

**MINUTES
PLANNING COMMITTEE**

Wednesday 21 June 2023

Councillor Roy Allan (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Marje Paling
 Councillor Lorraine Brown Councillor Catherine Pope
 Councillor David Ellis Councillor Grahame Pope
 Councillor Rachael Ellis Councillor Sam Smith
 Councillor Andrew Ellwood Councillor Ruth Strong
 Councillor Des Gibbons Councillor Jane Walker
 Councillor Helen Greensmith Councillor Henry Wheeler
 Councillor Ron McCrossen

Absent: Councillor Stuart Bestwick, Councillor Lynda Pearson and
 Councillor Michelle Welsh

Officers in M Avery, N Bryan, S Fayaz and C Goodall
Attendance:

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Bestwick, Pearson and Welsh. Councillors Brown, Rachael Ellis and Paling attended as substitutes.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 26 APRIL 2023

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

3 DECLARATION OF INTERESTS

None.

4 APPLICATION NO. 2022/1316 - LAND OFF LIME LANE, ARNOLD NG5 8PW

Due to public interest, the Chair moved items 6 and 7 forward on the agenda.

Sunil Vidhani spoke on behalf of local residents who were in objection to the application.

Edward Hammond, the applicant, spoke in support of the application.

The Principal Planning Officer updated members in relation to a number of late items that had been received since the publication of the agenda which included a letter of objection noting that there had been objections to the use on noise grounds prior the festival events held in September 2022 and one new letter of support, raising no new considerations.

He added that pages 42-43 of the committee report outlined changes to the application with further representation received from the agent confirming the Maize spectator stand would be removed from Nov to June, Portaloos would only be on site between Aug and Oct, the cinema pallet stage will only be on site between May-Oct, that an advert stand and solar panels had been removed.

He added that the letter also highlighted what they considered to be very special circumstances to allow the development, which were already covered in the committee report and that amended plans had also been submitted to clarify what structures were to be removed.

The Principal Planning Officer then introduced the report.

He concluded that the additional information did not change the officer recommendation and the application was recommended for refusal.

RESOLVED:

To Refuse Planning Permission for the following reason:

In the opinion of the Local Planning Authority although the principle of the proposed use of the site for outdoor activities would fall within an exception of development identified in the NPPF as being appropriate development in the Green Belt the ancillary structures and paraphernalia associated with the various uses on the site together with the access track and car parking area would fail to preserve the openness of the Green Belt and would conflict with the purposes of including land within it. There would be glimpsed views into the site of the parking areas the impact of which would be further intensified by the urbanisation of parked vehicles and any associated infrastructure such as structures, lighting and signage. All these factors result in harm to openness and therefore should not be approved unless very special circumstances exist.

Very special circumstances will not exist unless the identified harm can be clearly outweighed by other considerations. It is considered that the very special circumstances of social, economic, environmental, ecological and community benefits would not outweigh the harm in this

instance. Taking into account the above matters, the proposal is considered to be contrary to Section 13 of the NPPF (2021).

Notes to applicant

Planning Statement - There are fundamental Green Belt policy objections to the proposal and despite protracted discussions with the applicant for planning permission, it has not been possible to overcome these concerns.

5 ENFORCEMENT REF: 0212/2022 - LAND AT LIME LANE WOODS, LIME LANE, ARNOLD

Unauthorised change of use from agricultural land and woodland to outdoor pursuits, cinema and leisure venue with associated siting of storage containers, food vending trailer and other activity based paraphernalia and installation of an access track and car parking area.

The Principal Planning Officer introduced the report.

RESOLVED:

That the Head of Development and Place, in conjunction with the Head of Governance and Customer Services, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and issue of proceedings through the courts, if required, to ensure the cessation of the unauthorised change of use of the site to an outdoor pursuits, cinema and leisure venue and removal of all associated structures, infrastructure, fitments, storage containers, food vending trailer and other activity based paraphernalia and removal of the access track and parking area to include reinstatement of the land to its condition immediately prior to installation.

6 APPLICATION NO. 2023/0100 - LING FARM, RICKET LANE, RAVENSHEAD NG21 0NG

Conversion of two agricultural buildings to create 5 dwellings.

