PLANNING AND REGULATION COMMITTEE
30 JULY 2018

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors T R Ashton (Vice-Chairman), D Brailsford, Mrs P Cooper, L A Cawrey, Mrs J E Killey, D McNally, Mrs M J Overton MBE, N H Pepper, Mrs A M Newton, S P Roe and P A Skinner

Councillor: B Adams attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Andy Gutherson (County Commissioner for Economy and Place), Neil McBride (Planning Manager), Marc Willis (Applications Team Leader) and Mandy Withington (Solicitor)

28 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors S Kirk, R B Parker, R P H Reid, H Spratt and M J Storer.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor Mrs P Cooper to the Committee, in place of Councillor S R Kirk, for this meeting only. He had appointed Councillor R A Renshaw to the Committee, in place of Councillor R B Parker, until further notice and then had appointed Councillor Mrs J E Killey, to the Committee, in place of Councillor R A Renshaw, for this meeting only.

29 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of interests were made at this stage of the meeting.

30 MINUTES OF THE PREVIOUS MEETING OF THE COMMITTEE HELD ON 2 JULY 2018

RESOLVED

That the minutes of the previous meeting held on 2 July 2018, be agreed as a correct record and signed by the Chairman.

31 COUNTY MATTER APPLICATIONS

32 TO EXTEND NORTON BOTTOMS QUARRY FOR THE EXTRACTION OF SAND AND GRAVEL, TOGETHER WITH THE RETENTION OF ALL EXISTING ANCILLARY OPERATIONS FOR THE DURATION OF THE EXTENDED OPERATIONS TO PROVIDE A SINGLE CONSOLIDATED CONSENT FOR THE ENTIRE SITE AND A REVISED RESTORATION STRATEGY AT NORTON BOTTOMS QUARRY, STAPLEFORD - BREEDON SOUTHERN LTD - N60/47/1208/17

Since the publication of the report the Planning Manager reported details of the revised National Planning Policy Framework which were detailed in the update to the Committee which was published on the Council's website and had been sent to Committee members before the meeting.

Graeme King, representing the applicant, commented as follows:-

- Sand and gravel operations had taken place for over 30 years at Norton Disney. Over this time the operation had extended in piecemeal fashion such that there was now a patchwork of separate planning permission blocks across the site containing different conditions, often with competing restoration requirements.
- The application if approved would allow an additional release of 7m tonnes of minerals to be worked over an additional 14 years.
- It was also proposed to consolidate all the older planning consents across the site into a single permission with a holistic, nature conservation themed scheme of restoration being progressively delivered.
- The planning application had evolved over the past 4 years or so following pre-submission engagement and then feedback received from the communities of Norton Disney and Stapleford. Following feedback from these communities the working plans had been modified such that these adverse effects had been "designed out" of the working schemes and these changes were reflected in the application.
- Should the application be approved this would ensure the protection of 37 employees and 20 employees not directly employed at the plant; rescind all old planning permissions across the site and deliver a new sustainable, nature conservation themed restoration scheme including rich biodiverse habitats with enhanced public access rights.

Graeme King responded to questions from the Committee as follows:-

- He stated that the consultation exercise carried out had raised concerns about how long the bunds would remain in place and that they should be removed as soon as possible. The applicant had stated that the bunds would provide screening of the site and would also prevent the spread of dust. He stated that the visual impact of the bunds had been addressed by reducing their gradient. The new application would ensure that the operation would move away from the village of Stapleford.
- The nearest residential property to the extraction site was 125 metres away.

- The noise from the site would be below the recognised threshold and during the construction of the bunds the noise would be above the threshold but only for a short period of time.
- The diversion of the Public Right of Way (PROW) through the proposed site would only be temporary and would be restored on the restoration of the site. It was the intention of the applicant to provide more Permissive access following restoration of the site.

Officers stated that the noise levels arising from the application were outlined in the report and were within planning guidance. Officers stated that higher noise levels were only permitted for a temporary period.

Comments by the Committee and the responses of officers, where appropriate, included:-

- Clarification was sought about noise levels from the site? Officers stated that it was difficult to explain the level of noise generated from the site. However, it would be quieter than that generated by an aeroplane.
- The public consultation carried out by the applicant was welcomed.
- Could the local Member be kept informed when the PROW was restored so that local residents could be informed? Officers stated that the PROW would be reinstated following the completion of Phase 3 of the development and therefore it would be 7 years before the PROW was reinstated.
- The applicant's routing of his vehicles to avoid local villages was welcomed. Officers stated that the applicant had previously entered into a routeing agreement for his vehicles for this site.
- The applicant had already provided a haulage road to the A46 which meant his HGVs avoiding to have to use the local roads.
- It was noted that a lot of the applicant's material was transported nationwide.
- It was noted that dust would be kept to a minimum.

On a motion by Councillor Mrs M J Overton MBE, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That planning permission be granted subject to:-

(a) The applicant entering into a S106 Planning Obligation to cover the following matters:

• to secure the revocation of all existing permissions that relate to Norton Bottoms Quarry without compensation;
• to continue to route all HGVs travelling to and from the site to the A46(T) and not to use the C195 (Newark Road) except to for local deliveries;
• to secure the implementation of the Bird Hazard Management Plan in perpetuity or until such time as RAF Waddington ceases to operate;
• to provide a Long Term Management Plan to ensure continuous

aftercare of the restored site and maintenance of permissive paths, watercourse crossing points and bird hides.

(b) That, subject to the completion of the Planning Obligation referred to above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions set out in the report.

(c) Agree to the report forming part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:

• content of decision and any conditions attached to it;
• main reasons and considerations on which decision is based;
• including if relevant, information about the participation of the public;
• a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
• information recording the right to challenge the validity of the decision and procedure for doing so.

33 TO ERECT A 450,000 LITRE CAPACITY WATER TANK, A FUEL TANK AND BRICK BUILDING TO HOUSE A PRESSURE WASHER AT MUSHROOM FARM, BOUNDARY LANE, SOUTH HYKEHAM - GBM WASTE MANAGEMENT - 18/0757/CCC

Since the publication of the report the Planning Manager reported details of the revised National Planning Policy Framework, a response to consultation received from Hykeham Planning Committee and the Planning Manager's response to the consultation, which were detailed in the update to the Committee, published on the Council's website and sent to Committee members before the meeting.

Comments by the Committee and the responses of officers, where appropriate, included:-

- Concern that the application was retrospective.
- If the applicant was unable to follow planning procedures there was little hope of him following environmental procedures. Officers stated that a retrospective application was not unlawful with planning permission. People were advised to submit a planning application otherwise enforcement action might be necessary.
- Residents were concerned about the "creeping" growth of the site.
- The location of the water tank beyond the boundary of the applicant's site on land adjacent to the applicant's site did not have permission as a waste site. Officers stated that the site adjacent to the applicant's site historically had permission for a waste site but this permission had expired and since its expiration planning permission had been granted for industrial use. The planning application was also a County Council matter.

- What method was proposed to fill the water tank? Officers stated that it was initially proposed to use run off surface water from the site and then to top it up when required.
- What was the water tank made of? Officers stated that a detailed description of the construction of the water tank was outlined in the report but the main tank was made of galvanised steel with an inner lining and its dome made from an artificial compound. The water tank was separated from the fuel tank by a concrete and steel wall.
- Officers stated that land for proposed housing was situated to the north of Boundary Lane.
- Officers agreed to send an updated version of the new National Planning Policy Framework to members of the Committee.

RESOLVED (9 votes for, 1 against and 1 abstention)

That planning permission be granted subject to the conditions detailed in the report.

The meeting closed at 11.25 am

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