

**When telephoning, please ask for:** Tracey Coop  
**Direct dial** 0115 914 8481  
**Email** [democraticservices@rushcliffe.gov.uk](mailto:democraticservices@rushcliffe.gov.uk)

**Our reference:**  
**Your reference:**  
**Date:** Wednesday, 6 October 2021

To all Members of the Planning Committee

Dear Councillor

Planning Committee – Thursday, 14 October 2021

The following is a schedule of representations received after the agenda for the Planning Committee was finalised.

Yours sincerely



Sanjit Sull  
Monitoring Officer

## **AGENDA**

### 4. Planning Applications (Pages 1 - 10)

The report of the Director – Development and Economic Growth is attached

#### Membership

Chairman: Councillor R Upton  
Vice-Chairman: Councillor Mrs M Stockwood  
Councillors: S Bailey, N Clarke, P Gowland, B Gray, L Healy, D Mason, F Purdue-Horan and C Thomas

Rushcliffe Borough  
Council Customer  
Service Centre

Fountain Court  
Gordon Road  
West Bridgford  
Nottingham  
NG2 5LN

**Email:**  
[customerservices@rushcliffe.gov.uk](mailto:customerservices@rushcliffe.gov.uk)

**Telephone:**  
0115 981 9911

[www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

**Opening hours:**  
**Monday, Tuesday and Thursday**  
8.30am - 5pm  
**Wednesday**  
9.30am - 5pm  
**Friday**  
8.30am - 4.30pm

**Postal address**  
Rushcliffe Borough  
Council  
Rushcliffe Arena  
Rugby Road  
West Bridgford  
Nottingham  
NG2 7YG



### Meeting Room Guidance

**Fire Alarm Evacuation:** in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

**Toilets:** are located to the rear of the building near the lift and stairs to the first floor.

**Mobile Phones:** For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

**Microphones:** When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

### Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt.

## 21/00775/VAR

**Applicant** Mrs Amy Gilliver

**Location** Land North Of Asher Lane, Asher Lane, Ruddington

**Proposal** Variation of Condition 9 of planning permission ref 18/00300/OUT to allow a change in time frame for offsite highway improvements.

**Ward** Ruddington

### LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Objections/additional information

**RECEIVED FROM:** Two Local Residents

**SUMMARY OF MAIN POINTS:**

- Two sections of double yellow lines have been incorrectly painted, the residents are concerned that by deleting the part of the condition relating to the yellow lining this would reduce the Borough Council's powers of enforcement.
- A plan (taken from the Traffic Regulation Order advert by VIA) and photographs have been provided and are attached to these late representations.
- Residents request that Committee Members consider re-inserting part c) of the original condition which reads "*Mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street*"

**PLANNING OFFICERS COMMENTS:**

- Avant homes confirm the works have been booked in with their contractors. Some works appear to have been carried out more recently to amend the lines but the positioning is still incorrect.
- The Nottinghamshire County Council Highways Officer is satisfied this part of the condition (part c) can be deleted and the matter can be addressed through the S278 process.

2. **NATURE OF REPRESENTATION:** Objection

**RECEIVED FROM:** One Local Residents

**SUMMARY OF MAIN POINTS:**

- The resident queries para 52. Of the Committee report relating to queues at the junction of Kirk Lane/High Street/Charlies Street and asserts the worst-case

queue is far longer than 6 vehicles at peak times (4pm-6pm). Queue length is 6 vehicles as a norm (at any time). Occupation of a further 35 dwellings will exacerbate this and future remediation works.

- The resident queries para. 63. and states that the Kirk Lane/Elms Park junction is regularly blocked at peak times and at times queues extend the length of Kirk Lane.
- "As has been noted, the High Street/Kirk Lane junction cannot easily be improved, so therefore the assumption that "35 dwellings is a suitable trigger point for the improvement works as it would enable the works to be carried out " is not valid If the junction can't be improved, what improvement works does this statement refer to?"
- Residents suggests that improvements to A60/Kirk Lane junction will essentially move the queue downstream.
- "It should also be noted that vehicles leaving the Asher Lane development will primarily be turning right on to Kirk Lane from the High Street, which in turn will reduce the efficiency of the High Street/Kirk Lane junction, as traffic will be queuing in multiple directions."

**PLANNING OFFICERS COMMENTS:**

- Traffic modelling and assumptions submitted with the application have been reviewed and accepted by the Nottinghamshire County Council Highways Officer.

3. **NATURE OF REPRESENTATION:** Confirmation of commuted sum

**RECEIVED FROM:** Applicant (Avant Homes)

**SUMMARY OF MAIN POINTS:**

- Confirm that a commuted sum of £347,439.55 (estimated equivalent cost of signalling junction) would be paid via the S106 legal agreement.

**PLANNING OFFICERS COMMENTS:**

- The Highways Officer at Nottinghamshire County Council has verbally accepted this is an appropriate sum of money. This figure will be specified in the S106 legal agreement and a trigger point for payment agreed. The legal agreement will ensure the sum of money will be protected to be specifically used within Ruddington





# 17/02096/CMA

**Applicant** London Rock Supplies Ltd

**Location** Land South Of Burrows Farm, Barton Lane, Barton In Fabis

**Proposal** The extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds. Mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas.

**Ward** Gotham

## LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Objection
- RECEIVED FROM:** Ward Cllr R Walker (as resident and Cllr)

### **SUMMARY OF MAIN POINTS:**

- a. Support the objections of the Barton in Fabis Parish Council and residents.
- b. Specifically, in relation to greenbelt policy and the cumulative impact on the environment and amenity of local residents. Concerns on the grounds of environmental health, flooding, transport, archaeology, biodiversity and historic assets remain
- c. Reference is made to Paragraph 52 of the Report on the Examination of the Nottinghamshire Minerals Local Plan and that the applicant and application still have hurdles to overcome that were not crossed by the allocation of the site in the Minerals Plan and as the Examiner indicated, now is the time for the decision maker to reach this judgement.
- d. Green Belt – reference is made to *Para 137, Para 148 and Para 150 of the NPPF*
  - para 148 - substantial weight. This application would cause significant harm to the green belt by permanently altering the character of the open land at present. Notwithstanding any proposed restorative action, the existing woodland and fields will be lost forever.
  - The processing plant area would be a visually intrusive structure, located at the top of the application site and visible from widespread public vantage points, thereby conflicting with the purpose of the green belt. The engineering operation does not maintain the openness of the greenbelt by virtue of its scale and urbanising impact. Whilst this

part of the development would not be permanent, the harm caused while it is in situ would be considerable and endure for a significant period.

- The historic landscape of Clifton Pastures, Trent Valley and local biodiversity would be permanently changed. This damage is not outweighed by the benefits of extracting sand and gravel.
- A key aspect of the application's impact on the green belt's permanence is the extent to which restoration measures can and will be made. Concerns are raised over the applicant's lack of track record in similar schemes and call into question their ability to manage a complex site such as this. In order for the application over its lifetime to be assessed as not having a permanently detrimental impact on the greenbelt, confidence must be present that the restorative measures will be implemented successfully. From where can such confidence come given the applicant's lack of previous delivery.
- The risk of permanent harm to the green belt is particularly important in this case given
  - The geographical position of the site within the greenbelt, sitting as it does adjacent to the border of Nottingham city centre therefore making it a 'high risk' site in respect of the green belt purposes of checking unrestricted sprawl; preventing neighbourhoods merging; safeguarding encroachment of countryside; and preserving the setting of historic towns.
  - The site has been assessed (during the local minerals plan process) as having significant environmental harm, well above other sites considered.
- The development site is located nearby other large-scale developments and the cumulative impact of these should be considered in green belt terms. The developments at Lark Hill, Fairham Pastures, A453 widening, Tram Park and Ride and Clifton West have and will contribute to urban sprawl and incursion to the countryside at the edge of Nottingham city centre and this application would exacerbate the deterioration in the green belt's openness and permanence. The application should be rejected because given the other impacts in the area, the proposals would significantly exacerbate the cumulative impacts on the Green Belt and the wider environmental qualities of the area.

#### **PLANNING OFFICERS COMMENTS:**

- a. Objections should be made directly to the determining authority, Nottingham County Council.
- b. Matters are addressed in the Committee report but it is for Nottinghamshire County Council to consider as the determining authority in regard to the information provided by the applicant and the acceptability of the proposal against Planning Policy and National Guidance.



- c. Matters of the Green Belt have been considered in the report. It is for Nottinghamshire County Council to consider as determining authority in regard to the information provided by the applicant and the acceptability of the proposal against Planning Policy and National Guidance, including the proposals for the restoration of the site.
- d. Cumulative impacts have been considered in the report. It is for Nottinghamshire County Council to consider as determining authority themselves regarding this matter.