The Principal Planning Officer updated members in relation to the recommendation, which would need to be amended to grant planning permission subject to conditions and the signing of a Section 106 Legal Agreement, which was detailed in the committee report.

The Principal Planning Officer then introduced the report.

RESOLVED:

To GRANT Planning Permission subject to conditions and the signing of a Section 106 Legal Agreement:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's 00027/P6, 00105/P1, 00038/P4 and 00034/P3, received on 1st February 2023, and drawing no. 18-0708/001/A received on 6th June 2023. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No part of the development hereby permitted shall be brought into use until the access driveway has been implemented in accordance with drawing no. 18-0708/001/A, received on 6th June 2023. The access drive shall be surfaced in a hard bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and constructed with provision to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 4 No part of the development hereby permitted shall be brought into use until a vehicular crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until a bin collection point has been provided within 15 metres of the public highway to the satisfaction of the Local Planning Authority. The bin collection point shall be retained for the life of the development.
- 6 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in

writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

- 7 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 9 From the date of first occupation each dwelling shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 10 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors, and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 11 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to or Condition 13, that tree or shrub, or any tree or shrub that is planted in

replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional mezzanine floor and no development falling within Classes A, B, C, D, E, F of Part 1 of Schedule 2 to that Order shall be carried out.
- 13 No development shall take place until full details of finished floor levels, above ordnance datum, of the ground floors of the proposed dwellings and all hard landscaped surfaces, in relation to existing and proposed ground levels and cross sections of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interest of highway safety.
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 8 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.

- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Local Planning Document.
- 10 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 11 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 12 To protect the openness of the Green Belt.
- 13 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.

Reasons for Decision

It is considered that the proposal would be appropriate development in the Green Belt and very special circumstances can be demonstrated to outweigh the limited harm to the openness the additional improvements to the access point would have. The proposal would be acceptable from a visual amenity, residential amenity, highway safety, air quality and land contamination and therefore it would be in accordance with Sections 12 and 13 of the NPPF, Policies 3, 10 and 19 of the ACS, and policies LPD 7, LPD 11, LPD 12, LPD 13, LPD 21, LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

The proposal makes it necessary to construct a vehicular footway crossing over the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services, on telephone 0300 500 80 80, to arrange for these works to be carried out.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

7 APPLICATION NO. 2023/0140 - GLEBE FARM, GLEBE DRIVE, BURTON JOYCE NG14 5BA

Conversion of two agricultural buildings to create 5 dwellings.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT Planning Permission subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's 00027/P6, 00105/P1, 00038/P4 and 00034/P3, received on 1st February 2023, and drawing no. 18-0708/001/A received on 6th June 2023. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No part of the development hereby permitted shall be brought into use until the access driveway has been implemented in accordance with drawing no. 18-0708/001/A, received on 6th June 2023. The access drive shall be surfaced in a hard bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and constructed with provision to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 4 No part of the development hereby permitted shall be brought into use until a vehicular crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

- 5 No part of the development hereby permitted shall be brought into use until a bin collection point has been provided within 15 metres of the public highway to the satisfaction of the Local Planning Authority. The bin collection point shall be retained for the life of the development.
- 6 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
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Part S of the Building Regulations. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.

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Reasons for Decision

It is considered that the proposal would be appropriate development in the Green Belt and very special circumstances can be demonstrated to outweigh the limited harm to the openness the additional improvements to the access point would have. The proposal would be acceptable from a visual amenity, residential amenity, highway safety, air quality and land contamination and therefore it would be in accordance with Sections 12

and 13 of the NPPF, Policies 3, 10 and 19 of the ACS, and policies LPD 7, LPD 11, LPD 12, LPD 13, LPD 21, LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

Notes to Applicant

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8 MEMBERSHIP OF THE PLANNING DELEGATION PANEL

To note the attached approved report.

RESOLVED to:

Note that the following members of Planning Committee were permanent members of the Planning Delegation Panel:

Councillor Roy Allan

Councillor Stuart Bestwick

Councillor David Ellis

Councillor Ron McCrossen

Councillor Lynda Pearson

Councillor Ruth Strong

9 FUTURE APPLICATIONS

RESOLVED:

To note the information.

10 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

11 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 6.50 pm

Signed by Chair:

Date: