



## PLANNING & LICENSING COMMITTEE

Tuesday 11<sup>th</sup> December 2018 commencing at 10.30am

Meeting at County Hall, West Bridgford, Nottingham.

I refer to the Agenda you will have already received for the above mentioned meeting and enclose an addendum to the following item:

### 9. Welbeck Colliery, Elkesley Road, Meden Vale

The Recommendations of the above report have been amended and now read as follows:

#### **Recommendation 1 (2/2017/0525/NCC) – Variation of Conditions 3 and 4 of Planning Permissions Ref: 1/13/01390/CDM to allow a further 5 years for the placement of material and restoration of the site**

It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a designated route for all HGVs using the site.

It is further recommended that subject to the completion of the legal agreement before the 11 March 2019 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed before the 11 March 2019, or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is Recommended that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time. Members need to consider the issues set out in the report and resolve accordingly.

#### **Recommendation 2 (1/18/00791/CDM) – Proposed variations to the Soil Management Areas**

It is RECOMMENDED that the Corporate Director – Place be instructed to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a designated route for all HGVs using the site.

It is further recommended that subject to the completion of the legal agreement before the 11 March 2019 or another date which may be agreed by the Team Manager Development Management in consultation with the Chairman and the Vice Chairman, the Corporate Director – Place be authorised to grant planning permission for the above development subject to the conditions set out in Appendix 1 of this report. In the event that the legal agreement is not signed before the 11 March 2019,

or within any subsequent extension of decision time agreed with the Waste Planning Authority, it is Recommended that the Corporate Director – Place be authorised to refuse planning permission on the grounds that the development fails to provide for the measures identified in the Heads of Terms of the Section 106 legal agreement within a reasonable period of time. Members need to consider the issues set out in the report and resolve accordingly.