure, and associated landscape works following demolition of attached office building, Nottinghamshire County Council, West Bridgford House, Loughborough Road, West Bridgford. Received 02/07/2012	
West Bridgford Central & South	Cllr Barrie Cooper Cllr Michael J Cox	Application to retain existing temporary classroom, Lady Bay Primary School, Trent Boulevard, West Bridgford. Received 05/07/2012	Granted 12/07/2012

<b>Division</b>	<b>Member</b>	<b>Received</b>	<b>Determined</b>
West Bridgford Central & South	Cllr Barrie Cooper Cllr Michael J Cox	To retain existing temporary classroom known as building 4, Edwalton Primary School, Wellin Lane, Edwalton. Received 05/07/2012	
West Bridgford Central & South	Cllr Barrie Cooper Cllr Michael J Cox	To retain existing temporary classroom known as building 2, Edwalton Primary School, Wellin Lane, Edwalton. Received 09/07/2012	
Bingham	Cllr Martin Suthers	Install total of 914m2 of new tarmac to areas where the tarmac surface has deteriorated and has become a health and safety issue. Toot Hill Comprehensive School, The Banks, Bingham. Received 30/07/2012	
Soar Valley	Cllr Lynn Sykes	Variation of condition 5 of planning permission 8/11/01100/CMA to extend the time period necessary to extract all permitted reserves at Jenks Lane, East Leake Quarry, Rempston Road, Stanford on Soar. Received 16/08/2012	
West Bridgford West	Cllr Gordon Wheeler	Extension to form disabled toilet and shower room with cleaners store, Greythorn Primary School, Greythorn Drive, West Bridgford. Received 16/08/2012	
West Bridgford West	Cllr Gordon Wheeler	Re-development of West Bridgford House and change use of site to school annex for the Heymann Primary School, Loughborough Road, West Bridgford. Received 30/08/2012	

**Applications outstanding over 17 weeks at 31 August 2012**

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>BASSETLAW</b>				
Blyth & Harworth	<b>Cllr Sheila Place</b>	Vary condition to allow coal stocking site to be restored in compliance with planning permission, Harworth Colliery, Scrooby Road, Bircotes	267	<i>Delegated report to be finalised</i>
Blyth & Harworth	<b>Cllr Sheila Place</b>	Variation of condition to vary the period for the submission of an alternative restoration scheme, No2 Spoil Heap, Harworth Colliery, Scrooby Road, Bircotes	267	<i>Delegated report to be finalised</i>
Tuxford	<b>Cllr John Hemsall</b>	Construction and operation of a biomass fuelled combined heat and power plant. R Plevin & Sons Limited, Crookford Hill. Elkesley, Retford	113	<i>Re-submission anticipated in next few weeks. Further consultation will be necessary.</i>
Worksop East	<b>Cllr Glynn Gilfoyle</b>	Construction of a car park with access from the highway to access Manton Pit Wood Country Park. The car park would provide a total of 35 spaces of which 6 would be disabled. Manton Pit Wood, B6040, Manton, Worksop	90	<i>Held in abeyance, awaiting protected species survey from the applicant</i>

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Tuxford	<b>Cllr John Hemsall</b>	Variation of condition 1 of planning permission 1/38/97/16 to provide an alternative restoration scheme. Rampton Quarry, Torksey Ferry Road, Rampton	80	<i>Awaiting for a revision to restoration plan</i>
Misterton	<b>Cllr Liz Yates</b>	Variation of conditions 3,5,21,22 and 37 of planning permission 1/29/06/00018 in respect of proposed amendments to the restoration scheme, Daneshill landfill Site, Daneshill Road, Lound	44	<i>To be found elsewhere on the agenda</i>
Tuxford	<b>Cllr John Hemsall</b>	Variation of conditions 6, 7, 20, 29, 31, 36, 37 and 38 of p/p 1/12/06/00002 to amend end dates for restoration and disposal of Pulverised Fuel Ash (PFA). Cottam Power Station, Outgang Lane, Cottam	35	<i>Additional information has been received and the re-consultation process is underway</i>

Division	Member	Description	Weeks Out Standing	Comments
Tuxford Warsop	Cllr John M Hempsall  Cllr John Allin	Proposed restoration of the northern part of spoil heap involving the importation of 1.9 million cubic metres of engineering fill, recovered aggregates and other suitable materials, including wastes such as pulverised fuel ash, third party soils and stone. Welbeck Colliery, Meden Vale, Mansfield	30	<i>Can be found elsewhere on the agenda</i>
Worksop East	Cllr Glynn Gilfoyle	Construction of new sludge treatment centre, associated new access road and landscaping and ancillary development, Worksop Sewage Treatment Works, Rayton Angle, Worksop	21	<i>Delegated report being prepared</i>
Misterton	<b>Cllr Liz Yates</b>	Variation of condition 35 of planning permission 1/32/08/00018 increasing lorry movements from 50 to 75 per day to allow for the increased amount of material to be processed through the Auckley Depot, Newington South Quarry, land south of Bawtry Road and Slaynes Lane, Misson	19	<i>Can be found elsewhere on the agenda</i>
<b>MANSFIELD – None</b>				

Division	Member	Description	Weeks Out Standing	Comments
<b>NEWARK</b>				
Newark West	<b>Cllr Keith Girling</b>	Regularisation of use of additional land in connection with scrapyard, Briggs Metals Limited, Great North Road, Newark	85	<i>Negotiations continuing with the Environment Agency, Central Networks, Reclamation/Landscape who have raised objections</i>
Farnsfield & Lowdham	Cllr Andy Stewart	Variation of conditions 17(b), 18,22 and 24 of planning permission 3/11/00212/CMA for an extension of time to complete works on site, Hoveringham Quarry, Thurgarton Lane, Hoveringham	44	<i>Awaiting for further information concerning flood risk assessment</i>
Rufford	Cllr Les Ward	Amendment and extension of colliery spoil disposal scheme, Thoresby Colliery, Edwinstowe	39	<i>Can be elsewhere on the agenda</i>
Farndon & Muskham	Cllr Mrs Sue Saddington	Application not to comply with conditions 14 & 17 (Conveyor). Revision to condition 10 phasing of extraction. Bantycok Quarry, Staple Lane, Balderton.	24	<i>Delegated report being prepared</i>

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
ASHFIELD				
<b>Sutton in Ashfield Central</b>	<b>Cllr Michelle Gent</b>	Retrospective application for the erection of a portacabin and variation of conditions 7 and 12 of pp 4//2007/0211, to increase number of vehicle movements to 180 a day, Mitchells of Mansfield, Brierley Park Industrial Estate, Stanton Hill.	218	<i>Applicant amended number of vehicle movements to 100 per day. Re-consultation underway</i>
Hucknall	Cllr Rev Tom Irvin Cllr Mick Murphy Cllr Kevin Rostance	Environmental improvements to town centre encompassing the demolition of buildings and construction of a new inner relief road between Annesley Road and the Bolsover Street/Station Road junction, Hucknall	141	<i>No change to the application. No further information received from applicant.</i>

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>Sutton in Ashfield East</b>	<b>Cllr Steve Carroll</b>	The extraction and processing of silica sand, new site access road, associated plant/offices, landscaping and screening bunds. Restoration to agriculture and nature conservation. Land at Two Oaks Farm, Derby Road, Mansfield	127	<i>Can be found elsewhere on the agenda</i>
Kirkby in Ashfield South	Cllr Rachel Madden	The restoration of the former Bentinck Tip site using site derived and imported materials to create a range of outdoor recreational facilities including landscaping, planting, ecological enhancements and the installation and operation of two wind turbines to provide the facilities with renewable energy. Former Bentinck Tip Site, Park Lane, Kirkby in Ashfield	28	<i>Further information received and re-consultation underway.</i>
Kirkby in Ashfield South	Cllr Rachel Madden	Receipt, processing, screening/crushing and disposal of inert waste material at land to the east of the A611 and its restoration to ecological and recreational use, Land adjacent to Shenton Lodge, Derby Road, Kirkby in Ashfield	28	<i>To be found elsewhere on the agenda</i>

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
BROXTOWE				
<b>Beeston South &amp; Attenborough</b>	Cllr Eric Kerry	Variation of condition 3 of planning ref 5/06/01039/CCR to amend the alignment of the weir, associated bridge structure and reduce distance of the diversion to footpath No 69, Land southwest of Attenborough Nature Reserve, Barton Lane, Attenborough	181	<i>Report written but conditions to be finalised</i>
<b>Beauvale</b>	Cllr David Taylor	Retention of utilities yard, including the siting of portacabin offices, vehicle parking, materials storage and auxiliary inert waste material processing for a temporary period of five years. Gin Close Way, Kimberley	28	<i>Awaiting flood risk assessment from applicant</i>
<b>Kimberley &amp; Trowell</b>	Cllr Ken Rigby	Extraction of coal and fireclay by surface mining methods with restoration to agriculture, woodland, nature conservation and public amenity. Land off Cossall Road between the villages of Cossall and Trowell, referred to as the Shortwood Site	19	<i>Application being processed</i>
<b>GEDLING-</b>				

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
Arnold North	Cllr Ged Clarke Cllr Carol Pepper	Construction of single storey modular building with entrance canopy and formation of pedestrian access path, Arnold Mill Primary School, Cross Street, Arnold.	20	<i>Ongoing discussions concerning need</i>
<b>RUSHCLIFFE</b>				
<b>Soar Valley</b>	Cllr Lynn Sykes	Extension to existing quarry involving the extraction of sand and gravel with restoration of site to agriculture and wetland conservation. East Leake Quarry, Rempstone Road, East Leake	85	<i>Awaiting further concerning ecology and airport safeguarding from the applicant which will then require further consultation</i>
Cotgrave	Cllr Richard Butler	Proposed change of use to de-pollution and dismantling operation including the construction of a de-polluting building, parts storage container and site control offices. Land off Harby Road. North Trading Centre, Langar	68	<i>Can be found elsewhere on the agenda</i>

<b>Division</b>	<b>Member</b>	<b>Description</b>	<b>Weeks Out Standing</b>	<b>Comments</b>
<b>Soar Valley</b>	Cllr Lynn Sykes	Existing school to be extended with a new 2 class building and play areas to replace those lost to the new building. New sports storage container. 2 additional car parking spaces. Brookside Primary School, School Green, East Leake	59	<i>Held in abeyance, applicant reviewing the proposed development with a view to withdrawing the application</i>
<i>Cotgrave</i>	<i>Cllr Richard Butler</i>	<i>Proposed installation of a metal shredding and recycling system at the existing metal recycling facility, Langar Industrial Estate North, Harby Road, Langar</i>	24	<i>Can be found elsewhere on the agenda</i>

## **APPENDIX C**

### Update on Planning Fees

Members will recall from earlier reports to Committee that the Government was minded to introduce Locally Set Planning Fees with the aim of enabling planning authorities to recover the full costs of dealing with applications for planning permission. At present fees for planning applications are centrally set and are periodically reviewed, the last update being issued in 2008. The County Council participated in a benchmarking exercise with other County Councils to help inform the levels to which planning fees may need to be adjusted.

More recently, however, the Government has announced plans for a one-off increase in planning fees of around 15%. The Decentralisation Minister explained that this 15% increase would bring planning fees in line with inflation since the last increase in 2008. The Government intends to introduce new fee regulations to enable the change to come into force in the Autumn.

Committee will be kept informed of these developments.

### Schedule of action required by Committee

<b>Date of Committee Resolution</b>	<b>Proposal</b>	<b>Action required</b>	<b>Date for future report</b>	<b>Current status</b>
05/07/2011	Meet Officer/Member at Bassetlaw District Council to achieve greater co-ordinated approach where proposals may involve minerals development.	Arrange meeting	N/A	Chair and Officers attended meeting with Chair and Officer from Bassetlaw DC on 17 October 2011. Issues arising from recent cases discussed and NCC Officers have since, as agreed, prepared a draft protocol to assist all parties with future development proposals which may involve elements of County Matters.

### APPENDIX D

**16 October 2012****Agenda Item: 9**

## **REPORT OF GROUP MANAGER, PLANNING WORK PROGRAMME**

### **Purpose of the Report**

1. To consider the Committee's work programme for 2012/13.

### **Information and Advice**

2. A work programme has been established for Planning and Licensing Committee to help in the scheduling of the committee's business and forward planning. It aims to give indicative timescales as to when applications are likely to come to Committee. It also highlights future applications for which it is not possible to give a likely timescale at this stage.
3. Members will be aware that issues arising during the planning application process can significantly impact upon targeted Committee dates. Hence the work programme work will be updated and reviewed at each pre-agenda meeting and will be submitted to each Committee meeting for information.

### **Other Options Considered**

4. To continue with existing scheduling arrangements but this would prevent all Members of the Committee from being fully informed about projected timescales of future business.

### **Reason/s for Recommendation/s**

5. To keep Members of the Committee informed about future business of the Committee.

### **Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

That the committee's work programme be noted.