2. **NATURE OF REPRESENTATION:**           Objection

**RECEIVED FROM:**                               7 individual residents

**SUMMARY OF MAIN POINTS**

- a. Comments and objections have been received relating to transport, noise, dust, Green Belt, restoration, environment, funding, excess time – regulation 25, air quality, safety, biodiversity, flooding, impact on amenity - fishing, horse riding, walking, footpath, heritage, loss of agricultural land.

**PLANNING OFFICERS COMMENTS:**

- a. All those who have commented as ‘neighbours’ have received an email clarifying the Borough Council’s role as a consultee and suggesting they send their comments directly to the County Council, as the determining authority.

3. **NATURE OF REPRESENTATION:**           Objection

**RECEIVED FROM:**                               Thrumpton Parish Council

**SUMMARY OF MAIN POINTS:**

- a. There would be a significant impact on the quality of life and visual amenity of local people, as well as the loss of peace and tranquillity in an area used extensively by a wider community for walking, fishing, cycling, horse riding, bird watching and other leisure pursuits.
- b. The bridleway passing through and near the site is part of the Trent Valley Way, an important strategic route between Barton and Thrumpton in the county, and Clifton and Wilford in the city, which is extremely well-used by walkers, cyclists, and horse riders. The quarry workings will have a major negative impact on users.
- c. The site is close to heavily populated areas which would be impacted by

noise and dust from the site itself and from the extensive lorry movements.

- d. This plan generates significant lorry movements on the section of Green Street adjoining Mill Hill. This was approved in the A453 dualling plans as being part of a route for non-motorised users – a ‘quiet lane’. The number of lorry movements (28,000 a year) is simply not compatible with safe cycling, walking or horse riding on a road where there is no traffic separation.
- e. The application would impact on two Sites of Special Scientific Interest (SSSI) and on five Local Wildlife Sites, one of which will be destroyed altogether.
- f. The site provides a vital complementary range of habitats for Attenborough SSSI – increasing the overall ecological richness of the Attenborough Nature Reserve.
- g. The site is in the Green Belt, and Brandshill and Clifton Woods, adjacent to the site, have been designated as Ancient Woodland which have special protection under the National Planning Policy Framework (NPPF). The processing plant at Mill Hill is not ‘appropriate development’ for the Green Belt as defined by the NPPF para 146.
- h. The site will be highly visible across the surrounding countryside.
- i. The Borough Council’s own ‘Sustainability Assessment’ shows that this site is the most damaging of all sites in the operational phase and the third most damaging in the long-term.

**PLANNING OFFICERS COMMENTS:**

It is for Nottinghamshire County Council as the determining authority to satisfy themselves regarding the information provided by the applicant and the acceptability of the proposal against Planning Policy and National Guidance.

4. **NATURE OF REPRESENTATION:** Clarification

**RECEIVED FROM:** NCC Archaeologist

**SUMMARY OF MAIN POINTS**

- a. The officer advised that archaeological advice and comments on the application, their Senior Archaeologist at Nottinghamshire County Council is dealing with the application.

**PLANNING OFFICERS COMMENTS:**

- a. The County Council is consulted on application relating to heritage. In this case the County Council would not normally be consulted as it is for Nottinghamshire County Council, as determining authority, to satisfy themselves regarding the information provided by the applicant and the acceptability of the proposal against Planning Policy and National Guidance.

5. **NATURE OF REPRESENTATION:** Comment on report

**RECEIVED FROM:** Team Manager, Development Management, Nottinghamshire County Council

**SUMMARY OF MAIN POINTS**

Paragraph 131 of the report refers to the Nottinghamshire Minerals Local Plan as a material consideration. The Plan is part of the Development Plan for the area, which would be relevant when considering applications for mineral extraction.

**PLANNING OFFICERS COMMENTS:**

Officers agree that the Nottinghamshire Minerals Local Plan does form part of the development plan for the area, relevant to the consideration of applications of this nature.

6. **NATURE OF REPRESENTATION:** Clarification

**RECEIVED FROM:** Case Officer

**SUMMARY OF MAIN POINTS**

Reason for refusal 2 refers to 'air quality' however this issue was resolved through further discussion between the Environmental Health Officer and Nottinghamshire County Council in 2018 (see paras 32 and 33 of the committee report).

**PLANNING OFFICERS COMMENTS:**

Recommend that reason for refusal 2 is amended, to omit air quality from the list of potential adverse impacts.

This page is intentionally left blank