**Sally Gill**  
**Group Manager, Planning**

**For any enquiries about this report please contact: Keith Ford, Senior Democratic Services Officer**

### **Constitutional Comments (HD)**

7. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

### **Financial Comments (PS)**

8. There are no financial implications arising directly from this report.

### **Background Papers**

Relevant case files for the items included in Appendix A.

### **Electoral Division(s) and Member(s) Affected**

All

## Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
November 2012	5/12/00122/CCR	Awsworth Pallets, Gin Close Way, Kimberley	Retention of utilities yard, including the siting of portacabin offices, vehicle parking, materials storage and auxiliary inert waste material processing for a temporary period of five years.
November 2012	4/V/2012/0096	Former Bentinck Tip Site, Park Lane, Kirkby in Ashfield	The restoration of the former Bentinck Tip site using site derived and imported restoration materials to create a range of outdoor recreational facilities including an equestrian centre, football pitches, golf course, driving range, camping grounds, fishing pond, and adventure play area, including landscaping, planting, ecological enhancements and the installation and operation of two wind turbines to provide the facilities with renewable energy.
November 2012	4/2010/0178	Land at Two Oaks Farm, Derby Road, Mansfield	The extraction and processing of silica sand, including the provision of a new site access road, landscaping and screening bunds. Sand and soil processing plants and other associated infrastructure. Restoration to agriculture and nature conservation. Quarry offices, quarry processing plant, sand drying, sand bagging plant and quarry lagoons.
November 2012	5/12/00446/CCR	Newthorpe Sewage Treatment Works, Hall Lane, Newthorpe	Temporary storage and washing of media on field adjacent to sewage treatment works with associated development.
December 2012. Outside chance of	To be Validated at date of schedule preparation	West Bridgford House, Loughborough Road,	Erection of 270 place Key Stage 1 school annex and 39 place nursery following the demolition of office building, construction of associated

November if no significant issues raised.		West Bridgford	play areas, staff and visitor car parking and landscaping works. Provision of pedestrian link connecting new school site to the existing Heymann Primary School. Use of Heymann Primary School as 360 place Key Stage 2 School. Construction of multi-use games area enclosed by 3m high fencing (5m at the ends) at existing Heymann Primary School for use by KS1 and KS2 schools. Erection of security fencing/modification to pedestrian access gate(s) and provision of external lighting.
December 2012	8/12/01028/CMA	Johnsons Aggregates, Loughborough Road, Bunny.	Erection of bays for the storage and processing of incinerator bottom ash (IBA) and change of use of land to extend the transfer of the commercial and industrial waste area to accommodate the new bays.
January 2013	8/11/00157/CMA	East Leake Quarry, Rempstone Road, East Leake	Extension to existing quarry involving the extraction of sand and gravel with restoration of site to agriculture and wetland conservation

**Other Key Applications/Submissions in system but not timetabled to be reported to committee before December 2012 at the very earliest:-**

<b><u>Reference</u></b>	<b><u>Location</u></b>	<b><u>Brief Description</u></b>
4/2008/0457	Mitchells of Mansfield, Brierley Park Industrial Estate, Stanton Hill	Retrospective application for the erection of a portacabin and variation of conditions 7 and 12 of planning permission 4//2007/0211, to increase number of vehicle movements to 180 a day, and to enable vehicle movements between the hours of 6:00 and 18:00 Monday to Friday, and 6:00 to 12:00 Saturdays
3/11/00202/CMA	Briggs Metals Limited,	Regularisation of use of additional land

	Great North Road, Newark	in connection with scrapyards, erection of buildings for use in connection with scrapyards, erection of additional buildings and plant/machinery including extension to existing offices.
1/18/10/00008	R Plevin & Sons Limited, Crookford Hill. Elkesley, Retford	Construction and operation of a biomass fuelled combined heat and power plant
		Scheme submitted by Severn Trent Water Limited for the restoration of the former Gravel Workings at Gunthorpe
5/12/00268/CCM	Land off Cossall Road between the villages of Cossall and Trowell, referred to as the Shortwood Site	Extraction of coal and fireclay by surface mining methods with restoration to agriculture, woodland, nature conservation and public amenity.
Application not yet submitted	Big House, Edwinstowe	Replacement respite centre.
8/12/00856/CMA	Redhill Marina, Ratcliffe on Soar	Resubmission of application for the construction of a leisure marina comprising marina basin with 553 leisure moorings and ancillary buildings, associated vehicle parking, landscaping and infrastructure and the incidental excavation and removal of minerals.

